



Provincial Agricultural Land Commission - Staff Report

Application: 52077

Applicant: Johann & Brenda Steiner
Agent: Springford Patrick Law Corporation
Local Government: Thompson-Nicola Regional District

Proposal: SUBDIVISION: Proposal to subdivide 4.7 ha into two approximately 2.3 ha lots.

BACKGROUND INFORMATION

1.7 ha of 4.7 ha are within the ALR boundary.

PROPERTY INFORMATION

PID: 024-457-736
Legal Description: Lot B Section 3 Township 22 Range 15 West of the 6th Meridian Kamloops Division Yale District Plan KAP64058 Except Plan KAP73757
Property Area: 4.7 ha
ALR Area: 1.7 ha
Purchase Date: July 25, 2003
Location: Heffley Creek
Owner: Johann & Brenda Steiner

LAND USE

Current Land Use:
Residence and garden

Surrounding Land Uses:
North: Crown Land - 128+ ha
East: ALR/Non-ALR 4.72 ha wooded residence
South: ALR - 50+ ha and Highway
West: ALR/Non-ALR - 10 ha Wooded vacation residences

PROPOSAL DETAILS

Subdivision - ALR Area: 1.7 ha

Number of Lots	ALR Area of Lot (ha)
1	0.9
1	0.8

Agricultural Capability:
The majority of the area under application is rated as: Secondary
Source: CLI
Mapsheet: 92I/16

PREVIOUS APPLICATIONS

PREVIOUS APPLICATIONS

Application ID: 17212

Legacy #: 33925

Applicant: Johann & Brenda Steiner

Proposal: To subdivide the 14.16 ha property into 3 lots of 4.72 ha each. Approximately half of the property is in the ALR.

Decision:

Resolution #	Decision Date	Decision Description
605/2001	October 31, 2001	Allowed.

Application ID: 7378

Legacy #: 31168

Applicant: Johann & Brenda Steiner

Proposal: Proposal is to subdivide the 63.2 ha property along the Heffley Louis Creek Highway into two lots north of the road, 8.09 ha and 14.2 ha in size and a 40.1 ha remainder south of the road.

Decision:

Resolution #	Decision Date	Decision Description
72/1997	February 24, 1997	Allow as proposed.

RELEVANT APPLICATIONS

Application ID: 29795

Legacy #: 12685

Applicant: R & R White

Proposal: To exclude 10 ha lying north of Tod Mountain Road to facilitate its subdivision.

Note: The Commission allowed the exclusion because a comment from the District Agriculturalist indicated that the exclusion and subdivision would not affect the remainder of the property south of the road.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Kamloops South OCP
Designation: Agriculture and Rural Resource
OCP Compliance: No

Zoning:

Zoning Designation: AF2 - Agricultural/Forestry 2
Minimum Lot Size: 4.0 ha
Zoning Compliance: No

Comments and Recommendations:

Board/Council

The Thompson-Nicola Board of Directors recommend that the application be forwarded to the ALC for consideration and that the OCP amendment and rezoning application be considered further by the Board upon receipt of approval from the ALC.

ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

- 1) The CLI rating of the subject 4.7 ha property is 20% 4MP (8:4PT 2:3PT) and 80% 7:6TP 3:6RT. It should be noted that the ALR portion of the property is 4MP.
- 4) The land north of the road lying outside the ALR boundary is on a slope.
- 3) The subject property is the result of two previous subdivisions from the same applicants (See Previous Applications).

ALC STAFF COMMENTS

4) The proposed subdivided lots do not comply with the OCP or Zoning minimum lot size of 4 ha for Agricultural/Forestry Zone. The applicant has applied to amend the OCP designation from Agricultural and Rural Resource to Rural Residential, and to rezone the property from AF-2 (Agriculture/Forestry) to CR-1 (Country Residential) to allow the two lot subdivision.

5) A covenant of the previous applications required registration of perimeter fencing and ongoing maintenance for the fencing.

ATTACHMENTS

52077_ContextMap20k.pdf
52077_AirphotoMap10k.pdf
52077_Proposal Sketch.pdf

END OF REPORT

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