



Provincial Agricultural Land Commission - Staff Report

Application: 52769

Applicant: Village Ranch Ltd
Local Government: Columbia Shuswap EA

Proposal: To exclude an approximately 3.24 - 4.05 ha (8 - 10 acre) portion of the subject property from the ALR for the purpose of constructing a church, a multi-use building, softball field, tennis courts, and a soccer field for the River of Life Community Church.

The area proposed for exclusion from the ALR lies between the CP railway line and the northern property boundary and Trans Canada Highway. Given these constraints the applicant claims the subject land is extremely difficult to farm using conventional farm machinery.

BACKGROUND INFORMATION

The applicant claims that the area of the subject property proposed for exclusion is too narrow to farm as it lies between the CPR railway to the south, the northern property boundary to the north and the recently widened highway to the northeast.

There was a previous application made in 2009 by the Ministry of Transportation and Infrastructure to dedicate 3.1 ha for road right of way to widen Highway #1. A portion of the subject property at the northeast corner was used for this purpose.

PROPERTY INFORMATION

PID: 002-948-231
Legal Description: Lot 1 Section 7 Township 22 Range 10 West of the 6th Meridian Kamloops Division Yale District Plan 34508 Except Plan A18333
Property Area: 49.8 ha
ALR Area: 49.8 ha
Purchase Date: September 6, 2006
Location:
Owner: Village Ranch Ltd

Total ALR Area:

LAND USE

Current Land Use:

The portion of the subject property proposed for exclusion from the ALR is currently a hay field which is separated from the larger acreage by the CP railway loop, with limited access on the southeast side. There is an old barn and a rundown shed on the north part of the property.

Surrounding Land Uses:

North: Rural Residential, Agriculture
East: TransCanada Highway, Residential
South: Railway, Agriculture
West: Agriculture

PROPOSAL DETAILS

Exclusion Area: 4.0 ha

Agricultural Capability:

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

Source: CLI

Mapsheet: 82L/14

PREVIOUS APPLICATIONS

Application ID: 45935

Legacy #: 38964

Applicant: Ministry of Transportation and Infrastructure

Proposal: To widen Highway 1 from 2-lanes to 4-lanes from Hilltop Road to Balmoral Road.

Decision:

Resolution #	Decision Date	Decision Description
420/2009	June 17, 2009	Allow subject to conditions; soil storage and re-use, fencing, underpass

Application ID: 31998

Legacy #: 17484

Applicant: Marathon Realty Co. Ltd.

Note: This application requested permission to acquire portions of the subject property for right of way purposes. The CPR had encountered problems due to fill slipping. To correct the problem the railway wishes to stabilize the embankments by placing additional fill materials. The Commission allowed the application subject to conditions.

RELEVANT APPLICATIONS

Application ID: 41224

Legacy #: 35392

Applicant: Ruby Bridge

Proposal: To subdivide the 32 ha property into four lots (three of approximately 7.1 ha and one of 9.6 ha) in order for the applicant to transfer the property to her three children.

Decision:

Resolution #	Decision Date	Decision Description
247/2004	June 3, 2004	The Commission refused the four lot subdivision proposal on the grounds that the land had good agricultural capability. The Commission did allow the subdivision of the property as divided by highway #1 as per precedent and the subdivision of a 1 ha homesite severance of the applicants choice. The Commission may be prepared to consider further subdivision of the westerly property.

Note: Located to the north of the subject property.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: South Shuswap OCP Bylaw No. 700
Designation: Agriculture 1
OCP Compliance: No

Zoning:

Zoning Bylaw Name: South Shuswap Zoning Bylaw No. 701
Zoning Designation: Agriculture 1
Minimum Lot Size: 20.0 ha
Zoning Compliance: No

Comments and Recommendations:

Advisory Planning Committee

The Area 'C' Advisory Planning Commission recommended approval of this application based on condition of subdivision of area for removal only as indicated on map as provided with application information package.

Board/Council

That the application be forwarded to the ALC with a recommendation of refusal.

Planning Staff

Planning Staff recommends refusal for the following reasons:

- The soils are Class 2 and have very good potential for agricultural activities;
- excluding a portion of the property and changing the current use to institutional would reduce the future agricultural capability of the land;
- there are safety and access concerns regarding the future school, senior's complex, daycare, playing field, etc adjacent to the active CPR line and the Trans-Canada Highway;
- the proposed exclusion would create an isolated pocket of land with good soil classification (not in the ALR) completely surrounded by ALR; and
- the proposed use of the property could encourage further parcelization in an active agricultural area.

ALC STAFF COMMENTS

Staff has the following comments:

- The portion of the subject property proposed for exclusion has an agricultural capability rating of Class 2 - prime agricultural rating.
- The applicant claims that the proposed site is difficult to farm due to the limited access on the southeast side between the CP railway and the recently widened Highway #1. However, it is noted the proposed is currently in hay production.
- The proposed development would introduce a potentially intensive residential use into an otherwise agricultural area.
- An alternative may be to subdivide the proposed area from the subject property and then consolidate the proposed area with the adjacent property to the north, thereby creating a less constricted area for agricultural use.

ATTACHMENTS

52769_ContextMap50k.pdf
52769_AgCapabilityMap_HR.pdf
52769_AirphotoMap20k_HR.pdf
52769Proposal.pdf

END OF REPORT

Prepared by: Ron Wallace, August 2, 2012