



# Provincial Agricultural Land Commission - Staff Report

## Application: 51652

**Applicants:** Brad Meidinger, Kymme Paul  
**Local Government:** Regional District of East Kootenay

**Proposal:** To subdivide the 2.6 ha property into one 1.6 ha lot and one 1.0 ha lot.

### BACKGROUND INFORMATION

A current planning review of the Baynes Lake area is being completed. This property lies within an area the draft OCP supports subdivision of properties down to 1.0 ha.

A previous application was made to the RDEK to subdivide the property into three lots. This application was not supported by RDEK Staff, Director Slee or APC B due to a pending planning process for the Baynes Lake area, Interior Health minimum parcel size requirements and difficult road access.

### PROPERTY INFORMATION

**PID:** 012-996-688  
**Legal Description:** Lot 1 Block 31 District Lot 132 Kootenay District Plan 1181  
**Property Area:** 2.6 ha  
**ALR Area:** 2.6 ha  
**Purchase Date:** September 29, 2009  
**Location:** North Star Road in Baynes Lake area  
**Owners:** Alex Wolski, Bond Holden, Brad Meidinger, Kymme Paul

### LAND USE

**Current Land Use:**

The property is currently vacant raw land with a small brick RV pad. The property is densely treed.

**Surrounding Land Uses:**

North: Residential  
 East: Residential  
 South: Residential  
 West: Campground

### PROPOSAL DETAILS

**Subdivision - ALR Area:** 2.6 ha

Number of Lots	ALR Area of Lot (ha)
1	1.0
1	1.6

**Agricultural Capability:**

The majority of the area under application is rated as: Secondary

**Source:** CLI

**Mapsheet:** 82G/3

### RELEVANT APPLICATIONS

## RELEVANT APPLICATIONS

**Application ID:** 45567

**Legacy #:** 38638

**Applicant:** John and Bev Pippard

**Proposal:** Subdivision for a relative: To subdivide to 2.0 ha property into two (2) 1.0 ha parcels.

**Decisions:**

Resolution #	Decision Date	Decision Description
941/2009	September 17, 2009	Allow subdivision as proposed.
154/2009	April 30, 2009	Refused - the subdivision would reduce agricultural potential

**Note:** Legacy File # 38638, located to the north of the subject property.

**Application ID:** 43655

**Legacy #:** 37114

**Applicant:** Ed and Pat Thiessen

**Proposal:** Subdivision for a relative or for sale. To subdivide the 2 ha subject property to create a 0.6 ha lot and a 1.4 ha residential remainder.

**Decision:**

Resolution #	Decision Date	Decision Description
156/2007	March 22, 2007	Not in ATS

**Note:** Legacy File # 37114, located to the north of the subject property.

## LOCAL GOVERNMENT INFORMATION

**Official Community Plan:**

**Bylaw Name:** N/A

**Designation:** N/A

**Zoning:**

**Zoning Bylaw Name:** N/A

**Zoning Designation:** N/A

**Comments and Recommendations:**

**Advisory Planning Committee**

The APC for Area B recommended the application be denied due to difficult road access and the minimum parcel size requirement of Interior Health Authority.

**Agricultural Advisory Committee**

The Agricultural Advisory Commission noted no agricultural impact.

**Board/Council**

"That the ALC be advised that the RDEK supports the revised ALR subdivision application for the Holden, Wolfski, Meidinger and Paul property on North Star Road in the Baynes Lake area."

## ALC STAFF COMMENTS

Staff has the following comments:

- Over the past number of years the Baynes Lake area has seen an increase in development pressure. In response to this increased pressure, members of the community have expressed their desire for a planning process for the area. The Commission too has been supportive of establishing land use regulations in the form of zoning.
- The RDEK Board authorized proceeding with a planning process for the area in 2009 and the Commission has now received a draft OCP for review.
- The subject property falls within an area which the draft OCP indicated a parcel size to a minimum of 1 ha.
- The proposed subdivision is consistent with the draft OCP.

## **ATTACHMENTS**

51652\_ContextMap20k.pdf  
51652\_AgCapabilityMap.pdf  
51652\_AirphotoMap10k.pdf

## **END OF REPORT**

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