



Staff Report
Application # L – 37674
Applicant: Paul and Patricia Burnett
Agent: Leffler Law Office

DATE RECEIVED: September 14, 2007

DATE PREPARED: October 16, 2007

TO: Chair and Commissioners – Kootenay Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To subdivide the 22 ha subject property as divided by Hosmer-Fernie Road (Dock Road) to create a 12 ha parcel on the west side and a 10 ha parcel on the east side.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The applicants state that they currently operate a tree farm on the property. They state that they have not expanded the operation to the lower portion of the property due to poor agricultural capability. They wish to divide the better land from the poorer land using the road as a dividing line.

Local Government:

Regional District of East Kootenay

Legal Description of Property:

PID: 013-353-748

Lot 9, District Lot 3047, Kootenay District, Plan 1410, EXCEPT Part included in Plans 9346 and 9789

Purchase Date:

August 1994

Location of Property:

688 Bryant Road, Hosmer Area

Size of Property:

22.0 ha (The entire property is in the ALR).

Present use of the Property:

Grazing, buildings, barn and two old houses

Surrounding Land Uses:

WEST: Large acreage Residential/grazing
SOUTH: Highway 3 and Elk River
EAST: Grazing
NORTH: Grazing and hay

Agricultural Capability:

Data Source: Agricultural Capability Map # 82G/10; 82G/11
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

Elk Valley Land Use Strategy
Designation: Agriculture

Zoning Bylaw and Designation:

Elk Valley Zoning Bylaw No. 829 (1990)
Designation: RR-8 Rural Residential (Country) Zone
Minimum Lot Size: 8 ha

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

East Kootenay Regional District Board: The Regional Board forwarded the application with a recommendation of support

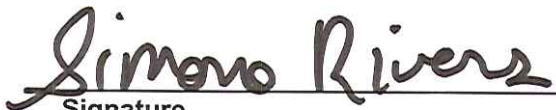
STAFF COMMENTS:

Staff recommend a site visit to discuss the application with the applicants and to determine the impact subdivision would have on the future agricultural use of the property as well as on surrounding agricultural operations.

ATTACHMENTS:

- Sketch of proposed subdivision (submitted by the applicants)
- ALC Context Map – 82G.055 – 82G.056 (1:50,000 (created by ALC Staff)
- Airphoto – 1:10,000 (created by ALC Staff)

END OF REPORT


Signature


Date