



Provincial Agricultural Land Commission - Staff Report

Application: 52085

Applicant: Ed and Pat Thiessen
Local Government: Regional District of East Kootenay

Proposal: To subdivide the 2 ha subject property to create two 1.0 ha residential lots.

BACKGROUND INFORMATION

The applicant made a similar application in 2007 to create a 0.6 ha lot and a 1.4 ha residential remainder. The Commission considered that subdividing the property would decrease its potential for agricultural use. It was also believed that although the size of the property is small, it could support some small-scale agricultural activity.

PROPERTY INFORMATION

PID: 011-601-086
Legal Description: Lot 7, District Lot 132, Block 20, Kootenay District, Plan 1181
Property Area: 2.0 ha
ALR Area: 2.0 ha
Purchase Date: July 12, 1996
Location: Located on Sundown Lane, Baynes Lake, Elko
Owner: Ed and Pat Thiessen

LAND USE

Current Land Use:
Residential

Surrounding Land Uses:

North: Campground
East: Grain & forage / Residential acreages
South: Residential acreages
West: Beef cattle / grain & forage / vacant property

PROPOSAL DETAILS

Subdivision - ALR Area: 2.0 ha

Number of Lots	ALR Area of Lot (ha)
2	1.0

Agricultural Capability:

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

Source: CLI

Mapsheet: 82G/3

PREVIOUS APPLICATIONS

PREVIOUS APPLICATIONS

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: This similar application to the current proposal was refused as the Commission believed that introducing a small residential lot into this area may negatively impact existing or potential agricultural use of surrounding lands. The Commission also considered that the application was not supported by the AAC or the Regional Board and planning staff. It was noted that an OCP process and zoning designation is needed for this area.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: none

Designation: none

Zoning:

Zoning Bylaw Name: none

Zoning Designation: un-zoned

Comments and Recommendations:

Advisory Planning Committee

The APC for Area B supports the application but would like to postpone it for a month pending OCP recommendations. The APC would also like clarification by MoTI on whether Sundown Lane is being plowed at present.

Agricultural Advisory Committee

The AAC supports the application; there are no agricultural concerns.

Board/Council

After consideration, the Board adopted Resolution #41995 in support of the Thiessen subdivision application.

Planning Staff

That the Thiessen ALR subdivision application for property at 755 Sundown Lane be forwarded to the ALC and that it be requested to defer decision pending completion of the Baynes Lake planning process.

ALC STAFF COMMENTS

Staff has the following comments:

- The Commission considered a similar application involving this property in 2007. This application was refused as noted above.
- An OCP is being done by the Regional District for the Baynes Lake area. The completion of this planning process will benefit the Commission in making its decision regarding this application.
- Local Government Board, Staff and Advisory Commissions all support the application.

ATTACHMENTS

52085_ContextMap20k.pdf
52085_AgCapabilityMap.pdf
52085_AirphotoMap5k.pdf

END OF REPORT

Prepared by: Ron Wallace, January 26, 2011