



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

March 10, 2006

Reply to the attention of Simone Rivers

Dan and Marlene Shapansky
P.O. Box 4019
213 West Old North Thompson Highway
Clearwater, B.C. V0E 1N0

Dear Mr. and Mrs. Shapansky:

Re: **Application # ZZ-36378**
**That part of Lot 7 Lying North of the North Thompson Highway shown on
Plan H588, District Lot 1681, Kamloops Division Yale District, Plan 4065**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the property described above into a 1.2 ha lot and a 2.8 ha lot. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission writes to advise that it approved your application subject to:

- the subdivision being in substantial compliance with the attached plan.
- compliance with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment. The Commission suggests you contact Regional District of Thompson-Nicola at your earliest convenience.

The decision noted above is recorded as Resolution #50/2006.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

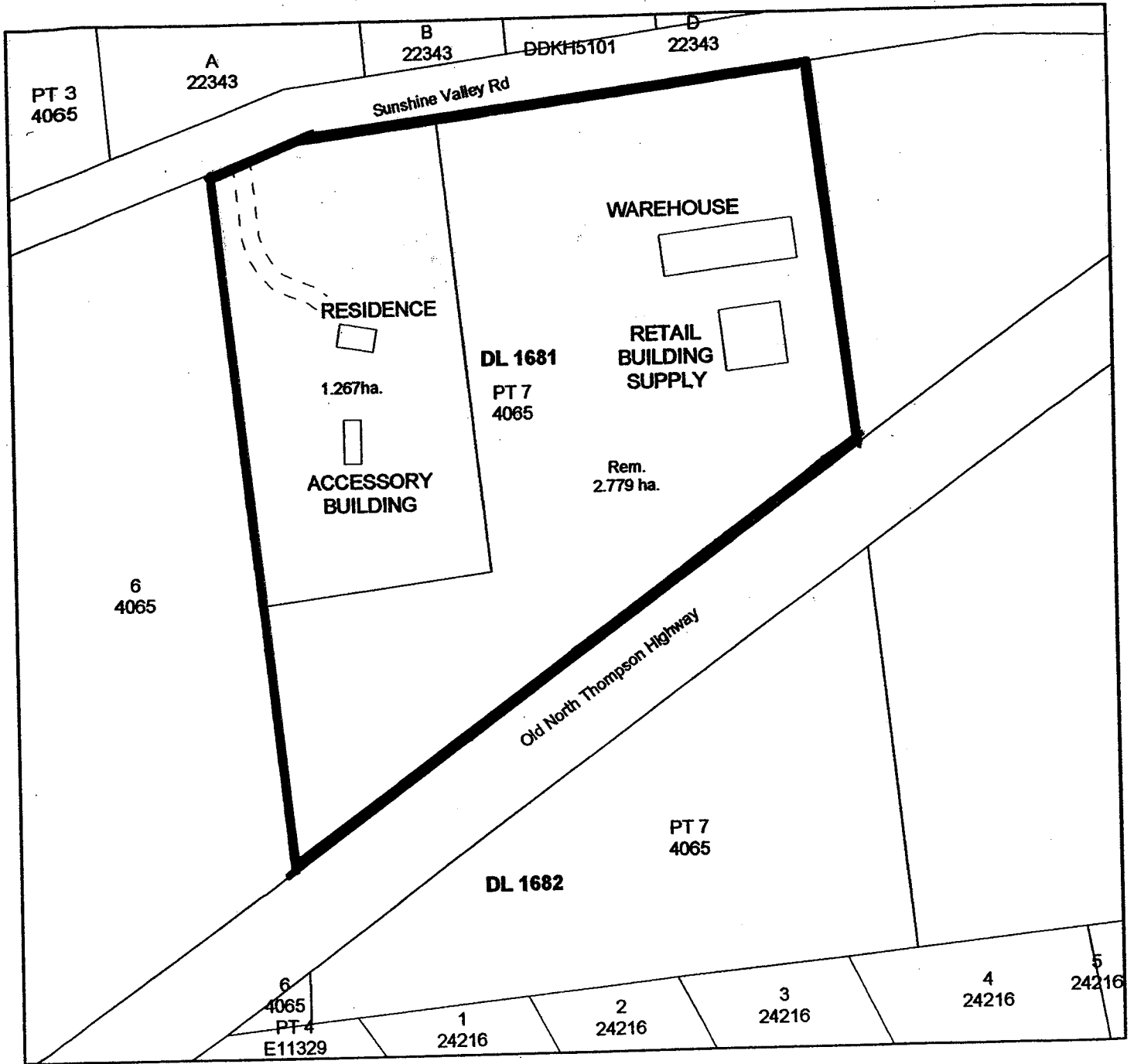
Erik Karlsen, Chair

cc: Regional District of Thompson-Nicola (# ALR-A-85)

