



## Agricultural Land Commission Staff Report

**DATE:** June 2, 2010  
**TO:** Vice Chair and Commissioners - Kootenay Panel  
**FROM:** Jennifer Carson

**RE:** Application # 51726  
**PROPOSAL:** Exclusion

### PROPOSAL INFORMATION

**Background:** Propose to create riverfront lots  
**Received Date:** May 10, 2010  
**Applicant:** Red North Properties Ltd  
**Agent:** Leffler Law Office  
**Local Government:** District of Sparwood

### DESCRIPTION OF LAND

**PID:** 027-557-910  
**Legal Description:** Lot A, District Lots 4135 and 6251, Kootenay District, Plan NEP86972  
**Civic Address:** 1000 Matevic Road, Sparwood  
**Area:** 2.4 ha  
**ALR Area:** 2.4 ha  
**Purchase Date:** July 2, 2008  
**Owner:** Red North Properties Ltd

**Total Land Area:** 2.4 ha  
**Total ALR Area:** 2.4 ha  
**Current Land Use:** 1 barn, unoccupied and unused. Land is vacant. Formerly a neighbour took a small amount of hay off a portion of the land

### PROPOSAL DETAILS

#### Exclusion

Area	Agricultural Capability	Agricultural Capability Source
2.4	Prime	CLI

#### Surrounding Land Uses:

North North/East - Hwy 43 and then residential acreage with some haying (A-1)

East South/East - Elk River  
South Elk River  
West Matevic Road and Sparwood Heights residential subdivision  
Southwest - Rural acreages (A-1)

**Official Community Plan**

**Bylaw Name:** Official Community Plan Bylaw 869, 2002  
**Designation:** Parks and Recreation  
**OCP Compliance:** No

**Zoning**

**Zoning Bylaw Name:** Zoning Bylaw No. 264, 1981  
**Zoning Designation:** Agricultural (A-1)  
**Minimum Lot Size:** 2.0 ha  
**Zoning Compliance:** No

**PREVIOUS APPLICATIONS**

**Application #:** 14976

**Applicant:** Frank & Anton Svec

**Proposal:** Proposed to s/d the 3.62 ha property into 2 lots of 2.19 ha and 1.43 ha as divided by a bridge and the Elk River. Allowed (Resolution #1712/1984)

**Decisions:**

**Resolution**

<b>Number</b>	<b>Decision Date</b>	<b>Decision Description</b>
1712	December 18, 1984	Allowed.

**Note:** Approval of this subdivision application created the subject property.

**Committee Recommendations**

<b>Type</b>	<b>Recommendation</b>	<b>Description</b>
Planning Staff	Approve	This land use is appropriate for the area of town.
Board/Council	Approve	That the application be authorized.

**STAFF COMMENTS**

Staff suggests the Commission consider the following:

- The agricultural capability of the subject property is improvable to Class 2 with the limitation of climate.
- The applicants have owned the property since July 2008.
- A previous application (#18707/ 14976) created the subject property.
- The aerial photograph shows the northern portion of the property to contain a field.

**ATTACHMENTS**

- 51726 lg report.pdf
- 51696 proposal.pdf
- 51726 proposal.pdf
- 51726\_ContextMap20k.pdf
- 51726\_AgCapabilityMap.pdf
- 51726\_AirphotoMap10k.pdf

**END OF REPORT**

**Signature**

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**Date**

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