



Staff Report
Application # L – 37673
Applicant: Harvey and Karen Bombardier

DATE RECEIVED: September 14, 2007

DATE PREPARED: October 19, 2007

TO: Chair and Commissioners – Kootenay Panel

FROM: Jennifer Carson, Land Use Planner

PROPOSAL: Subdivision for a Relative: The proposal is to subdivide a 2.5 ha lot from the 64.75 ha subject property to provide a homesite for the owner's daughter and her family. This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Local Government:

Regional District of East Kootenay

Legal Description of Property:

PID: 012-121-835
District Lot 1086, Kootenay District

Purchase Date:

July 1976

Location of Property:

6911 Hidden Valley Road, Moyie Lake Area

Size of Property:

64.7 ha (The entire property is in the ALR).

Present use of the Property:

Hay Production and raising beef cattle

Surrounding Land Uses:

WEST: Crown Land
SOUTH: Private wood logging, hay and beef cattle production
EAST: Non-farm residential
NORTH: Mining core shed storage and mining exploration activities

Agricultural Capability:

Data Source: Agricultural Capability Map # 82G/5
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

OCP: N/A

Zoning Bylaw and Designation:

Zoning: N/A

RELEVANT APPLICATIONS:

Application #25435-0

Applicant: Kokanee Explorations Ltd
Decision Date: July 15, 1991.
Proposal: To subdivide property into two (2) 32.0 ha parcels.
Decision: Allowed.

Application #36227-0

Applicant: Bombardier, Richard and Jan
Decision Date: October 12, 2005
Proposal: To subdivide the 32 ha parcel into a 30 ha parcel and a 2 ha parcel
Decision: Allowed subdivision as proposed.

Application #37227-0

Applicant: Metheral, Richard and Brenda
Decision Date: March 20, 2007
Proposal: To exclude the 31.9 ha subject property from the ALR.
Decision: Allowed with conditions.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

East Kootenay Regional District Board: The Regional Board forwarded the application with a recommendation of non-support

STAFF COMMENTS:

It is recommended that the Commissioners consider the following:

- The Regional District does not support the application.
- While the proposal is to reduce impact on the farm by situating the lot on an area never used for farming, the driveway to access the homesite, which would create the pan-handle shaped property, would be built over Class 2 land.
- While the proposal may not hinder the present use of the property, it is possible that in the future having a small lot in the area will be problematic.
- There are other methods to permit the construction of a second home on the property for farm help, or the placement of a mobile home as it is for the owners immediate family members.
- Subdivision into small lots may reduce the agricultural options for the property.
- Although the adjacent properties are not under application at this time, approval of subdivision on the subject property could lead to subdivision applications from adjacent property owners.
- The improved ratings of the agricultural capability of the property are identified as prime dominant but includes Class 2, 3, 4, 5, 6, & 7.
- A site visit will help to determine whether or not this proposal will have an impact on agriculture.

ATTACHMENTS:

1. Base Map
2. Agricultural Capability Map
3. Aerial Photograph
4. Sketch of proposal
5. Proposal (5 pages)
6. Local Government Staff Report (6 pages)

END OF REPORT



Signature

Oct 19, 2007

Date