



**Staff Report**  
**Application # H – 36296-0**  
**Applicant: Darin Northway and Lambert Timmers**  
**Location: District of Sicamous**

**DATE RECEIVED:** September 23, 2005

**DATE PREPARED:** November 15, 2005 as amended November 4, 2009

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

**FROM:** Martin Collins, Regional Land Use Planner

**PROPOSAL:** To exclude 14 ha from the ALR for suburban residential development.

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

**BACKGROUND INFORMATION:**

The Commission delayed a decision on this application in order to assess, in collaboration with the District of Sicamous, its future land use needs and development direction. In December 2005, while the Commission was reviewing the application, Sicamous Council met with the Commission to discuss community land use needs, and in particular land for affordable housing. The Commission encouraged the District to undertake a detailed land use analysis which assessed the existing land inventory for residential, commercial and industrial uses, and projected potential land use demand for these uses. The District was also directed to assess and set in-fill and densification targets, as well as consider how it intended to accommodate growth in the long term outside the ALR. The application review was delayed until the land use assessment was completed.

The District hired a consultant and developed a “*Growth Management Strategy*” which was reviewed by the Commission in June 2007. The Commission endorsed several ALR areas for future industrial, commercial and residential growth because the lands were unsuitable for agricultural development. However, the subject property was not endorsed by the Commission for residential development, even though the District had identified this property as suitable for residential development. The Commission indicated that the subject property was a large arable parcel that is very suitable for agricultural uses, and that it would be contrary to its mandate to endorse this land for future urban growth, leading to its exclusion from the ALR.

The District of Sicamous has advised that its OCP was adopted in May 2009. The OCP shows the subject property lying outside the Growth Management Boundary.

Inclusion/Exclusion Land Swap

The applicants have collaborated with a landowner (Tony VanDenTillart) in the Deep Creek area and have offered to include into the ALR the equivalent amount of land being proposed for exclusion. The Commissioners viewed the 14 ha proposed inclusion area early in 2006, noting that the non ALR land was cleared and ploughed (see airphoto). The CLI ratings for the cleared area are 5TP.

Letters of Opposition

Five letters have been submitted in opposition to the proposed exclusion. Generally the letters suggest that it does not make sense to develop good farmland for housing.

An exclusion application (#H-36324) for a nearby 7.5 ha parcel was received October 24, 2005. The combined area requested for exclusion under the two applications is 21.5 ha.

**Local Government:**

District of Sicamous

**Legal Description of Property:**

Lot 16, District Lot 497, KDYD, Plan 5217, EXCEPT Plan KAP54501 (PID: 010-502-823)

**Purchase Date:**

October 1996

**Location of Property:**

1009 Larch Ave, Sicamous

**Size of Property:**

14 ha (the entire property is in the ALR).

**Present use of the Property:**

Residence and large farm field.

**BACKGROUND INFORMATION (continued):**

**Surrounding Land Uses:**

- WEST:** Suburban housing outside the ALR
- SOUTH:** Suburban housing outside the ALR
- EAST:** Large farm property within the ALR
- NORTH:** Two rural residential (0.8 ha and 1.2 ha) parcels within the ALR

**Agricultural Capability:**

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

**Official Community Plan and Designation:**

The Official Community Plan Bylaw No. 410 (2000)  
Designation: Large Holdings (LH)

**Zoning Bylaw and Designation:**

Zoning Bylaw No. 101 (1993)  
Designation: Large /holding (LH)  
Minimum lot size: 16 ha

**PREVIOUS APPLICATIONS:**

**Application #21291-0**

**Applicant:** R.A. & F.S. Sherlock  
**Decision Date:** July 28, 1987  
**Proposal:** To subdivide a 0.15 ha lot under the Homesite Severance Policy.  
**Decision:** The Commission allowed the application subject to standard Homesite Severance Policy conditions. **The decision was never finalized.**

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**Application #21625-0**

**Applicant:** R.A. & F.S. Sherlock  
**Decision Date:** December 18, 1987  
**Proposal:** To subdivide a 0.23 ha lot for the applicant's son in the northeast corner of the property.  
**Decision:** Refused - on the grounds it would have a negative impact on agriculture

**RELEVANT APPLICATIONS:**

**Application #36324-0**

**Applicant:** Jaltia Management Corp. Inc. No. BC0734143  
**Decision Date:** Application in progress  
**Proposal:** To exclude 7.5 ha from the ALR for urban residential development.

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**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**The District of Sicamous:** Forwarded the application with a recommendation of support.

The District of Sicamous OCP (adopted May 2009) shows the subject property lying outside the Growth Management Boundary.

**STAFF COMMENTS:**

Staff suggests that the Commission consider the following.

- The District's staff report indicates that Sicamous is undergoing tremendous growth and that there no more "affordable" building lots, with the exception of hillside sites, and that the property is advantageously located adjacent to existing services and municipal infrastructure.
- The current OCP was adopted in May 2009. It does not identify the subject property for urban development.
- The subject property is bordered on two sides by urban land uses

- The soil capability and size of the property make it suitable for farm development. At one time the property was owned and operated in conjunction with the farmlands lying to the east.
- The proposed inclusion parcel is cultivated, but is not under urban pressure. Also the information available to the Commission suggest that the land proposed for inclusion (5TP) has lesser agricultural capability than the land proposed for exclusion (7:3WI 2:2X).

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**END OF REPORT**

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**Signature**

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**Date**