



## Agricultural Land Commission Staff Report

**DATE:** January 26, 2010  
**TO:** Vice Chair and Commissioners - Kootenay Panel  
**FROM:** Martin Collins

**RE:** Application # 50994  
**PROPOSAL:** To subdivide the 4.2 ha lot into two equal sized lots.

### PROPOSAL INFORMATION

**Background:** No previous applications on the property.  
**Received Date:** November 12, 2009  
**Applicant:** Cindy Mesic  
**Agent:** N/A  
**Local Government:** Regional District of East Kootenay

### DESCRIPTION OF LAND

**PID:** 015-598-268  
**Legal Description:** Lot 6, DL 7784, Kootenay District Plan 1360  
**Civic Address:** 7187 Lynch Road, Hosmer  
**Area:** 4.2 ha  
**ALR Area:** 4.2 ha  
**Purchase Date:** April 1, 1996  
**Owners:** Cindy Mesic  
Richard Budd

**Total Land Area:** 4.2 ha  
**Total ALR Area:** 4.2 ha  
**Current Land Use:** Rural residence with a large cleared hayfield and barn

### PROPOSAL DETAILS

#### Subdivision

Area	Agricultural Capability	Agricultural Capability Source
4.2	Mixed Prime and Secondary	CLI

Number of Lots	Lot Size (ha)
2	2.1

**Surrounding Land Uses:**

North Lot 7 - 3.1 ha parcel in the ALR  
 East Lot 12 - 4.3 ha & Lot B - 5.6 ha in the ALR  
 South Lot 32 - 3 ha (Auto Wreckers) in the ALR  
 West Lot 55 - 1.6 ha (Farm); Lot 5 - 5.1 (Snowy Peaks Trailer Park) in the ALR

**Official Community Plan****Bylaw Name:** Elk Valley Land Use Strategy**Designation:** Agriculture**OCP Compliance:** Yes**Zoning****Zoning Bylaw Name:** Elk Valley Zoning Bylaw**Zoning Designation:** RR-2**Minimum Lot Size:** 2.0 ha**Zoning Compliance:** Yes**Committee Recommendations**

Type	Recommendation	Description
Planning Staff	Approve	Planning staff support the proposal because it is consistent with current land use regulations.
Board/Council	Approve	The Regional District of East Kootenay Board of Directors forwarded the application with a recommendation of support.
Agricultural Advisory Committee	Approve	The AAC supports the application.
Advisory Planning Committee	Approve	The APC for Area A supported the application

**STAFF COMMENTS**

Staff suggests that the Commission consider the following.

- 1) Generally smaller parcels are less likely to be used for agricultural purposes, particularly parcels 2 ha or smaller.
- 2) The land has reasonably good agricultural potential and is developed as a hayfield.
- 3) Subdivision would result in the construction of another dwelling, yard, outbuilding(s) and access, reducing the productive capacity of the property.
- 4) The Regional District board, AAC, APC and planning staff all support the subdivision proposal.

**ATTACHMENTS**

50994\_ContextMap20k.pdf  
 50994\_AirphotoMap10k.pdf

**END OF REPORT**

**Signature**

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**Date**

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