



Provincial Agricultural Land Commission - Staff Report

Application: 52014

Applicant: Jubilee Contracting Ltd
Agent: Robert & Rebecca Alspaugh
Local Government: Columbia Shuswap Regional District

Proposal: To subdivide approx. 2 ha from a 34 ha property as separated by a ravine, in order to build a new homesite for retirement. Applicants' wish to maintain a garden, fruit trees and animal husbandry (raise meat and laying hens for personal consumption).

BACKGROUND INFORMATION

The proposed new 2 ha subdivided property has access to utilities and can be accessed via Eldon Frontage Rd. A well would need to be established. The property was purchased in 1996 with the Land Title Registration application received in 2006.

In 1996 the property was previously under application by Jubilee Contracting Ltd for subdivision of the SE corner for church use - reconsidered and refused 4 times (Legacy # 30759) - initial refusal notes attached.

There are currently no land use regulations in the area.

PROPERTY INFORMATION

PID: 004-402-227
Legal Description: The South East 1/4 of Section 28 Township 21 Range 10 West of the 6th Meridian, Kamloops Division Yale District Except Plans 11706, 15366, 16925, 17692, H9620, H716, KAP72797 and KAP75903
Property Area: 34.2 ha
ALR Area: 34.2 ha
Purchase Date: November 23, 2006
Location: vicinity of Sorrento; Between Tappen and Carlin; East of the Trans Canada Hwy, West of White Creek
Owner: Jubilee Contracting Ltd

LAND USE

Current Land Use:

One residence, shop, loafing/feeding barn, hay shed and equipment storage shed on the proposed remaining portion, Crop hay and grazing.

Surrounding Land Uses:

North: Auto wrecking yard, cleared field - ALR
East: Residential & mobile home park, Trans-Canada Hwy, Open grazing and treed fields - ALR
South: Semi-cleared residential acreages - ALR
West: Corn field & residential acreage - ALR

PROPOSAL DETAILS

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Subdivision - ALR Area: 34.2 ha

Number of Lots	ALR Area of Lot (ha)
1	2.0
1	32.0

Agricultural Capability:

The majority of the area under application is rated as: Prime Dominant

Source: BCLI

Mapsheet: 82L/14

PREVIOUS APPLICATIONS

Application ID: 35258 **Legacy #:** 08885

Applicant: Helmut & Janet Peters

Note: (2004) - Allowed Highway frontage road expansion

Application ID: 5887 **Legacy #:** 30759

Applicant: Jubilee Contracting Ltd

Proposal: Proposed to subdivide the 3.5 ha of the south east corner off the SE 1/4, Section 28, TP 21, Range 10. The 3.5 ha area would then be used for a church and campground.

Decision:

Resolution #	Decision Date	Decision Description
776/1996	September 3, 1996	refused due to impact and intrusion

Note: Application was reconsidered numerous times with varying locations/size and structure design to accommodate the church - all refused.

RELEVANT APPLICATIONS

Application ID: 44289 **Legacy #:** 37588

Applicant: Michael and Geri McKenzie

Proposal: Subdivision for a Relative: To subdivide a 0.5 ha parcel from the 3 ha subject property to provide a home site for the owner's son.

Decision:

Resolution #	Decision Date	Decision Description
563/2007	November 9, 2007	Refused on the grounds that subdivision would reduce the farmable area on the property and introduce an additional residential lot into the area.

Note: Lot located directly below proposed subdivision.

Application ID: 40708 **Legacy #:** 35057

Applicant: Kenneth & Moynan James & Peter

Proposal: To subdivide the 3.4 ha subject property along the Trans Canada Highway which physically divides the holding into one 0.7 ha lot and a 2.8 ha remainder.

Decision:

Resolution #	Decision Date	Decision Description
525/2003	November 4, 2003	Allow as requested.

Note: Lot located 3 lots south of subject property.

LOCAL GOVERNMENT INFORMATION

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Comments and Recommendations:

Board/Council

Resolution passed to forward application to the ALC with a recommendation for approval.

ALC STAFF COMMENTS

Staff would like the Commission to note the following:

- 1) The 2 ha portion proposed for subdivision has an improved BCLI rating of class 2 with cumulative minor adverse characteristics.
- 2) The proposed subdivision was refused in 1996 for a 3.5 ha subdivision for development of a church and campground on the basis that it would have adverse impact and intrusion (Legacy # 30759). It was reconsidered and refused an additional four times - see attached initial decision minutes.
- 3) Applicants wish to subdivide along a ravine which separates the 2 ha from the remaining parcel and have indicated as desire to expand the subdivision to include the bottom of the ravine.

ATTACHMENTS

52014_ContextMap50k.pdf
52014_AirphotoMap10k.pdf
52014 - Current land use and subdivision proposal.pdf
52014 - Proposal sketch & background.pdf
52014 - Subdivision sketch.pdf
30759D1.DOC

END OF REPORT

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