



Agricultural Land Commission Staff Report

DATE: August 12, 2009
TO: Vice Chair and Commissioners - Kootenay Panel
FROM: Martin Collins

RE: Application # 45770

PROPOSAL: To reconfigure two adjoining lots of 16 ha and 64 ha so that the 16 lot lies adjacent to Nicholson Creek Road. At present the 16 ha lot does not have road access. Both lots lie only partially within the ALR.

PROPOSAL INFORMATION

Background: No previous applications on the property or in the area.
Received Date: February 10, 2009
Applicant: Victor Kutny
Agent: Mrs. Kay Kutny
Local Government: Regional District of Kootenay-Boundary

DESCRIPTION OF LAND

PID: 010-099-964
Legal Description: District Lot 1722s, Similkameen Division of Yale District
Civic Address:
Area: 64 ha
ALR Area: 30 ha
Purchase Date: July 3, 1995
Owner: Victor Kutny

PID: 010-100-133
Legal Description: The North of the North 1/2 of District Lot 1716s, Similkameen Division of Yale District
Civic Address:
Area: 16 ha
ALR Area: 6 ha
Purchase Date: July 3, 1995
Owner: Victor Kutny

Total Land Area: 80 ha
Total ALR Area: 36 ha
Current Land Use: Hayfield, residence, outbuildings, forested land

PROPOSAL DETAILS

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
36.0	Secondary	CLI

Number of Lots Lot Size (ha)

1	2.0
1	34.0

Surrounding Land Uses:

North	Forested non ALR
East	Forested non ALR
South	Forested and grazing land in the ALR and outside the ALR
West	Forested ALR

Official Community Plan

Bylaw Name: No OCP exists in the area

Designation:

OCP Compliance:

Zoning

Zoning Bylaw Name: No zoning bylaw exists in the area

Zoning Designation:

Minimum Lot Size: ha

Zoning Compliance:

Committee Recommendations

Type	Recommendation	Description
Board/Council	Approve	The Board of the Kootenay Boundary Regional District forwarded the application with support.
Advisory Planning Committee	Approve	Electoral Area E APC recommended approval.

STAFF COMMENTS

Staff recommends that the boundary adjustment application be allowed as proposed on the grounds the number of lots (and their size) remain constant and there are no agricultural impacts.

ATTACHMENTS

45770 sketch plan.pdf
38821 - AirPhotoMap10k.pdf
38821 - ContextMap20k.pdf

END OF REPORT

Signature

Date