



**Staff Report**  
**Application # H-38271 & #H-38457**  
**Applicant: Sharon Gavel**  
**Agent: Browne Johnson Land Surveyors**  
**Location: Sicamous**

**DATE RECEIVED:** June 26, 2008

**DATE PREPARED:** July 31, 2008

**TO:** Chair and Commissioners – Okanagan Panel

**FROM:** Brandy Ridout, Land Use Planner

**PROPOSAL:** To exclude approximately 0.2 ha of the property lying west of Silta Road and include approximately 1.3 ha of the property east of Silta Road.

This application is made pursuant to section 17(3) and 30(1) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

Under Resolution #467/2007, the Commission allowed the dedication and construction of Silta Road subject to the inclusion of an approximately 1.8 ha area east of the road into the ALR. The Commission believed that it made sense from an agricultural perspective to use Silta Road as the ALR boundary. The current exclusion request is for a small area west of Silta Road.

**Local Government:**

Columbia Shuswap Regional District (CSRD)

**Legal Description of Property:**

PID: 016-653-581

The Fractional North ½ of the South East 1/4, Section 7, Township 22, Range 7, W6M, Kamloops Division of Yale District, EXCEPT Part shown on Plan 633A9, SRW Plan 15917 and NEP73399

**Purchase Date:**

March 1994

**Location of Property:**

2363 Solsqua-Sicamous Road, Sicamous

**Size of Property:**

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

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**BACKGROUND INFORMATION (continued):**

**Present use of the Property:**

Lot 1 Vacant, Remainder has existing house and barn

**Surrounding Land Uses:**

**WEST:** Rural Holding  
**SOUTH:** Farm  
**EAST:** Farm/River  
**NORTH:** Rural Residential

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82L/15  
The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

OCP: Bylaw No. 2000  
Designation: A Agriculture  
Minimum Lot Size: 60 ha

**PREVIOUS APPLICATIONS:**

**Application #37381-0**

**Applicant:** Gavel, Sharon Winnefred

**Decision** September 20, 2007

**Date:**

**Proposal:** To subdivide a lot outside the Agricultural Land Reserve (ALR) that will include a road dedication portion through the ALR (0.4 ha required for road).

**Decision:** Allow subject to the inclusion of the non-ALR area lying to the east of the proposed road on the grounds that the any negative impact of the road on the subject property would be alleviated by the inclusion of the non-ALR area. In addition, the road would be a more effective ALR boundary.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**CSRD Board:** Forwarded the application recommending Concurrence with the staff report dated 2008/05/29.

**CSRD Development Services:** Recommend approval. Staff has no concerns regarding the proposed exclusion but has some concerns over the inclusion of steep terrain into the ALR. However, the ALC has determined that there may be some agricultural value in the area of inclusion and therefore will defer to the ALC's assessment of the area.

**STAFF COMMENTS:**

- The Commission has required the inclusion of an approximately 1.8 ha area. the 1.3 ha area proposed for inclusion meets the intent of that requirement.
- The 0.2 ha area requested for exclusion also appears to meet the intent of the Commission's decision to have the ALR boundary follow Silta Road.

**ATTACHMENTS:**

- ALC Context Map (1:50,000)
- Provincial Orthophoto 2007 (1:10,000)
- Sketch plan of proposed subdivision (sirphoto)
- Sketch plan showing proposed inclusion and exclusion
- Minutes of Resolution #467/2007

**END OF REPORT**

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**Signature**

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**Date**