



## Agricultural Land Commission Staff Report

**DATE:** July 6, 2010  
**TO:** Vice Chair and Commissioners - Okanagan Panel  
**FROM:** Martin Collins

**RE:** Application # 51748  
**PROPOSAL:** To subdivide the 4 ha lot into two 2 ha lots to provide separate titles and homesites for co-owners.

### PROPOSAL INFORMATION

**Background:** Two similar applications have been made for this property in 1981 and 1990 for the subdivision of the property into two lots. The ALC refused both applications because the property has Class 2 and 3 agricultural capability and to preserve agricultural options for the land.

**Received Date:** May 19, 2010

**Applicant:** Pamela Devins, Joseph Foley, Tracy Campbell, Jeffrey Snyder

**Agent:** R.G.(Bob) Holtby

**Local Government:** Columbia Shuswap Regional District

### DESCRIPTION OF LAND

**PID:** 007-242-034

**Legal Description:** Lot 2 Section 19 Township 21 Range 10 West of the 6th Meridian Kamloops Division Yale District Plan 21815

**Civic Address:** 1075 Tappen Valley Road

**Area:** 4 ha

**ALR Area:** 4 ha

**Purchase Date:** November 2, 2007

**Owners:** Jeffrey Snyder  
Joseph Foley  
Pamela Devins  
Tracy Campbell

**Total Land Area:** 4 ha

**Total ALR Area:** 4 ha

**Current Land Use:** Single family dwelling , outbuildings, three recreational vehicles, garden, and bush. The property remains primarily in the natural state with only a small cleared area for the homesite.

### PROPOSAL DETAILS

**Subdivision**

|             |                                |                                       |
|-------------|--------------------------------|---------------------------------------|
| <b>Area</b> | <b>Agricultural Capability</b> | <b>Agricultural Capability Source</b> |
| 4.0         | Mixed Prime and Secondary      | CLI                                   |

|                       |                      |
|-----------------------|----------------------|
| <b>Number of Lots</b> | <b>Lot Size (ha)</b> |
| 2                     | 2.0                  |

**Surrounding Land Uses:**

|       |  |
|-------|--|
| North | 4 ha ALR Vineyard                          |
| East  | Large agricultural parcel - hay or pasture |
| South | 2.5 ha rural residential                   |
| West  | Large agricultural parcel - hay or pasture |

**Official Community Plan**

**Bylaw Name:** N/A no OCP in Tappen

**Designation:**

**OCP Compliance:**

**Zoning**

**Zoning Bylaw Name:** N/A no zoning bylaw in Tappen

**Zoning Designation:**

**Minimum Lot Size:**

**Zoning Compliance:**

**PREVIOUS APPLICATIONS**

**Application #:** 33295

**Applicant:** P&E Sutherland

**Proposal:** To subdivide the 4 ha property into two lots of 2 ha.

**Decisions:**

| <b>Resolution Number</b> | <b>Decision Date</b> | <b>Decision Description</b> |
|--------------------------|----------------------|-----------------------------|
|--------------------------|----------------------|-----------------------------|

**Note:** Refused as proposed.

**Application #:** 14812

**Applicant:** Peter & Eleanor Sutherland

**Proposal:** To subdivide the 4.1 ha property into two lots of equal size

**Decisions:**

| <b>Resolution Number</b> | <b>Decision Date</b> | <b>Decision Description</b> |
|--------------------------|----------------------|-----------------------------|
| 251                      | April 12, 1990       | refuse                      |

**RELEVANT APPLICATIONS**

**Application #:** 41613

**Applicant:** Allan Bentley

**Proposal:** To subdivide off a 0.4 ha lot from the southwestern corner of the 2.4 ha property.

**Decisions:**  
**Resolution  
Number**

**Decision Date**  
February 3, 2005

**Decision Description**

The Commission approved the application to subdivide off a 0.4 ha lot from the southwestern corner of the 2.4 ha property on the grounds that it would have a limited impact on agriculture.

**Note:** This property is located nearby, to the south of the subject property.

### **Committee Recommendations**

| <b>Type</b>                 | <b>Recommendation</b> | <b>Description</b>   |
|-----------------------------|-----------------------|--|
| Planning Staff              | Refuse                | CSRD Planning staff recommended that the application be refused as proposed.   |
| Board/Council               | No Comment            | The Board of the Columbia Shuswap Regional District forwarded the application without comment. A resolution to forward the application with a recommendation of refusal was defeated (5-4) |
| Advisory Planning Committee | Approve               | The APC for Electoral Area C unanimously supported the application.  |

### **STAFF COMMENTS**

Staff suggests that the Commission consider the following:

- 1) The CLI inventory information indicates that the land is improvable to prime (Class 2 and 3) with limitations of topography and unfavourable soil structure. The adjoining property to the north, which has similar soils, has been agriculturally developed as a vineyard.
- 2) The Commission has twice previously refused the same two lot subdivision application. However there is no record of a Commission site visit.
- 3) It is the Commission's experience that 4 ha parcels are more likely to accommodate agricultural activity than 2 ha lots (which tend to be used for rural residential purposes).
- 4) The applicants' agent indicates that the property is bisected by a ravine, running north/south. It is recommended that the Commission visit the property to ascertain the limitations imposed by the ravine, and the potential impacts of subdivision.
- 5) There is no OCP or zoning for the Tappen area.

### **ATTACHMENTS**

51748\_ContextMap20k.pdf  
51748\_AirphotoMap10k.pdf  
51748 consultants report.pdf

**END OF REPORT**

**Signature**

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**Date**

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