



Agricultural Land Commission Staff Report

DATE: February 4, 2010
TO: Vice Chair and Commissioners - Kootenay Panel
FROM: Martin Collins

RE: Application # 51170

PROPOSAL: To subdivide the 8 ha property into two lots (4.5 ha and 3.5 ha). The 4.5 ha lot would be located wholly within the ALR. The 3.5 ha lot would be primarily outside the ALR, with the exception of a panhandle access of 0.3 ha.

PROPOSAL INFORMATION

Background: The easterly 3.2 ha non ALR area comprises an upper terrace, separated from the 4.5 ha remainder by a topographic break.
Received Date: December 10, 2009
Applicant: Pamela Monkman
Agent: Pamela Monkman
Local Government: N/A
Regional District of Central Kootenay

DESCRIPTION OF LAND

PID: 015-653-099
Legal Description: Lot 23 District Lot 12716 Kootenay District Plan 1653
Civic Address: Phillips Road
Area: 8 ha
ALR Area: 4.8 ha
Purchase Date: September 14, 2009
Owners: Pamela Monkman
Randy Huber

Total Land Area: 8 ha
Total ALR Area: 4.8 ha
Current Land Use: No dwellings. Both upper and lower lots have access driveways. The topographic break separating the upper and lower fields is forested

PROPOSAL DETAILS

Subdivision

Area Agricultural Capability Agricultural Capability Source

4.8

Number of Lots Lot Size (ha)

1 0.3
1 4.5

Surrounding Land Uses:

North 4 ha vacant parcel, partly in the ALR - Alfalfa

East 8 ha farm parcel with residence
South 8 ha farm parcel in the ALR in alfalfa
West 3 ha rural residence - not in the ALR.

Official Community Plan

Bylaw Name: Bylaw #1575, 2002
Designation: Agriculture
OCP Compliance: No

Zoning

Zoning Bylaw Name: Bylaw # 1675, 2004
Zoning Designation: Agriculture 2
Minimum Lot Size: 8.0 ha
Zoning Compliance: No

PREVIOUS APPLICATIONS

Application #: 25258
Applicant: H. TeBulte
Proposal:

Decisions:
Resolution Decision Date Decision Description
Number

Note: The Commission refused the subdivision of 8 ha into two 4 ha lots because the proposal would split the cultivable area into two.

RELEVANT APPLICATIONS

Application #: 25054
Applicant: Bruce & Linda Robertson
Proposal: To subdivide the 8 ha lot into two lots of 4 ha

Decisions:
Resolution Decision Date Decision Description
Number

Note: The Commission refused and reconfirmed its refusal to subdivide the 8 ha property

into two 4 ha lots.

Committee Recommendations

Type	Recommendation	Description
Board/Council	No Comment	The Regional District of Central Kootenay Board forwarded the application without comment.
Advisory Planning Committee	No Comment	The APC indicated that its interests were unaffected by the proopsal.

STAFF COMMENTS

Staff suggest that the Commission consider the following:

- 1) The upland field, though not located in the ALR, is cleared and used for pasture.
- 2) The 10 meter wide panhandle represents a minor loss of productive land (0.3 ha), if is ever developed for a driveway access.
- 3) The area is primarily agricultural, characterized by 8 ha cultivated parcels, many of which do not have any residences.
- 4) The Commission previously (1979) refused a two lot subdivision of the property which divided the productive lowland area into two portions.

ATTACHMENTS

51170 sketch plan.pdf
51170_ContextMap20k.pdf

END OF REPORT

Signature

Date