



Staff Report
Application # F – 37689
Applicant: David Albrechtson

DATE RECEIVED: September 24, 2007

DATE PREPARED: October 18, 2007

TO: Chair and Commissioners – Kootenay Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: To exclude approximately 5.0 ha of the 7.4 ha subject property which is in the ALR for the purpose of creating three (3) residential lots.

This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The ALR boundaries in the Crawford Bay area were reviewed in 2003. The Commission's impression was that the ALR boundary in Crawford Bay was generally accurate, though they were willing to review it further once the OCP was done. A draft OCP was submitted in July 2007 and the subject property is proposed to be designated for Rural Residential 3. The Commission reviewed the draft OCP and noted that some areas that have been designated as non-agriculture in the OCP warrant further review by the Commission as some of the proposed changes do not seem to be appropriate, assuming that the areas have agricultural potential.

Local Government:

Regional District of Central Kootenay

Legal Description of Property:

PID: 011-125-357

Lot 1, Sublot 13, District Lot 4595, Kootenay District, Plan 830

Purchase Date:

1992-12-01

Location of Property:

Wadds Road, Crawford Bay

Size of Property:

7.4 ha (Approximately 5.0 ha is in the ALR).

Present use of the Property:

Residential, one cabin and one shed

Surrounding Land Uses:

WEST: Residential
SOUTH: Cemetary/Residential
EAST: Residential
NORTH: Crown Land

Agricultural Capability:

Data Source: Agricultural Capability Map # 82F/10

The majority of the property within the ALR is identified as having improvable mixed prime and secondary ratings of Class 3, 4 and 5 with limitations of topography, adverse climate and stoniness.

Official Community Plan and Designation: N/A. Draft OCP has been prepared for public discussion and agency review.

Zoning Bylaw and Designation: N/A

PREVIOUS APPLICATIONS:

Application #12082-0

Applicant: Kokanee Spring Dev.
Decision Date: April 1981
Proposal: To subdivide two lots out of the portion of the subject properties within the ALR.
Decision: Allowed

RELEVANT APPLICATIONS:

Application #37603-0

Applicant: Binette, Lionel and Irene
Decision Date: Currently under review
Proposal: To subdivide a 0.6 ha lot from the ALR portion of the 24.7 ha subject property and exclude it from the ALR. The proposed new lot includes the existing homesite.
Decision: Currently under review

Application #37656-0

Applicant: Kokanee Springs Resort Ltd
Decision Date: Currently under review
Proposal: To exclude the subject properties to improve the golf course clubhouse, amenities and utilities.
Decision: Currently under review.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Central Kootenay Regional District Board: No comments or recommendations

Local Government Staff: No objection subject to compliance with RDCK bylaws including Subdivision Bylaw 1321.

STAFF COMMENTS:

- The proposed OCP designates this property as Rural Residential, which would allow a minimum lot size of 2 ha and 1 dwelling unit permitted per lot, with an additional dwelling allowed every 2 ha of lot area over 2 ha. However this designation has not been endorsed by the Commission.
- A site visit may help to determine of the proposal on the surrounding ALR properties.

ATTACHMENTS:

- ALR Map (1:50,000)
- ALR Map (1:10,000)
- Air photo
- Agricultural Capability map
- Sketch of Property
- Letter of opposition
- Letter of response from applicant
- #37570 – response to draft OCP
- Draft OCP Land use Designation Map and R3 Policy

END OF REPORT



Signature

10/22/07

Date