



Provincial Agricultural Land Commission - Staff Report

Application: 52656

Applicant: David Stoy
Local Government: Columbia Shuswap EA

Proposal: To subdivide the 16 ha property into two parcels of 1 ha and the remainder. The applicant has applied locally under Section 946 of the Local Government Act and has indicated that the proposed 1 ha lot will be his future home when he retires.

BACKGROUND INFORMATION

The applicant has owned the subject property since 1991 and is therefore not eligible for consideration under the Homesite Severance Policy.

In 1994 the ALC and the CSRD conducted a Falkland ALR Review (File #59-H-26878) which involved a review of the ALR boundaries and rural development areas around Falkland. In its review the ALC was willing to recommend rural residential development on Silvernails Bench subject to the inclusion of the east end of the Warren Creek valley into the ALR. This area lies to the north of the subject property and was not agreed for rural residential use.

PROPERTY INFORMATION

PID: 003-760-278
Legal Description: Lot 1 Section 36 Township 17 Range 12 West of the 6th Meridian Kamloops Division Yale District Plan 31260
Property Area: 16.3 ha
ALR Area: 16.3 ha
Purchase Date: June 14, 1991
Location: 3132 Schaeffer Road, east of Falkland, Electoral Area "D"
Owner: David Stoy

Total ALR Area:

LAND USE

Current Land Use:

There are two dwellings on the property: one in the northeast corner and the other in the centre of the property. The dwelling in the northeast corner is currently a rental home, and the tenants have horses. The proposed 1 ha lot is in the northeast corner of the property. Access to the rental dwelling is off Schaeffer Road at the end of a cul-de-sac.

The other dwelling is the primary home and access is by easement from Schaeffer Road through a neighbouring property in the northwest corner of the property.

The property slopes upwards from the southwest corner to the northeast corner with sparse flat areas. The property is generally treed with the makings of a nine hole (non-commercial) golf course on the property.

Surrounding Land Uses:

North: Residential
East: Hay and horses, residential
South: Residential
West: Residential

PROPOSAL DETAILS

Subdivision - ALR Area: 16.3 ha

Number of Lots	ALR Area of Lot (ha)
1	15.3
1	1.0

Agricultural Capability:

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

Source: CLI

Mapsheet: 82L/5

RELEVANT APPLICATIONS

Application ID: 33254

Legacy #: 07512

Applicant: Byron, Monty, Jennifer & Joan Siddall

Proposal: To subdivide a 0.2 ha lot from the 32 ha property as divided by a road to use as a homesite.

Application ID: 9424

Legacy #: 03937

Applicant: Norman Schaeffer

Proposal: To subdivide the 64.8 ha property into 13 parcels for small holdings/hobby farms.

Decision:

Resolution #	Decision Date	Decision Description
7028/1977	August 16, 1977	Refused as proposed but allowed the subdivision of six lots, subject to fencing of all parcels.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Salmon Valley Land Use Bylaw No. 2500

Designation: Rural

OCP Compliance: No

Zoning:

Zoning Bylaw Name: Salmon Valley Land Use Bylaw No. 2500

Zoning Designation: Rural

Minimum Lot Size: 60.0 ha

Zoning Compliance: No

Comments and Recommendations:

Board/Council

Recommend approval

Planning Staff

Recommend approval for the following reasons:

- the proposed lot will be similar in size to the properties north which were previously approved by the ALC;
- the property lot is currently being used as rural residential. Staff believe the subdivision would not change the current use of the property.
- As the proposed lot is in the far northeast corner of the property, staff believe this subdivision will not negatively affect agriculture in the area.

ALC STAFF COMMENTS

Staff has the following comments:

- The applicant has owned the subject property since 1991 and is therefore not eligible for consideration under the Homesite Severance policy.
- The Regional Board and local Planning Staff recommend approval as the proposed lot is similar in size to the properties to the north and that the proposed lot would not negatively affect agriculture in the area.
- In a planning review (#26878) from 1994, the ALC approved (subject to conditions) some new rural residential development (Silvernails Bench) which lies to the north of the subject property.

ATTACHMENTS

52656_ContextMap50k.pdf
52656_AgCapabilityMap_HR.pdf
52656_AirphotoMap20k_HR.pdf
52656BoardReport.pdf
52656_Falkland_Area_Review.pdf

END OF REPORT

Prepared by: Ron Wallace, September 12, 2012