

# Provincial Agricultural Land Commission - Staff Report Application: 52008

**Applicant:** Dale & Theresa Pelton **Local Government:** District of Clearwater

**Proposal:** SUBDIVISION - Proposal to subdivide 1.6 ha from a 4 ha property.

# **BACKGROUND INFORMATION**

There are no previous applications on this property.

# PROPERTY INFORMATION

**PID:** 001-536-478

Legal Description: Lot 1 District Lot 1722 Kamloops Division Yale District Plan 27488

**Property Area:** 4.0 ha **ALR Area:** 4.0 ha

Purchase Date: May 16, 1995
Location: 417 Ritchie Road
Owner: Dale & Theresa Pelton

# LAND USE

#### **Current Land Use:**

Residential - house and garage

#### **Surrounding Land Uses:**

North: ALR - 2 ha Recreational

East: Non-ALR - 20+ ha Residential, subdivision South: ALR - 10+ ha Residential & Hobby Farm

West: ALR - 1 ha Residential

Non-ALR - 1 ha Residential

# PROPOSAL DETAILS

Subdivision - ALR Area: 4.0 ha

Number of Lots	ALR Area of Lot (ha)
1	2.4
1	1.6

#### **Agricultural Capability:**

The majority of the area under application is rated as: Unclassified

Mapsheet: N/A

# **RELEVANT APPLICATIONS**

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# RELEVANT APPLICATIONS

Application ID: 41671 Legacy #: 35744

**Applicant:** James Settle

**Proposal:** To exclude the 0.136 ha property from the Agricultural Land Reserve for a commercial use - an

auto repair shop. The applicant is also seeking rezoning from the P-2 (Institutional) to C-2

commercial.

Decision:

Resolution # Decision Date Decision Description

571/2004 December 14, 2004 The Commission allowed the exclusion of the 0.13 ha lot on the grounds

it had no agricultural capability based on its size and existing use.

Application ID: 41011 Legacy #: 35247

Applicant: Cheryl McCreight

**Proposal:** To exclude the 16 ha property from the ALR in order to subdivide into four 4 ha lots.

Decision:

Resolution # Decision Date Decision Description

219/2004 May 18, 2004 The Commission allowed the exclusion of the 16 ha on the grounds the

land had very limited capability for agriculture due to poor soils and

incompatible surrounding land uses.

Application ID: 13518 Legacy #: 32556

**Applicant:** Deborah Smart

**Proposal:** To subdivide two 0.3 ha lots from the 2.3 ha subject property

Decision:

Resolution # Decision Date

277/1999 April 22, 1999 The Commission allowed the subdivision of two 0.3 ha lots from the 2.3 ha property on the grounds the parcels lie on the edge of the ALR, and are to be taken from a corner of the parent parcel that is awkwardly configured.

Application ID: 2443 Legacy #: 29128

Applicant: Janice Johnston

**Proposal:** To rezone the 16.2 ha property to Small Holdings in order to subdivide into 2 ha residential lots.

Decision:

Resolution # Decision Date

84/1996

January 10, 1996

Refuse the proposal on the grounds that the land has agricultural capability which would be reduced if the land were subdivided into smaller lots. This area has been reviewed in the context of the Clearwater OCP and the Commission's position is to retain it for agriculture.

#### LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Clearwater OCP Designation: Agricultural

OCP Compliance: No

Zoning:

**Zoning Designation:** RL-1 **Minimum Lot Size:** 4.0 ha **Zoning Compliance:** No

#### **Comments and Recommendations:**

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# LOCAL GOVERNMENT INFORMATION

#### **Comments and Recommendations:**

#### Board/Council

The Thompson-Nicola Regional District Board of Directors foward applications directly to the ALC for consideration.

#### **Planning Staff**

This proposal will necessitate zoning and OCP amendments if supported by the ALC.

# **ALC STAFF COMMENTS**

It is recommended that the Commission consider the following:

- 1) There is no available agricultural capability map for this property. Applications in the area have been approved based on poor soil and agricultural capability, while others have been refused because of good capability. A site visit would be recommended.
- 2) The property is in a area of residential subdivision.
- 3) The current zoning of the property is RL1 and has a minimum lot size of 4 ha. Zoning amendments would need to be made to the OCP and local Bylaws in order to proceed. If the application were approved, the size of the proposed 1.6 ha subdivided lot would not be uncharacteristic of parcels to the east of the subject property.

### **ATTACHMENTS**

52008\_Proposal Sketch.pdf 52008\_ContextMap50k.pdf 52008\_AirphotoMap5k.pdf

#### **END OF REPORT**

Prepared by: Liz Sutton

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