



Agricultural Land Commission Staff Report

DATE: October 28, 2009
TO: Vice Chair and Commissioners - Interior Panel
FROM: Simone Rivers

RE: Application # 50727

PROPOSAL: To subdivide a 1.8 ha lot from the 21.5 ha subject property leaving a 19.7 ha remainder. The applicants are offering to include the 4.3 ha non-ALR portion of the subject property.

PROPOSAL INFORMATION

Background: Located near Chase
Received Date: October 5, 2009
Applicant: James & Carol Johnson
Agent: N/A
Local Government: Thompson-Nicola Regional District

DESCRIPTION OF LAND

PID: 018-311-202
Legal Description: Lot 1, Section 17, Township 21, Range 12, West of the 6th Meridian, Kamloops Division, Yale District, Plan KAP50063
Civic Address: 1181 Hepburn Road, Turtle Valley
Area: 21.5 ha
ALR Area: 16.7 ha
Purchase Date: September 13, 1996
Owner: James & Carol Johnson

Total Land Area: 21.5 ha
Total ALR Area: 16.7 ha
Current Land Use: Hobby Farm, Single Family Dwelling, Workshop and Outbuildings

PROPOSAL DETAILS

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
16.7	Secondary	CLI

Number of Lots	Lot Size (ha)
1	1.8
1	14.9

Surrounding Land Uses:

North	Hobby Farm
East	Farm Operation
South	Farm Operation
West	Hobby Farm

Official Community Plan

Bylaw Name:
Designation:
OCP Compliance:

Zoning

Zoning Bylaw Name:
Zoning Designation: AF-1
Minimum Lot Size: 8.0 ha
Zoning Compliance: Yes

RELEVANT APPLICATIONS

Application #: 35760
Applicant: Donald & Shanna Braun
Proposal: To subdivide an 8 ha property to sell to raise capital to develop a viable cattle ranch and a rustic ranch retreat.

Decisions:

Resolution Number	Decision Date	Decision Description
211	June 4, 2003	The Commission refused the application for an 8 ha lot on the grounds subdivision would reduce the agricultural capability of the property and reduce the range of agricultural options available. In addition the Commission was concerned about setting a precedent which might precipitate additional requests for subdivision in the area.

Note: Legacy Application # ZZ-34735

 Reconsideration Details
 Decision Date: November 25, 2003
 Resolution # 538/2003

Reconsideration Proposal: To reconsider a proposal to subdivide one (1) 8.0 ha lot

from the 102.0 ha property. In support of the request the applicants have offered to include the approximately 30 ha non-ALR portion of the property into the ALR.

Decision: Refused the request to include 30 ha into the ALR on the grounds that the land had limited agricultural capability.

-Reconfirmed refusal of subdivision of an 8 ha lot from the property.

-Approved subdivision of the easterly non-ALR area and the dedication of a right-of-way through the ALR to access the non-ALR lands.

Application #: 30910

Applicant: Eagle Rock Ranch

Proposal: To subdivide the 48 ha property along the ALR boundary into two 24 ha properties. Access is proposed to be through the ALR by way of a 30 meter wide panhandle 300 meters long.

Decisions:

**Resolution
Number**

230

Decision Date

February 10, 1983

Decision Description

The Commission allowed the subdivision along the ALR boundary subject to the consolidation of the ALR remnant with an adjoining property (SE1/4, Sec. 17....) which is also owned by the applicant.

Note: Legacy Application # ZZ-16051

Application #: 3598

Applicant: Gerhard & Isobel Faddegon

Proposal: To subdivide the 61.5 ha property into 2 lots of approx. 20 ha and 41.5 ha to obtain separate title to the 20 ha. approx. 15 ha are not in the ALR.

Decisions:

**Resolution
Number**

301

Decision Date

January 31, 1996

Decision Description

Refused on the grounds that the property has the capability to be used for grazing and reducing the parcel size would only limit the range of ag. opportunities and encourage similar s/d requests in the area.

Note: Legacy Application # ZZ-29914

Reconsideration Details
Decision Date: August 30, 2001
Resolution # 497/2001

Decision: Allowed as proposed after a site visit and discussion with the applicants.

Committee Recommendations

Type

Board/Council

Recommendation

No Comment

Description

Thompson-Nicola Regional District Board: The Regional Board forwarded the application with no comment or recommendation as per policy.

STAFF COMMENTS

The subject property appears to have been created by a boundary adjustment in 1993.

The applicants have proposed to include the non-ALR portion of the subject property into the ALR. They state that they are aware that they could subdivide along the ALR boundary but believe that their proposal of a smaller lot in a less utilized area of the property makes more sense.

The non-ALR portion of the property appears to be cleared and does not appear to be too steep.

The agricultural capability of the majority of the subject property is Class 4TP improvable to Class 3TP with limitations of topography and stoniness. Most of the land in this polygon has been cleared and improved for agricultural use.

ATTACHMENTS

50727 proposal description.pdf
50727_ContextMap20k.pdf
50727_ContextMap50k.pdf
50727 ag cap.pdf
50727 airphotos.pdf
50727 previous apps.pdf
50727 proposal sketch.pdf

END OF REPORT

Signature

Date