



Provincial Agricultural Land Commission - Staff Report

Application: 51993

Applicant: Robert and Deborah Solc
Local Government: Regional District of East Kootenay

Proposal: To subdivide the property in order to create one 2 ha lot and an approximately 6 ha remainder for rural residential use. The remainder parcel will have a single family dwelling and outbuildings. The proposed new lot will be vacant for the time being. Both proposed lots will have onsite water and sewage disposal.

BACKGROUND INFORMATION

The owner of the property desires to subdivide the present parcel to allow for the creation of one new 2.0 ha lot. Lots of this size currently exist in the local area on McGinty Road and Pineridge Road and in other locations in the area. The property has recently been rezoned from RR8 (Rural Residential 8, 8 ha MLS) to RR2 (Rural Residential 2, 2 ha MLS) to allow for this proposal.

PROPERTY INFORMATION

PID: 009-036-091
Legal Description: Lot 2, District Lot 15905, Kootenay District, Plan 15929 Except Plan EPP2833
Property Area: 8.2 ha
ALR Area: 8.2 ha
Purchase Date: January 15, 2010
Location: 3433, 3395 McGinty Road, and 3301, 3298 and 3310 Pine Ridge Road - Woods Corner Area
Owner: Robert and Deborah Solc

LAND USE

Current Land Use:
 The property is used for residential purposes; the site has a single family home and small shop.

Surrounding Land Uses:

North: Crown land
 East: Residential
 South: Residential
 West: Crown Land

PROPOSAL DETAILS

Subdivision - ALR Area: 8.2 ha

Number of Lots	ALR Area of Lot (ha)
1	2.0
1	6.2

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

Source: CLI
Mapsheet: 82G.071

PREVIOUS APPLICATIONS

PREVIOUS APPLICATIONS

Application ID: 44676

Legacy #: 37878

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.

Decision:

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

Note: Legacy File: 37878. This application included the subject property in a total of five (5) parcels to create a total of 11 lots as noted. When the Commissioners discussed this application, concerns regarding further parcelization of the properties was discussed in terms of the increase of residences possibly increasing the impact of ATV use within the Crown grazing areas. It was noted that the Commission had endorsed the OCP which called for more density in this area. The proposal for this area within the OCP was supported by the District Agrologist who believed that the further parcelization of the area would result in negligible impacts on agriculture.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Kimberely Rural OCP Bylaw No. 1924

Designation: Large Holdings

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Rural Residential Zone

Zoning Designation: RR-2

Minimum Lot Size: 2.0 ha

Zoning Compliance: Yes

Comments and Recommendations:

Advisory Planning Committee

The APC for Area E supports the creation of one 2.0 ha lot and an 8.0 ha remainder for rural residential use.

Board/Council

That the ALC be advised the RDEK Board supports the Solc ALR subdiivision application for propertyat 3301 Pineridge Road in the Wood's Corner area.

Planning Staff

The RD staff supports rural residential development and rural resource land uses with parcel sizes in the range of 2.0 ha to 8.0 ha.

ALR land in Wood's Corner that is suitable for small lot development is designated in the plan. Subdivision and rezoning proposals to a 2.0 ha minimum parcel size will be supported by the RDEK for these identified parcels.

ALC STAFF COMMENTS

Staff has the following comments:

- The Commission supported a previous application in 2008 to subdivide five (5) parcels, including a portion of the subject property, to create a total of 11 lots (ranging from 2.1 ha to 8.0 ha) for rural residential purposes.
- The subject property lies within the area designated as suitable for development into a minimum of 2.0 ha parcels.
- The Commission has endorsed the OCP which called for more density in this area.
- Surrounding Crown land is used for seasonal grazing and recreational purposes.

ATTACHMENTS

51993_ContextMap20k.pdf
51993_AgCapabilityMap.pdf
51993_AirphotoMap10k.pdf
51993Proposal.pdf

END OF REPORT

Prepared by: Ron Wallace, January 28, 2011