



Staff Report
Application # H – 37646
Applicant: James Laverne Turner
Agent: R G (Bob) Holtby
Location: Tappen

DATE RECEIVED: August 27, 2007

DATE PREPARED: October 25, 2007

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To exclude a 4 ha portion of Legal Subdivision 2 (16 ha) and a 1 ha portion of Legal Subdivision 7 (13 ha) that lie within the ALR. The ALR portions of the adjoining properties lie at their eastern edge and reflect the soils transition shown on the CLI mapping where it transitions from (5TP) to (4TM).

This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The Regional District excluded the lands to the west as part of a 1982 block exclusion application based on a detailed soils analysis.

The applicant's agent points out that the land under application is underlain by gravel, with poor moisture holding potential. He does not believe that the land could be improved to class 4 even with irrigation. Also, there is little likelihood of securing irrigation water because there is no further licensing available from White Creek.

Presently, the non-ALR portion of LS 7 is under application for subdivision into six 0.8 ha lots.

Local Government:

Columbia Shuswap Regional District (CSR D)

Legal Description of Properties:

1. PID: 001-614-622
L.S. 2, Section 22, Township 21, Range 10, W6M, Kamloops Division Yale District As Shown on the Plan of the North East 1/4 of said Township Dated at Ottawa 9/3/1917
2. PID: 001-614-631
L.S. 7, Section 22, Township 21, Range 10, W6M, Kamloops Division Yale District, as shown on the Plan of the North East 1/4 of said Township Dated at Ottawa 9/3/1917, EXCEPT Plan 39878

BACKGROUND INFORMATION (continued):

Purchase Date:

1985-01-01

Location of Properties:

3450 Roberge Road, Tappen Area

Size of Properties:

13 ha and 16 ha (a total of approximately 5 ha of both properties lies in the ALR).

Present use of the Properties:

One single family dwelling, grazing land, and some forested areas

Surrounding Land Uses:

WEST: Gravel extraction and rural residential uses outside the ALR
SOUTH: Treed acreage partly within the Agriculture Land Reserve
EAST: 16 ha ALR property, primarily cleared grazing land
NORTH: Rural residential outside the ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 82L74
The majority of the property is identified as having secondary ratings 5MT (4PT).

Official Community Plan and Zoning Designation:

No OCP of zoning exists in this area. The minimum lot size is governed by the Local Services Act – 1675 m² or larger for sewerage disposal.

PREVIOUS APPLICATIONS:

Application #21626-0

Applicant: D.J. & J.S. Turner
Decision Date: 1988
Proposal: To subdivide a 2.5 ha lot from the northeast corner of the 16 ha property (LS7).
Decision: Allowed.

RELEVANT APPLICATIONS:

Application #10724-0

Applicant: LRC/RD-Electoral Area C
Decision Date: May 21, 1981
Proposal: The CSRD requested exclusion of 200 ha because of poor agricultural capability.
Decision: Exclusion allowed by Cabinet (~200 ha).

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

CSRD Board: Forwarded the application with a recommendation supporting the exclusion.

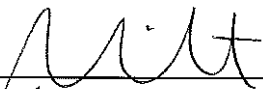
STAFF COMMENTS:

- While the land under application has reasonably good agricultural capability for seasonal grazing, the ALR areas are small, fragmented and awkwardly shaped.
- The Commission allowed the subdivision of a 2 ha lot off of LS 7 in 1988, which further fragmented the narrow ALR strip in LS 7.
- If each of the subject properties were entirely within the ALR there may be potential for agricultural development. However, with potential to subdivide the majority of each property into smaller rural residential parcels, there may little benefit in retaining these strips in the ALR. However, should the Commission see value in managing the potential impacts between rural residents and the adjoining farm parcel, then it may see value in retaining these strips in the ALR so that only two residential lots, rather than multiple lots, abut the farm property.

ATTACHMENTS:

- ALC Context Map (1:20,000)
- Orthophoto (1:10,000)
- Agent's report

END OF REPORT



Signature

Oct 29, 07

Date