SBR/lv/Encl./36378d1

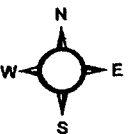
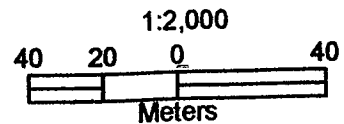
REZONING APPLICATION No. RZ - A - 90

Site Plan



Provincial Agricultural Land Commission
Application: ZZ-36378-0
Resolution # 50/2006

 Subject property.





Staff Report
Application # ZZ – 36378 –0
Applicant: 538168 BC
Agent: Dan and Marlene Schapansky

DATE RECEIVED: November 22, 2005

DATE PREPARED: January 31, 2006

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To subdivide the 4 ha parcel into one 1.2 ha parcel and one 2.8 ha parcel.

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

BACKGROUND INFORMATION:

The purpose of the application is to subdivide the homesite from the portion of the parcel that is being used for a business. The parcel to be subdivided will remain as a hobby farm.

The applicant has requested amendments to the Clearwater Official Community Plan by changing the designation from Service Commercial to Rural Residential and to Zoning Bylaw No. 940 by changing the zoning on the subject property from C-2 (Service Commercial) to CR-1 (Country Residential) for that part of the subject property containing an existing single family dwelling.

Several exclusions have been allowed in the vicinity of the subject property. See “relevant applications” for details.

Local Government:

Thompson-Nicola Regional District

Legal Description of Property:

PID: 010-589-180

That part Lot 7 Lying North of the North Thompson Highway shown on Plan H558, District Lot 1681, Kamloops Division Yale District, Plan 4065

Purchase Date:

February 1998

Location of Property:

213 West, Old North Thompson Highway, Clearwater

Size of Property:

4.0 ha (The entire property is in the ALR)

Present use of the Property:

One portion of the property is set up as a retail building supply yard with store, warehouse building and outdoor storage. The other portion of the property contains a residence and hobby farm with 12 cows, 4 horses, some sheep, ducks, chickens and alpacas.

Surrounding Land Uses:

WEST: Undeveloped, treed land (non-ALR)
SOUTH: Large residential parcel, treed (ALR)
EAST: Undeveloped, treed (non-ALR)
NORTH: 0.4 ha residential lots (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 92P/9
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

Clearwater Official Community Plan designates the property as Service Commercial

Zoning Bylaw and Designation:

Zoning Bylaw No. 940 designates the property as C-2 (Service Commercial)

RELEVANT APPLICATIONS:

Application #32083-0

Applicant: McMahon Enterprises Corp
Decision Date: October 19, 1998
Proposal: To exclude the 17.5 ha property from the ALR.
Decision: Allowed.

Application #00301-0

Applicant: Lambert, Joyce
Decision Date: July 20, 1976
Proposal: To exclude the 3.8 ha property from the ALR. Property was zoned industrial.
Decision: Allowed.

Application #35247-0

Applicant: McCreight, Cheryl
Decision Date: May 18, 2004
Proposal: To exclude the 16 ha property from the ALR in order to subdivide into four 4 ha lots.
Decision: Allowed on the grounds the land had very limited capability for agriculture due to poor soils and incompatible surrounding land uses.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Advisory Planning Commission: The APC approved of the application.

Interior Health: Interior Health has no objections to the proposal in principle. The applicant should provide confirmation as to proposed parcel boundaries with respect to setbacks from existing on-site sewage disposal systems on the property.

STAFF COMMENTS:

Agricultural Capability: The property is rated as Class 5M, improvable to Class 3M

Class 3 - Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Class 5 - Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

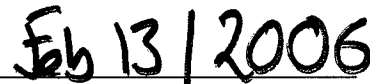
Subclass

M soil moisture deficiency

Impact on Agriculture: The property is located in an area comprised primarily of rural residential parcels of varying sizes both within and outside the ALR. The proposed use appears to be consistent with surrounding uses.

END OF REPORT


Signature


Date