



Agricultural Land Commission Staff Report

DATE: May 31, 2010
TO: Vice Chair and Commissioners - Okanagan Panel
FROM: Brandy Ridout

RE: Application # 51601

PROPOSAL: To exclude the 6.4 ha subject property from the ALR to subdivide into 11 lots.

PROPOSAL INFORMATION

Background: In 1995 the ALC approved a proposal to change the use of the property from 80 campsites to 10 recreational cabins. Shared interests have since been sold in the property to create 11 usage areas.

Received Date: February 22, 2010

Applicant: Mark & Susanne Renner

Agent: Focus Corporation

Local Government: Columbia Shuswap Regional District

DESCRIPTION OF LAND

PID: 016-050-771

Legal Description: Lot 1, Section 14, Township 22, Range 10, West of the 6th Meridian, Kamloops Division of Yale District, Plan 43063

Civic Address: 2804 White Lake Road, White Lake

Area: .5 ha

ALR Area: .5 ha

Purchase Date: May 1, 1996

Owner: Lori Glijn

PID: 016-050-771

Legal Description: Lot 1 Section 14 Township 22 Range 10 West of the 6th Meridian Kamloops Division Yale District Plan 43063

Civic Address: 2804 White Lake Road

Area: .5 ha

ALR Area: .5 ha

Purchase Date: May 1, 1996

Owners: Robert Lutgendorf
Sylvia Knarr

PID: 016-050-771

Legal Description: Lot 1 Section 14 Township 22 Range 10 West of the 6th Meridian Kamloops

Civic Address: Division Yale District Plan 43063
2804 White Lake Road
Area: .5 ha
ALR Area: .5 ha
Purchase Date: June 16, 1994
Owner: Daniel Hutchinson

PID: 016-050-771
Legal Description: Lot 1 Section 14 Township 22 Range 10 West of the 6th Meridian Kamloops
Division Yale District Plan 43063
Civic Address: 2804 White Lake Road
Area: .5 ha
ALR Area: .5 ha
Purchase Date: May 18, 1995
Owners: Mark & Susanne Renner
Thomas and Waltraud Blindheim

PID: 016-050-771
Legal Description: Lot 1 Section 14 Township 22 Range 10 West of the 6th Meridian Kamloops
Division Yale District Plan 43063
Civic Address: 2804 White Lake Road
Area: .5 ha
ALR Area: .5 ha
Purchase Date: June 29, 1999
Owners: Mark and Susanne Renner
Thomas and Waltraud Blindheim

PID: 016-050-771
Legal Description: Lot 1 Section 14 Township 22 Range 10 West of the 6th Meridian Kamloops
Division Yale District Plan 43063
Civic Address: 2804 White Lake Road
Area: .5 ha
ALR Area: .5 ha
Purchase Date: June 27, 2007
Owner: Joseph & Joyce Lastavec

PID: 016-050-771
Legal Description: Lot 1 Section 14 Township 22 Range 10 Wet of the 6th Meridian Kamloops
Division Yale District Plan 43063
Civic Address: 2804 White Lake Road
Area: .7 ha
ALR Area: .7 ha

Purchase Date: June 5, 2006
Owners: Evelyn Lamblin
Gary Taylor

PID: 016-050-771
Legal Description: Lot 1 Section 14 Township 22 Range 10 West of the 6th Meridian Kamloops
Division Yale District Plan 43063
Civic Address: 3804 White Lake Road
Area: .7 ha
ALR Area: .7 ha
Purchase Date: December 28, 1995
Owner: Grant & Jeanne Smith

PID: 016-050-771
Legal Description: Lot 1 Section 14 Township 22 Range 10 West of the 6th Meridian Kamloops
Division Yale District Plan 43063
Civic Address: 2804 White Lake Road
Area: .6 ha
ALR Area: .6 ha
Purchase Date: July 2, 1997
Owner: John and Noreen Jong

