



Staff Report
Application # H – 36578
Applicant: Konyha Holdings
Location: Scotch Creek, North Shuswap Lake

DATE RECEIVED: March 29, 2006

DATE PREPARED: May 11, 2006

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To develop a golf course on the 59 ha property. Initially the applicant intends to develop the easterly half the property as a nine-hole golf course with the potential to expand to 18 holes should it be financially feasible.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Columbia Shuswap Regional District Development Services has suggested that the Scotch Creek area is generally tourist-oriented with summer and permanent residences as well as commercial properties. Agriculture consists of grazing lands for cattle with no intensive agricultural uses within the immediate area.

Local Government:

Columbia Shuswap Regional District

Legal Description of Property:

PID: 013-812-092

The South West ¼, Section 34, Township 22, Range 11, W6M, Kamloops Division Yale District, Except Plans 9795, 15899 and 19665

Purchase Date:

Not provided

Location of Property:

Scotch Creek, north shore of Shuswap Lake

Size of Property:

59 ha (The entire property is in the ALR).

BACKGROUND INFORMATION (continued):

Present use of the Property:

Driving range and restaurant on 4 ha, vacant remainder, unused cleared field and forested area.

Surrounding Land Uses:

WEST: Rural residential properties lying outside the ALR
SOUTH: Rural residential land, outside the ALR (excluded in the 1980's)
EAST: Rural residential and small lot recreational outside the ALR
NORTH: Flat cleared property in the ALR (recently refused exclusion)

Agricultural Capability:

Data Source: Agricultural Capability Map # 82L/14
The majority of the property is identified as having mixed prime and secondary ratings. A on-site soils analysis undertaken by Ministry of Agriculture staff indicates that the property has the following ratings (5:4MP 3:3M 2:5MP)

Official Community Plan and Designation:

No OCP exists in this area

Zoning Bylaw and Designation:

Zoning Bylaw No. 825 zones the property as A "Agriculture" and P "Park"

PREVIOUS APPLICATIONS:

Application #31199-0

Applicant: Konyha Holdings Ltd
Decision Date: May 30, 1997
Proposal: To develop a fenced driving and activity center on 4 ha. The range would be 3.3 ha in size with 20 grass and 20 covered tee boxes. The 1,200 square foot activity centre would include a deli, games room, volleyball courts, tether ball, and horse shoe pits, and a 40 car parking lot.
Decision: Allowed as impact would not be significant.

RELEVANT APPLICATIONS:

Application #35660-0

Applicant: Federated Co-operatives Limited
Decision Date: February 3, 2005
Proposal: To exclude two properties totalling 75.4 ha from the Agricultural Land Reserve for development purposes. All of the 10.7 ha property lies within the ALR and approximately 30 ha of the 64.7 ha property lies within the ALR. The applicants have offered to include a 32.6 ha parcel located to the northeast of the subject property if the Commission feels this would compensate for the lands proposed for removal from the ALR.
Decision: The Commission refused the exclusion of 40 ha from the ALR on the grounds the land had reasonable agricultural capability for agriculture and because there was no planning in the area.

RELEVANT APPLICATIONS (continued):

Application #25127-0

Applicant: Francis Hurstfield

Decision Date: April 18, 1991

Proposal: To exclude the 58.2 ha property from the ALR for possible use as a retirement community.

Decision: Allowed because the area was already heavily tourist-oriented, the adjacent properties had been approved for exclusion and the property was bordered on 3 sides by non-farm uses.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Columbia Shuswap Regional District: Forwarded the application with a recommendation of support.

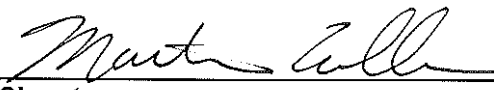
Columbia Shuswap Regional District Development Services: The area is under heavy pressure for recreational residential uses and that little agriculture is occurring in the north Shuswap. It is suggested that consultation with the Commission regarding the remaining properties in the ALR in the Scotch Creek area could take place at the time when the OCP is prepared for the North Shuswap to provide staff with policies and objectives in dealing with the transition land uses and the ALR in general.

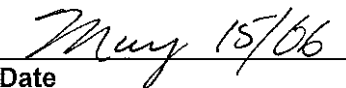
STAFF COMMENTS:

Staff recommends the Commission consider the following:

- The property has good agricultural capability and is large enough to be used for agricultural purposes.
- The Commission already permitted a golf course on 4 ha of the property.
- The remaining ALR lands in Scotch Creek are under pressure for exclusion, as evidenced by recent application activity.
- No OCP exists in the North Shuswap. Staff recommends that the Regional District be encouraged to develop an OCP for this area.

END OF REPORT


Signature


Date