



**Staff Report**  
**Application # F – 38518**  
**Applicant: Elaine Towill**

**DATE RECEIVED:** September 29, 2008

**DATE PREPARED:** December 17, 2008

**TO:** Chair and Commissioners – Kootenay Panel

**FROM:** Jennifer Carson, Land Use Planner

**PROPOSAL:** To subdivide the 4.5 ha property to create an approximately 2.0 ha parcel and a 2.5 ha parcel. This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

**Local Government:**

Regional District of Central Kootenay

**Legal Description of Property:**

PID: 011-003-138  
Lot 1, District Lot 6307, Kootenay District, Plan 13297

**Purchase Date:**

July 2001

**Location of Property:**

4080 Blewett Road, Blewett

**Size of Property:**

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

**Present use of the Property:**

single family house, garden, woodlot, old pasture

**Surrounding Land Uses:**

**WEST:** single family rural residential - small hobby farms, woodlots

**WEST:** farming mixed (cattle, horses, chickens, gardens)

**SOUTH:** rural residential, mixed hobby farms

**EAST:** rural residential, woodlots, small hobby farms

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82F/06  
The majority of the property is identified as having Prime Dominant ratings.

**Official Community Plan & Zoning Bylaw and Designation:**

n/a

**PREVIOUS APPLICATIONS:**

**Application #06496-1**

**Applicant:** ALC & RD  
**Decision Date:** August 24, 1978  
**Proposal:** Include 161.9 ha  
**Decision:** Cabinet approved inclusion by OIC (161.9 ha).

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Note: This application involved the inclusion of the eastern portion of the subject property

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**Application #10766-0**

**Applicant:** Pictin, Mary  
**Decision Date:** July 9, 1981  
**Proposal:** To subdivide the subject property along the ALR boundary.  
**Decision:** Allowed on the condition that the portions of Parcel B and C which are in the ALR be consolidated.

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**RELEVANT APPLICATIONS:**

**Application #28509-0**

**Applicant:** Horswill, M.  
**Decision Date:** October 27, 1993  
**Proposal:** To exclude 15 ha which is ALR portion of 30 ha parcel in order to construct chalets for rental accommodation for tourist.  
**Decision:** Allowed due to low agricultural capability. Commission agreed to endorse exclusion of Blewett in 1987 by individual or block application following ALR review.

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**Application #30285-0**

**Applicant:** King, Joanna  
**Decision Date:** January 30, 1996  
**Proposal:** Subdivide 3 lots of 0.43 ha each from parcel. One lot will be north of Kay's road and two lots south. Remainder will be north of road.  
**Decision:** Allowed, the Commission has agreed to endorse exclusion of Blewett.

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**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

none

**STAFF COMMENTS:**

Under Resolution #794/1987 the Commission endorsed exclusion of the entire Blewett area.

**ATTACHMENTS:**

1. ALC Context Maps (2 pages)
2. Aerial Photograph
3. Agricultural Capability Map
4. Sketch of proposal
5. Letter from applicant
6. Local Government Staff Report

**END OF REPORT**

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**Signature**

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**Date**