PID: 016-050-771
Legal Description: Lot 1 Section 14 Township 22 Range 10 West of the 6th Meridian Kamloops
Division Yale District Plan 43063
Civic Address: 2804 White Lake Road
Area: .6 ha
ALR Area: .6 ha
Purchase Date: July 9, 1996
Owner: James & Debra Smith

PID: 016-050-771
Legal Description: Lot 1 Section 14 Township 22 Range 10 West of the 6th Meridian Kamloops
Division Yale District Plan 43063
Civic Address: 2804 White Lake Road
Area: .8 ha
ALR Area: .8 ha
Purchase Date: September 29, 1995
Owner: Emanuela and Martin Osswald

Total Land Area: 6.4 ha

Total ALR Area: 6.4 ha

Current Land Use: Recreational/Residential. Four of the usage areas contain the permanent and primary homes of their owners. Four other usage areas contain cabins.

PROPOSAL DETAILS

Exclusion

Area	Agricultural Capability	Agricultural Capability Source
6.4	Secondary	CLI

Surrounding Land Uses:

North	Small lot ALR subdivision, separated from subject parcel by Heron Road
East	White Lake
South	Residential/Recreational home
West	White Lake Road

Official Community Plan

Bylaw Name: n/a

Designation: n/a

OCP Compliance:

Zoning

Zoning Bylaw Name: n/a

Zoning Designation: n/a

Minimum Lot Size:

Zoning Compliance:

PREVIOUS APPLICATIONS

Application #: 45870

Applicant: Mark and Susanne Renner

Proposal: To subdivide the 6.5 ha subject property into 11 parcels - 7x0.5 ha, 2x0.7 ha, 2x0.8 ha.

Decisions:

Resolution

Number	Decision Date	Decision Description
401	June 17, 2009	Refused on the grounds that the Commission was not prepared to support an essentially residential lot subdivision in the ALR.

Committee Recommendations

Type	Recommendation	Description
Planning Staff	Approve	CSRD Development Services: Recommend APPROVAL.
Board/Council	Approve	CSRD Board: Moved that the application be forwarded to the ALC recommending APPROVAL.
Advisory Planning Committee	Approve	Area 'C' APC: Recommend APPROVAL.

STAFF COMMENTS

- The applicants' agent indicates that the property (1) has limited agricultural utility given the small parcel size and area available for cultivation when the area associated with the residential footprint is subtracted. As such, it has no potential for commercial agriculture and marginal potential for hobby farming; (2) has not been used for agricultural production for more than 50 years. At the time of ALR implementation the property was being used as a campground resort; and (3) does not function as an interface between an agricultural land use and non-ALR uses.
- During its review of the previous subdivision application on the subject property (#H-38912), the Commission noted that the historic recreational use of the property, both that which pre-dated the reserve and the current development, had compromised its suitability for agricultural use. The presence of 11 residences and their associated utilities such as septic fields and driveways and the sale of a percentage of the property to individuals, had created challenges to the agricultural use of the property. However, if the property was to remain in the ALR, the Commission believed that it must remain as large as possible to allow the most options for agriculture. At that time, the Commission was not prepared to support an essentially residential lot subdivision in the ALR. It believed that if subdivision was allowed, there would be little realistic expectation for agriculture to take place on the resultant small lots and that it was inappropriate to create small residential lots in the ALR (see attached minutes).
- There have been several previous applications on the subject property and relevant applications in the area that were identified for application #H-38912 (see attached staff report).
- The area is without the benefit of an OCP although a draft OCP has been completed. The subject property is outside the secondary settlement area and the proposed designation is A-Agriculture.
- CSR Development Services indicates that because the property is in the ALR, 50% of the assessed value of the land is exempt from school taxes. Removing the land from the ALR would ensure that taxes from the property, which is residential in nature, are equitable when compared with other residential properties in the area.
- Interior Health recommends that new lots are not less than 1 ha with on-site water and septic. There are currently 8 septic fields on the property and septic approvals or installations are in process for the remaining usage areas.

ATTACHMENTS

51601_ContextMap20k.pdf
previous 38912d1.pdf
38912sr.pdf
51601_AirphotoMap5k.pdf

END OF REPORT

Signature

Date