



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

March 13, 2006

Reply to the attention of Simone Rivers

Kevin Pozzobon
PO Box 191
Pritchard, BC V0E 2P0

Dear Mr. Pozzobon:

Re: Application # ZZ-36449
Southwest ¼ of Section 10, Township 20, Range 14, West of 6th Meridian,
Kamloops Division Yale District, EXCEPT That part thereof lying west of a line
drawn parallel to and perpendicularly distant 1320 feet east of the west
boundary of said section

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide 6.7 ha from the 36 ha property described above. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on March 3, 2006.

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 Thompson-Nicola Regional District at your earliest convenience.

The decision noted above is recorded as Resolution #52/2006.

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

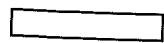

cc: Regional District of Thompson-Nicola (# ALR-P-96)

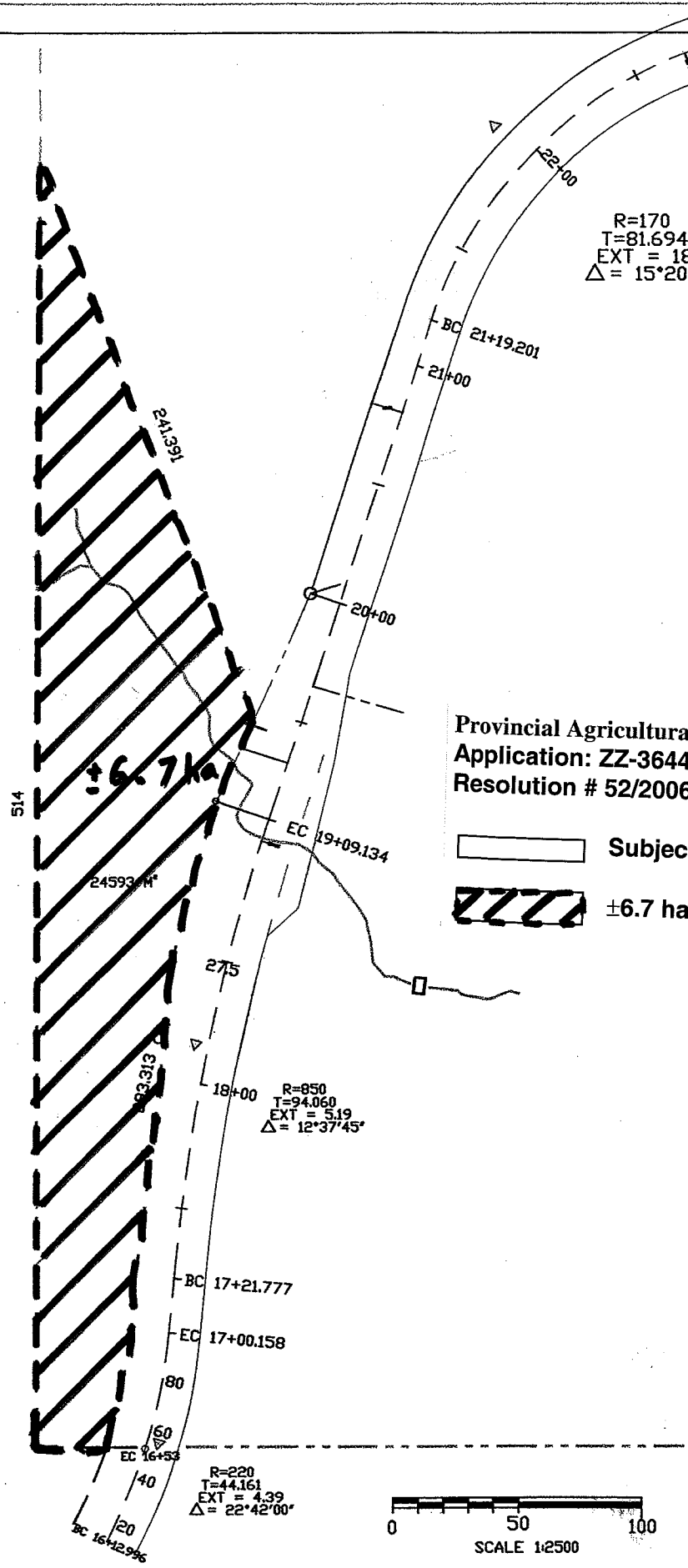
SBR/lv/Encl./36449d1

R=170
 T=81.694
 EXT = 18.61
 $\Delta = 15^{\circ}20'00''$



Provincial Agricultural Land Commission
 Application: ZZ-36449-0
 Resolution # 52/2006

-  Subject property.
-  ±6.7 ha area approved for subdivision.



