



Agricultural Land Commission Staff Report

DATE: December 17, 2009
TO: Vice Chair and Commissioners - Kootenay Panel
FROM: Martin Collins

RE: Application # 50991
PROPOSAL: To subdivide the 4.8 ha lot into two lots of roughly equal size (2.3 and 2.5 ha)

PROPOSAL INFORMATION

Background: The subject property resulted from a subdivision permitted by the Commission in
Received Date: 2008 (44676)
Applicant: November 12, 2009
Agent: Thomas and Donna Yost
Local Government: N/A
Regional District of East Kootenay

DESCRIPTION OF LAND

PID: 027-997-359
Legal Description: Lot A District Lot 15905 Kootenay District Plan EPP2831
Civic Address: 3310 Pineridge Road
Area: 4.8 ha
ALR Area: 0 ha
Purchase Date: November 17, 1987
Owner: Thomas and Donna Yost

Total Land Area: 4.8 ha
Total ALR Area: 0 ha
Current Land Use: Rural residential uses - Single Family Dwelling

PROPOSAL DETAILS

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
4.8	Secondary	CLI

Number of Lots	Lot Size (ha)
2	2.4

Surrounding Land Uses:

North Rural residential lots in the ALR
East Forested crown land in the ALR
South Forested crown land in the ALR
West Rural residential lots in the ALR

Official Community Plan

Bylaw Name: Kimberly Rural OCP
Designation: LH Large Holdings
OCP Compliance: Yes

Zoning

Zoning Bylaw Name: Bylaw 1925
Zoning Designation: RR-2
Minimum Lot Size: 2.0 ha
Zoning Compliance: Yes

PREVIOUS APPLICATIONS

Application #: 44676

Applicant: Ernst and Ruth Kaufmann

Proposal: To subdivide five (5) parcels to create a total of 11 lots, the lots range from 2.1 ha to 8.0 ha in size for rural residential use.

Decisions:

Resolution Number	Decision Date	Decision Description
114	March 27, 2008	Allowed with conditions.

Note: The subject property was the result of the subdivision approved by this application.

Committee Recommendations

Type	Recommendation	Description
Planning Staff	Approve	RDEK planning staff support the proposal
Board/Council	Approve	The Regional District of East Kootenay Board supports the application.
Advisory Planning Committee	Refuse	The APC for Area E does not support this proposal.

STAFF COMMENTS

Staff recommends that the application be allowed as proposed, as it is consistent with recent Commission decisions in the Wood's Corner subdivision. The land has little agricultural capability due to poor soils.

ATTACHMENTS

- 50991_AirphotoMap.pdf
- 50991_ContextMap20k.pdf
- 50991 sketch.pdf

END OF REPORT

Signature

Date
