



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604-660-7000
Fax: 604-660-7033
www.alc.gov.bc.ca

November 29, 2005

Reply to the attention of Simone Rivers

John & Myrtle Latta
1020 Highway #8
Merritt, BC – V1K 1P1

Dear Mr. and Mrs. Latta:

**Re: Application #ZZ-36203-0
Lot A, District Lot 127, Kamloops Division Yale District, Plan 41396**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the above noted property into three 4 ha lots and one 6 ha lot. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you for taking the time to meet with its representatives on November 23, 2005.

Although part of the property is prone to flooding, the Commission noted that portions of the property at higher elevation had agricultural capability that would be reduced if subdivided into four rural residential lots. In the Commission's view, the parcel has more agricultural potential as a single unit than as four separate parcels. This is due to the fact that, in general, reduction of parcel size reduces the available options for commercial agricultural use.

For these reasons, the Commission refused your application as proposed.

The decision noted above is recorded as Resolution # 626/2005.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

cc: Thompson-Nicola Regional District – (File ALR-M-54)
Gerry Watson, 1000 Highway #8, Merritt, BC – V1K 1P1

SBR/lv
36203d1

THAT the staff report be received and the application to subdivide the 18 ha property described as Lot A, District Lot 127, Kamloops Division Yale District, Plan 41396 into three 4 ha parcels and one 6 ha parcel be refused on the ground that the property had good agricultural capability and that the subdivision of this property would reduce the agricultural options of the property.

CARRIED



Staff Report
Application # ZZ – 36203 – 0
Applicant: John & Myrtle Latta
Agent: Gerry Watson

DATE RECEIVED: August 10, 2005

DATE PREPARED: October 4, 2005

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To subdivide the 18 ha property into four parcels, three of approximately 4 ha and one of 6 ha.

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

BACKGROUND INFORMATION:

The applicants' supplemental letter is attached for the Commission's information. In it they state the property has been used by two generations of the same family for producing hay and for a brief period in the 1990's for growing ginseng. The farming operation has never been economically self-sufficient. In 2000 the Commission allowed the construction of a water bottling plant on the north-west corner of this property, but the inability to raise sufficient investment capital has made that project unfeasible.

The applicants further state that the size of the property of land means that economic hay production is impossible as the income from the hay won't cover the operating and machinery costs. Therefore the family wishes to subdivide the property into four parcels. The family intends to continue to occupy the house on the 6 ha parcel and sell the remaining three 4 ha parcels for uses consistent with its RL-1 (Rural Zone) zoning. It is anticipated that the most likely buyers would be families interested in hobby farms or keeping horses.

Local Government:

Thompson-Nicola Regional District

Legal Description of Property:

PID: 014-327-431

Lot A, District Lot 127, Kamloops Division Yale District, Plan 41396

Purchase Date:

August 1989

Location of Property:

Highway 8, 1.4 km west of Merritt

Size of Property:

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

Present use of the Property:

Hay and five cattle

Surrounding Land Uses:

WEST: (ALR)
SOUTH: Hay and buffalo (ALR)
EAST: (non-ALR)
NORTH: Horses and hay (non-ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 921/2
The property is identified as having the following ratings 9:4MW-1:5WI (6:2W-3:1-1:4WI).

Official Community Plan and Designation:

Nicola Valley Official Community Plan designates the parcel as Rural Resource and Agriculture.

Zoning Bylaw and Designation:

Thompson-Nicola Regional District Zoning Bylaw No. 940 designates the parcel as RL-1 (Rural).
Minimum lot size 4 ha.

PREVIOUS APPLICATIONS:

Application #32683-0

Applicant: Latta, John & Myrtle
Decision Date: May 19, 1999
Proposal: To construct a 1,400 m² water bottling facility on the subject property.
Decision: Allowed.

RELEVANT APPLICATIONS:

Application #21095-0

Applicant: Hanna, Stuart and Caroline
Decision Date: May 26, 1987
Proposal: To subdivide the 26 ha property into three approximately equal-sized lots
Decision: Refused as proposed because of reduced agricultural capability.

Application #22422-0

Applicant: Hanna, Stuart and Caroline
Decision Date: October 21, 1988
Proposal: To exclude the 26 ha property from the ALR to facilitate subdivision into six 4 ha lots.
Decision: Refused as proposed on the grounds of reduced agricultural capability.

Application #22422-1

Applicant: Hanna, Stuart and Caroline
Decision Date: December 12, 1988
Proposal: To subdivide an 8 ha lot from the 26 ha property under *the Homesite Severance Policy*.
Decision: Allowed as requested.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Planning Staff: Planning staff note that public road dedication will be required in order to achieve adequate public road frontage. The planning staff also supports the rescinding of ALC Resolution # 331/99 which allowed the construction of a water bottling facility on the property, the registration of a riparian area covenant in the amount of 55 m and the relinquishment of existing surface water license in the Nicola River if the application is approved.

City of Merritt Council: The City of Merritt Council was asked to comment on the application by the agent for the applicants. The City offered the following comment: That the City of Merritt Council supports the subdivision in principle pending receipt of servicing and other information forthcoming through the formal subdivision process.

STAFF COMMENTS:

Staff recommend that the Commission consider the following:

- The subject property does not seem to be short of water.
- An application to subdivide the neighbouring property was refused.

Staff recommend a site visit to determine the agricultural capability of the property.

END OF REPORT


Signature

Oct 12, 2005
Date