PLAN 120106
 PROPOSED HOME SITE
 S.W. 1/4 SEC 10 T.P. 20 R. 14 W.6.M.
 PART S.W. 1/4

0 50 100
 SCALE 1:2500



THAT the staff report be received and the application to subdivide 6.7 ha from the 36 ha property described as the Southwest $\frac{1}{4}$ of Section 10, Township 20, Range 14, West of the 6th Meridian, Kamloops Division Yale District, EXCEPT That part thereof lying west of a line drawn parallel to and perpendicularly distant 1320 feet east of the west boundary of said section be allowed as proposed.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # ZZ – 36449 – 0
Applicant: Riverview Feed Lots (1967) Ltd.
Agent: Kevin Pozzobon

DATE RECEIVED: January 16, 2006

DATE PREPARED: February 22, 2006

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To subdivide the 36 ha parcel into a 6.7 ha lot and a 29.3 ha lot.

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

BACKGROUND INFORMATION:

The applicants were granted permission by the Thompson-Nicola Regional District to place an additional dwelling on the property in 2001.

Local Government:

Thompson-Nicola Regional District

Legal Description of Property:

PID: 003-338-941

Southwest 1/4, Section 10, Township 20, Range 14, W6M, Kamloops Division Yale District, EXCEPT That part thereof lying west of a line drawn parallel to and perpendicularly distant 1320 feet east of the west boundary of said section

Location of Property:

Near Pritchard

Size of Property:

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

Present use of the Property:

Homesite, pasture, and outbuildings

Surrounding Land Uses:

WEST: Pastureland (ALR)
SOUTH: Pastureland (ALR)
EAST: Pastureland (ALR)
NORTH: Pastureland (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 92L/12
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

South Thompson Valley & Pinantan Official Community Plan designates the property Agricultural-Hazard Lands

Zoning Bylaw and Designation:

Zoning Bylaw 940 designates the property as AF-1 (Agricultural/Forestry).
Minimum parcel size 8 ha.

RELEVANT APPLICATIONS:

Application #34542-0

Applicant: George & Carol Gibbs
Decision Date: November 7, 2002
Proposal: To subdivide 2 ha from the 25 ha subject property as divided by East Shuswap Road.
Decision: Refused on the grounds that the parcel size is not consistent with nearby parcel sizes, local zoning provisions, or the prevalent form of agriculture in the area.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Thompson-Nicola Regional District Board: Standard Fencing Resolution

Local Planning Department: In a letter to the applicant, the Regional District Planning Department made the following comments:
*The subject property is designated in the South Thompson Settlement Strategy (STSS) as having "key limitations to settlement" as it is in the ALR and includes hazard lands.
The land is not located in a rural settlement area or a special settlement area of the STSS...*

We note that the lot you have proposed to create is only 6.7 ha in size. While section 2.10(b) of Zoning Bylaw No. 940 does allow the creation of one undersized parcel where an area is separated from the main portion of a property by an existing road, that undersized parcel must contain all the land that is separated from the main parcel by the road, which is not the case in your proposed subdivision. As your application does not meet the requirements of the AF-1 zone, you have two options.

- 1. you may apply to rezone your property to a zone with a smaller minimum parcel size. However, as this property is not in a rural settlement area, the STSS would lead us to recommend against approval of an application to rezone for subdivision purposes.*
- 2. you may ask the Agricultural Land Commission and subdivision Approving Officer of the Ministry of Transportation to consider your application under Section 946 of the Local Government Act, which allows for the creation of one undersized lot under certain conditions.*

STAFF COMMENTS:

Agricultural Capability:

The majority of the property has the following ratings:

60% Class 5C - 40% Class 6T improvable to 40% Class 1 - 20% Class 3T - 40% Class 6TE.

Class 1 – Land in this class either has no or only very slight limitations that restrict its use for the production of common agricultural crops.

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.

Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

C adverse climate
T topography
E erosion

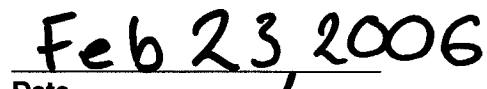
Agricultural Suitability: The majority of the property appears to be improved for agricultural use.

Impact on Agriculture: The property is located in an area of large holdings. As noted above, the property is not located in a rural settlement area or a special settlement area of the South Thompson Settlement Strategy. A previous subdivision request in the general area was refused on the grounds that the parcel size is not consistent with the nearby existing parcel sizes, local zoning provisions, or the prevalent form of agriculture in the area. The current proposal is similar to that of the previous application.

Staff recommend a site visit to evaluate the character of agricultural operations in the surrounding area. Staff note that although a map showing the location of the subdivision on the property was not submitted with the application, the applicant has indicated that he has had a surveyor draw up a plan showing the proposed subdivision and will provide this plan to the Commission at the site inspection.

END OF REPORT


Signature


Date