



Agricultural Land Commission Staff Report

DATE: September 3, 2009

TO: Vice Chair and Commissioners - Interior Panel

FROM: Simone Rivers

RE: Application # 46046

PROPOSAL: To subdivide a 24.8 ha lot and a 3.8 ha lot from the 125.4 ha property leaving a 96.8 ha remainder. The 3.8 ha lot is proposed to be excluded.

PROPOSAL INFORMATION

Background: Legacy Application # ZZ-39055

Received Date: June 5, 2009

Applicant: Bar D Bar Ranch Inc.

Agent: Springford Patrick Law Corporation

Local Government: Thompson-Nicola Regional District

DESCRIPTION OF LAND

PID: 003-759-326

Legal Description: District Lot 706, Kamloops Division of Yale District, EXCEPT Parcel A (Plan 4373D) and Plans KAP66668 and KAP85561

Civic Address:

Area: 125.4 ha

ALR Area: 110.6 ha

Purchase Date: January 1, 1994

Owner: Bar D Bar Ranch Inc.

Total Land Area: 125.4 ha

Total ALR Area: 110.6 ha

Current Land Use: Hay production and pasture, an old barn near the northwest corner of the parcel. Shop and hayshed as well as pasture to the north of the road. The 3.6 ha area is currently forested and not improved for agricultural use.

PROPOSAL DETAILS

Exclusion

Area	Agricultural Capability	Agricultural Capability Source
3.8	Secondary	CLI

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
110.4	Secondary	CLI

Number of Lots Lot Size (ha)

1	3.8
1	16.9
1	89.9

Surrounding Land Uses:

Official Community Plan

Bylaw Name: South Thompson Valley and Pinantan
Designation: Forestry Grazing and Agricultural
OCP Compliance: Yes

Zoning

Zoning Bylaw Name: Zoning Bylaw No. 940
Zoning Designation: AF-1 (Agricultural/Forestry)
Minimum Lot Size: 8.0 ha
Zoning Compliance: Yes

PREVIOUS APPLICATIONS

Application #: 30047
Applicant: Ceasar DeMarni
Proposal: To subdivide a 0.8 ha parcel from the 832 ha deeded ranch. The lot would be sold to a part time employee of the ranch.

Decisions:

Resolution Number	Decision Date	Decision Description
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Note: Legacy Application # 00764
Resolution # 6034/1977
Date: April 20, 1977

Decision: Approved.

Application #: 2635
Applicant: Bar "D" Bar Ranch Inc.
Proposal: To subdivide the 129 ha parcel into a 3.2 ha lot and a 126.4 ha remainder.

Decisions:

Resolution Number	Decision Date	Decision Description
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Note: Legacy Application # 29322
Resolution: 1162/1994
Date: December 7, 1994

Decision: Refused on the grounds that the random creation of isolated rural residential lots in a grazing area is not supportive of long term agriculture

RELEVANT APPLICATIONS

Application #: 45951

Applicant: Douglas and Linda Comazzetto

Proposal: To subdivide the 18 ha subject property into two approximately 9 ha lots. A portion of each lot is not in the ALR.

Decisions:
**Resolution
Number**

Decision Date

Decision Description

Note: Legacy Application # 38979 - Decision Pending
This application has been made concurrently with the current application by the same applicants. The subject property is located immediately to the west.

Application #: 34976

Applicant: Brian G & Joan Wilson

Proposal: To subdivide a 4 ha property from the 16.9 ha subject property as divided by Robins Creek Road. Approximately 6 ha of the subject property was in the ALR.

Decisions:
**Resolution
Number**

Decision Date

Decision Description

Note: Legacy Application # 06990
Resolution: 9428/1978
Date: August 21, 1978

Decision: Allowed

Application #: 2415

Applicant: Bar "D" Bar Ranch Inc.

Proposal: To subdivide the 32 ha property along Barnhartvale Road into one 9.3 ha lot and a 22.7 ha remainder. Only 9.4 ha of the subject property was in the ALR.

Decisions:
**Resolution
Number**

Decision Date

Decision Description

Note: Legacy Application # 29103
Resolution # 1016/1994
Date: October 5, 1994

Decision: Allowed subject to the installation of Schedule D.3 fencing along the boundaries of the approved lot.

Committee Recommendations

Type	Recommendation	Description
Board/Council	No Comment	Thompson-Nicola Regional District Board: The Regional Board forwarded the application without comment or recommendation as per policy.

STAFF COMMENTS

The applicants are applying for both subdivision and exclusion. When staff started researching this application it identified some deficiencies in the notification. Two adjacent land owners had not been notified. Therefore, the Commission cannot make a decision on the exclusion portion of the application at this time. However, since the application included both a subdivision and exclusion component, the subdivision portion can be reviewed at this time.

The applicants have made a concurrent application for subdivision of an adjacent property (Application # 38979).

A complete listing of the applicant' s holdings in the area was not provided. It is unknown if the subject properties for this and application # 38979 represent the extent of the applicant' s holdings in the area.

One neighbouring land owner wrote in opposition to the proposed exclusion. He has concerns about fencing and access.

Portions of the subject property are outside of the ALR. To the north of the property, the agricultural capability appears to be quite similar to the remainder of the property. At the south of the property the non-ALR appears to be hillside.

The application does not state if the applicants are proposing to keep the large agricultural remainder or if their plan is to sell all of the land.

ATTACHMENTS

- 39055_AirphotoMap.pdf
- 39055_ContextMap20k.pdf
- 39055proposal description.pdf
- 39055proposal sketch.pdf
- 39055letter.pdf

END OF REPORT

Signature

Date