



Agricultural Land Commission Staff Report

DATE: March 7, 2010
TO: Vice Chair and Commissioners - Okanagan Panel
FROM: Brandy Ridout

RE: Application # 51612
PROPOSAL: To use 1 ha of the 1.7 ha subject property for a new fire hall.

PROPOSAL INFORMATION

Background: To replace an existing fire hall, which is more than 50 years old and has limited equipment storage and training space

Received Date: February 26, 2010
Applicant: District of Lake Country
Agent: N/A
Local Government: District of Lake Country

DESCRIPTION OF LAND

PID: 012-394-777
Legal Description: Lot 97 Section 15 Township 20 Osoyoos Division Yale District Plan 444
Civic Address: 11063 Okanagan Centre Road East, Lake Country
Area: 1.7 ha
ALR Area: 1.7 ha
Purchase Date: February 13, 2008
Owner: District of Lake Country

Total Land Area: 1.7 ha
Total ALR Area: 1.7 ha
Current Land Use: 1 Single Family Dwelling and 1 Stable

PROPOSAL DETAILS

Non Farm Use

Area	Agricultural Capability	Agricultural Capability Source
1.0	Prime	BCLI

Surrounding Land Uses:

North Non-ALR, rural residential, farmed
East Non-ALR, small lot residential subdivision
South ALR, large lot (1 ha) residential
West ALR, Okanagan Centre Road, agriculture

Official Community Plan

Bylaw Name: District of Lake Country OCP
Designation: Agriculture
OCP Compliance: Yes

Zoning

Zoning Bylaw Name: District of Lake Country Bylaw No. 561 (2007)
Zoning Designation: A1-Agriculture 1
Minimum Lot Size: 3.8 ha
Zoning Compliance: Yes

PREVIOUS APPLICATIONS

Application #: 38824
Applicant: Kenneth & Sharon Kilborn
Proposal: To exclude the 1.7 ha lot from the ALR to subdivide it into 7 lots, the largest of which would be used as a church site.

Decisions:
Resolution Number

Decision Date **Decision Description**

Note: Refused by Resolution #443/1991 on the grounds that subdivision would reduce the agricultural potential of the property and precipitate both rural/residential conflicts and further subdivision proposals. The decision was reconsidered and reconfirmed under Resolution #1017/1991.

RELEVANT APPLICATIONS

Application #: 50989
Applicant: Glen & Laurie Bowman
Proposal: To exclude the 2.1 ha subject property from the ALR to develop it for village commercial and multifamily use.

Decisions:
Resolution Number

Decision Date **Decision Description**

Note: This application is currently under consideration (received November 6, 2009).

Committee Recommendations

Type	Recommendation	Description
Planning Staff	Approve	Development Services recommend that the application be forwarded to the ALC. And further that staff meet with the AAC to discuss options for the use of those portions of the property not needed for the operation of the fire hall that could be

Board/Council	Approve	<p>beneficial to the agricultural industry. This could include utilizing the existing house for transient farm help, providing land for demonstration or community garden plots, or leasing land to neighbouring farmers. The proposed non-farm use of the ALR property will have minimal impact on farming activities on adjacent ALR land. Although the decision to utilize ALR land for non-farm activity conflicts with the District's position of preserving ALR land for agricultural use, the general public benefit of having a well located fire hall balances the agricultural loss.</p>
Agricultural Advisory Committee	Refuse	<p>Move that the application be forwarded to the Agricultural Land Commission with the recommendations of Development Services Staff. Opposed: Councillor Gambell. That it be recommended to Council that the District of Lake Country make further creative effort to minimize the negative impact on agriculture by including exchange of property, accommodations or other mutually beneficial arrangements with land owners in the area in obtaining land for a new fire hall. And further that if ALR land is the only option than it should be no greater the 2.5 acres in size.</p>

STAFF COMMENTS

- The 2005 Fire Underwriters Survey indicated that the District is in need of a new fire station in the Winfield area and that the current location or one close to it is preferable. The District purchased the property in February 2008 for the purpose of constructing a fire hall to replace the 50-year old hall 71 located at 10575 Okanagan Centre Road East.
- The current site of the fire hall is comprised of three properties totalling 0.3 ha (0.8 acres) in area. It is indicated that the ideal site would be 1 ha (2.5 acres) in area.
- Four alternate locations were considered – two in the ALR and two outside the ALR. Of the two outside the ALR, one was listed as limited by topography and the other by access. Discussions were also held with the owner of the adjoining property to the east to expand the current fire hall site by 0.8 ha onto that property.
- A recent newspaper article indicates that the renovation of the existing fire hall was considered but it was determined that renovations would cost as much as building a new facility.
- There is an 8 ha tract of land to the east of the current fire hall that is outside the ALR and designated as “Urban Residential” in the OCP. When the property is developed, it will have access off the highway to the southeast, to Newene Road to the south, and Jardines Road to the northwest (not constructed).
- The exclusion of the property was refused in the past by Resolution #443/1991 on the grounds that subdivision would reduce the agricultural potential of the property and precipitate both rural/residential conflicts and further subdivision proposals. The Commission viewed the property in March 1991 and noted that the residential subdivision to the east was separated from the agricultural bench land by a steep embankment. It also noted that the property contained prime soils and was an integral part of a predominantly agricultural area. The proposed exclusion/subdivision was viewed as an unwarranted residential intrusion that could lead to rural/residential conflicts in the future. The decision was reconsidered and reconfirmed under Resolution #1017/1991.
- One letter of objection was received citing concern with the removal of more land from the ALR.
- There are numerous properties in the District that are outside the ALR but are used for farming. If the Commission considers the use of 1 ha of the subject property for the proposed use, the inclusion of some of these areas might be considered as a condition of approval.
- Although benefits to agricultural were mentioned in Development Services recommendation to Council, no specific benefits are proposed in the application (i.e. utilizing the existing house for transient farm

help, providing land for demonstration or community garden plots, or leasing land to neighbouring farmers).

ATTACHMENTS

ALR context map.pdf

Ag Cap.pdf

air photo.pdf

subject property air photo.pdf

Development Services Report.pdf

Development Services attachments.pdf

AAC.pdf

Fire Underwriters.pdf

END OF REPORT

Signature

Date
