



Provincial Agricultural Land Commission - Staff Report

Application: 51860

Applicant: Jack & Lori McBeth
Agent: Joe McBeth
Local Government: Thompson-Nicola Regional District

Proposal: To subdivide 16 ha from the 65 ha subject property. The property has one permanent single family dwelling currently under construction, an existing mobile home and 3 outbuildings. In 2001 the applicants were refused additional dwelling approval as the farm use on the property is leased and is not conducted by the applicants themselves. ALR Resolution # 604/2001 states that the applicant could construct one permanent single family dwelling in addition to the mobile home for farm help.

BACKGROUND INFORMATION

The subject subdivision would create a parcel for the son to build a home and live with his family. The daughter and family would move into the mobile home and assume the caregiver role to the mother (Lori). The current lease agreement with a neighbouring rancher would continue.

PROPERTY INFORMATION

PID: 014-327-139
Legal Description: The Southwest 1/4 Section 13 Township 19 Range 14 West of the 6th Meridian Kamloops Division Yale District Except Plan 24683
Property Area: 65.3 ha
ALR Area: 65.3 ha
Purchase Date: January 4, 2006
Location: Pinantan - east of Kamloops
Owner: Jack & Lori McBeth

LAND USE

Current Land Use:
 Leased for pasture.

Surrounding Land Uses:

North: Unoccupied 1/4 Section also rented for pasture - In the ALR
 East: Residential/Hobby Farm - In the ALR
 South: Crown - Partially in the ALR
 West: 1/4 Section used for pasture. currently for sale one of four parcels totaling 213.6 Ha - In the ALR

PROPOSAL DETAILS

Subdivision - ALR Area: 65.3 ha

Number of Lots	ALR Area of Lot (ha)
1	16.0
1	49.0

Agricultural Capability:

The majority of the area under application is rated as: Secondary

Source: CLI

Mapsheet: 82L/12

PREVIOUS APPLICATIONS

Application ID: 30212 **Legacy #:** 10168
Applicant: Hanaghan/Thor
Note: (1980) Subdivision Refused.

Application ID: 30041 **Legacy #:** 17148
Applicant: Heinrich & Irma Debre
Note: (1983) Subdivision of parcel into 16 and 48 ha plots refused.

Application ID: 17254 **Legacy #:** 33948
Applicant: AKHT Holdings Inc
Proposal: To subdivide 8 ha from the 64 ha property to allow the current tenant to raise title
Decision:

Resolution #	Decision Date	Decision Description
604/2001	October 31, 2001	The Commission was prepared to allow the applicant to lease the 8 ha portion of the property to the tenant by explanatory plan and place a double wide mobile home on the leased portion. The applicant may construct a permanent home on the rest of the property when she wishes without an application

RELEVANT APPLICATIONS

Application ID: 42820 **Legacy #:** 26770
Applicant: Boat Harbour Development
Note: (1987) Exclusion refused, Allowed subdivision of 8 ha if 5 ha included (See Legacy # 21554).

Application ID: 21614 **Legacy #:** 21554
Applicant: Ingo & Theresa MEIERHOFER
Decision:

Resolution #	Decision Date	Decision Description
1403/1988	January 20, 1988	This resolution number is used to enter statistical information relating to the area approved for inclusion and subsequent decision by Cabinet. 5.8 ha approved for inclusion by OIC.

Note: (1987) Inclusion 5 ha conditional requirement of 8 ha subdivision on property. Allowed.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

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

Zoning:

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

Comments and Recommendations:

LOCAL GOVERNMENT INFORMATION

Comments and Recommendations:

Board/Council

Resolution:

That the Provincial Agricultural Land Commission include legal perimeter fencing, coupled with clear responsibility for ongoing maintenance of said fencing, as a condition of subdivision and development approval in areas which abut recognized agricultural grazing operations.

Planning Staff

Subject property currently has one home under construction, and one mobile home on the property. Applicants were refused additional dwelling approval by Planning Services as farming is leased out. ALR res # 604/2001 included a paragraph informing the applicants they may construct one permanent single family dwelling in addition to the mobile home for farm help.

The applicant may be required to adjust the proposed boundaries to accommodate 10% road frontage requirements.

The subject property is affected by the South Thompson Settlement Strategy policy 7.0 'Land Use Policies Outside of Selected Settlement Areas' including Policies 7.2 and 6.2 (see attached sections),

ALC STAFF COMMENTS

Staff would like the Commission to note the following:

- 1) The soil capability of the parcel is 60% CLI 5 and 40% CLI 4 with Topographic and Stoniness limitations. The improved rating is 40% CLI 5 and 4 with topographic and stoniness limitations and 20% CLI 3 with climatic limitations.
- 2) Under previous ownership, the property has been refused for subdivision in 1980, 1983 and 2001 as the occupants lease the land for farming as such do not qualify to build an additional dwelling for farm help.
- 3) The subdivision size compartmentalizes the property and as such does not appear to enhance the agricultural capability.
- 4) The 1/4 section for sale west of the subject property is described as part of 4 parcels totalling 1 section. Staff encourages the Commission to enquire if the land owner is the current lease holder for the subject property?

ATTACHMENTS

51860 - TNRD Settlement Policies in Selected Settlement areas.pdf
17148min.pdf
10168min.pdf
21338min.pdf
21554min.pdf

END OF REPORT

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