



## Agricultural Land Commission Staff Report

**DATE:** August 25, 2009  
**TO:** Vice Chair and Commissioners - Interior Panel  
**FROM:** Simone Rivers

**RE:** Application # 45951

**PROPOSAL:** To subdivide the 18 ha subject property into two approximately 9 ha lots. A portion of each lot is not in the ALR.

### PROPOSAL INFORMATION

**Background:** Legacy Application # 21-D-38979  
**Received Date:** April 24, 2009  
**Applicant:** Douglas and Linda Comazzetto  
**Agent:** Springford Patrick Law Corporation  
**Local Government:** Thompson-Nicola Regional District

### DESCRIPTION OF LAND

**PID:** 027-375-684  
**Legal Description:** Lot A, Section 12, Township 19, Range 15, West of the 6th, Kamloops Division Yale District, Plan KAP85561  
**Civic Address:** Barnhartvale Road, Kamloops  
**Area:** 18 ha  
**ALR Area:** 14.6 ha  
**Purchase Date:** January 1, 1992  
**Owner:** Douglas and Linda Comazzetto

**Total Land Area:** 18 ha  
**Total ALR Area:** 14.6 ha  
**Current Land Use:** Pasture

### PROPOSAL DETAILS

**Subdivision**

<b>Area</b>	<b>Agricultural Capability</b>	<b>Agricultural Capability Source</b>
14.6	Secondary	CLI

<b>Number of Lots</b>	<b>Lot Size (ha)</b>
1	6.6
1	7.8

**Surrounding Land Uses:**

North	Rural agricultural
East	Agriculture
South	Forest
West	Crown grazing

**Official Community Plan**

**Bylaw Name:** South Thompson Valley and Pinatan OCP  
**Designation:** Forestry Grazing and Agricultural  
**OCP Compliance:** Yes

**Zoning**

**Zoning Bylaw Name:** Zoning Bylaw No. 940  
**Zoning Designation:** AF-1 (Agricultural/Forestry)  
**Minimum Lot Size:** 8.0 ha  
**Zoning Compliance:** Yes

**RELEVANT APPLICATIONS**

**Application #:** 46046  
**Applicant:** Bar D Bar Ranch Inc.  
**Proposal:**

**Decisions:**  
**Resolution**

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

**Note:** Legacy Application # 39055 - Decision Pending  
This application has been made concurrently with the current application by the same applicants. The subject property is located immediately to the east.

**Application #:** 34976  
**Applicant:** Brian G & Joan Wilson  
**Proposal:** To subdivide a 4 ha property from the 16.9 ha subject property as divided by Robins Creek Road. Approximately 6 ha of the subject property was in the ALR.

**Decisions:**  
**Resolution**

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

**Note:** Legacy Application # 06990  
Resolution: 9428/1978  
Date: August 21, 1978

Decision: Allowed

**Application #:** 30047

**Applicant:** Ceasar DeMarni

**Proposal:** To subdivide a 0.8 ha parcel from the 832 ha deeded ranch. The lot would be sold to a part time employee of the ranch.

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

**Decision Date**

**Decision Description**

**Note:** Legacy Application # 00764  
Resolution # 6034/1977  
Date: April 20, 1977

Decision: Approved.

**Application #:** 2635

**Applicant:** Bar "D" Bar Ranch Inc.

**Proposal:** To subdivide the 129 ha parcel into a 3.2 ha lot and a 126.4 ha remainder.

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

**Decision Date**

**Decision Description**

**Note:** Legacy Application # 29322  
Resolution: 1162/1994  
Date: December 7, 1994

Decision: Refused on the grounds that the random creation of isolated rural residential lots in a grazing area is not supportive of long term agriculture

**Application #:** 2415

**Applicant:** Bar "D" Bar Ranch Inc.

**Proposal:** To subdivide the 32 ha property along Barnhartvale Road into one 9.3 ha lot and a 22.7 ha remainder. Only 9.4 ha of the subject property was in the ALR.

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

**Decision Date**

**Decision Description**

**Note:** Legacy Application # 29103  
Resolution # 1016/1994  
Date: October 5, 1994

Decision: Allowed subject to the installation of Schedule D.3 fencing along the boundaries of the approved lot.

**Committee Recommendations**

Type	Recommendation	Description
Board/Council	No Comment	Thompson-Nicola Regional District Board: The Regional Board forwarded the application with no comments or recommendations as per policy

**STAFF COMMENTS**

The applicants have made a concurrent application for an adjacent property located to the east. Part of this application involves a request to exclude one of the lots that they propose to create. Due to procedural problems with the notification for this application, it is currently on hold, pending resolution of the procedural issues.

This application would split an area that is currently being used for grazing. The applicants state that if subdivided the land could continue to be used as it is now or that with smaller properties more intensive agricultural uses might occur on the property.

A small portion of each proposed lot (3.9 ha total - located at the southern end of the property) is not in the ALR. However, it is unlikely that this area could be subdivided due to its small size and access restrictions.

The subject property appears to have been recently created by way of a boundary adjustment that created a property north of the road and a property south of the road. The initial properties were 16 ha legal subdivisions which straddled the road. The property north of the road has since been sold.

**ATTACHMENTS**

- 38979 proposal description.pdf
- 38979 proposal sketches.pdf
- 38979\_AirphotoMap.pdf
- 38979\_ContextMap20k.pdf

**END OF REPORT**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**