



## Agricultural Land Commission Staff Report

**DATE:** August 12, 2009  
**TO:** Vice Chair and Commissioners - Kootenay Panel  
**FROM:** Martin Collins

**RE:** Application # 45794  
**PROPOSAL:** To subdivide the 15.8 ha property into two roughly equal sized lots for the applicant's granddaughters (one of whom currently lives on the property).

### PROPOSAL INFORMATION

**Background:** The land has been in the family since 1955.  
**Received Date:** February 20, 2009  
**Applicant:** Marion, Richard and Linda Henke  
**Agent:** N/A  
**Local Government:** Regional District of Central Kootenay

### DESCRIPTION OF LAND

**PID:** 005-366-160  
**Legal Description:** Parcel 4 (Reference Plan 6947I), District Lot 398, Kootenay District  
**Civic Address:** Henke Rd. , Nakusp  
**Area:** 15.8 ha  
**ALR Area:** 15.8 ha  
**Purchase Date:** June 1, 1955  
**Owner:** Marion, Richard and Linda Henke

**Total Land Area:** 15.8 ha  
**Total ALR Area:** 15.8 ha  
**Current Land Use:** Homesite and outbuildings, cleared pasture/hayfield.

### PROPOSAL DETAILS

## Subdivision

Area	Agricultural Capability	Agricultural Capability Source
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15.8	Prime Dominant	CLI
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Number of Lots	Lot Size (ha)
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1	8.0
1	7.8

15.8	Prime Dominant	CLI
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Number of Lots	Lot Size (ha)
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## Surrounding Land Uses:

North	15 ha farm property in the ALR, developed for hay.
East	4 ha lots in the ALR - cleared and used for pasture.
South	Forested parcel - Nakusp Creek
West	32 ha ALR parcel, partially forested, partially cleared

## Official Community Plan

**Bylaw Name:**

**Designation:**

**OCP Compliance:**

## Zoning

**Zoning Bylaw Name:** RLUB 1248

**Zoning Designation:** Agriculture (AG)

**Minimum Lot Size:** 8.0 ha

**Zoning Compliance:** No

## Committee Recommendations

Type	Recommendation	Description
Board/Council	No Comment	The Regional District of Central Kootenay Board forwarded the application without comment.

## STAFF COMMENTS

Staff suggests that the Commission consider the following:

- 1) The land has very good capability for agriculture (CLI rating 7:2D 3:4X)
- 2) This part of rural Nakusp is characterized by a mix of parcel sizes ranging from 4 ha to 32 ha. There are several lots of similar size and capability in the area.
- 3) Generally subdivision narrows the range of potential agricultural options and results in additional homes, outbuildings yard areas being developed on previously cultivated, arable areas. In this case the entire property appears to be arable and subdivision would likely result in the construction of another residence, outbuildings, yard and driveway.

## ATTACHMENTS

45794 sketch.pdf

38845 - AirPhotoMap5k.pdf  
38845 - ContextMap20k.pdf

**END OF REPORT**

**Signature**

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**Date**

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