



Agricultural Land Commission Staff Report

DATE: October 27, 2009
TO: Vice Chair and Commissioners - Interior Panel
FROM: Simone Rivers

RE: Application # 50602
PROPOSAL: To subdivide the 25.6 ha property into 12.8 and 2 ha and 10.8 so that the applicant can provide homesites for his sons.

PROPOSAL INFORMATION

Background: Located east of Kamloops, north of the Thompson River.
Received Date: September 18, 2009
Applicant: George W. & Carol S. Gibbs
Agent: N/A
Local Government: Thompson-Nicola Regional District

DESCRIPTION OF LAND

PID: 014-221-021
Legal Description: The Fractional South East 1/4 of Section 10, Township 20, Range 14, West of the 6th Meridian, Kamloops Division Yale District
Civic Address: 4670 Kamloops-Shuswap Road - North of the South Thompson River, west

PROPOSAL DETAILS

Surrounding Land Uses:

North	grazing
East	grazing
South	grazing
West	grazing

Official Community Plan

Bylaw Name: South Thompson Valley and Pinantan OCP
Designation: Agriculture
OCP Compliance: Yes

of Pritchard
Area: 26.3 ha
ALR Area: 26.3 ha
Purchase Date: May 1, 1990
Owner: George W. & Carol S. Gibbs

Total Land Area: 26.3 ha
Total ALR Area: 26.3 ha
Current Land Use: Grazing, one single family dwelling.

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

PREVIOUS APPLICATIONS

Application #: 20616
Applicant: Riverview Feed Lots (1967) Ltd.
Proposal: To subdivide one 4 ha lot and one 10 ha lot from the 18 and 25 ha subject properties.

Decisions:

Resolution Number	Decision Date	Decision Description
445	May 28, 1985	Refuse as proposed on the grounds of residential intrusion and reduced agricultural capability.

Note: Legacy Application # ZZ-19109

Application #: 20475
Applicant: George W. & Carol S. Gibbs
Proposal: To subdivide 2 ha from the 25 ha subject property as divided by East Shuswap Rd.

Decisions:

Resolution Number	Decision Date	Decision Description
605	November 7, 2002	Refuse as proposed on the grounds of impact.

Note: Legacy Application # ZZ-34542

RELEVANT APPLICATIONS

Application #: 50361
Applicant: Paul Edwards
Proposal: To subdivide the 57 ha property into three lots. Lot A , located south of the road, is 19.3 ha and entirely within the ALR. Lots B & C , located north of the road, are roughly 21.1 ha and 16.1 ha and are partially in and partially outside of the ALR.

**Decisions:
Resolution**

Number	Decision Date	Decision Description
908	September 15, 2009	Approved

Application #: 42656

Applicant: Riverview Feed Lots (1967) Ltd.

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

**Decisions:
Resolution**

Number	Decision Date	Decision Description
52	March 3, 2006	To allow the subdivision of 6.7 ha from the 29.3 ha property as proposed on the grounds that the land to be subdivided has limited agricultural capability and that the subdivision will have little impact on the surrounding agricultural operations.

Note: Legacy Application # ZZ-36449

Application #: 31205

Applicant: T W Edwards

Proposal: To subdivide an 8 ha parcel from the 64 ha subject property. Most of the proposed lot is outside of the ALR

**Decisions:
Resolution**

Number	Decision Date	Decision Description
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Note: Legacy Application # 01216
Resolution # 834/1975
Decision Date: January 7, 1975

Decision: Approved

Application #: 14013

Applicant: Jiri & Libuse Zivny

Proposal: To subdivide an 8 ha lot from the 24 ha property. Only about 1 ha of the property lies within the ALR

**Decisions:
Resolution**

Number	Decision Date	Decision Description
330	May 18, 1999	The Commission allowed the subdivision on the grounds it had previously permitted subdivision of this area into 8 ha lots. The Commission commented that this non ALR strip belonged in the ALR in that it was part of a larger grazing unit and that subdivision into 8 ha lots would only have negative impacts on this grazing function.

Note: Legacy Application # ZZ-32649

Application #: 4131

Applicant: Jiri & Libuse Zivny

Proposal: s/d 92 ha into 3 x 16, 1 x 20, 1 x 24. Only 6 ha are in the ALR

Decisions:

Resolution

Number

Decision Date

Decision Description

938

November 16, 1995

Allow subject to perimeter fencing.

Note: Legacy Application # ZZ-30160

STAFF COMMENTS

Two previous proposals to subdivide the subject property were refused on the grounds of impact and rural residential intrusion.

Nearby properties where the Commission did allow subdivision generally had a significant portion of the property that was not located in the ALR. It was these portions that were subdivided.

The subject property is entirely in the ALR.

The applicant has indicated that he is having health problems and would like to sell portions of his land to his children.

ATTACHMENTS

- 50602 Proposal Map.pdf
- 50602_ContextMap20k.pdf
- 50602_ContextMap50k.pdf
- 50602 ag cap.pdf
- 50602 airphoto small.pdf
- 50602 previous application map.pdf
- 50602 Proposal Map.pdf
- 50602 proposal sketch2.pdf

END OF REPORT

Signature

Date