



Agricultural Land Commission Staff Report

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

RE: Application # 51634

PROPOSAL: To remove approximately 44 ha of the SE 1/4 (proposed Lot A) from the ALR, consolidate the remaining 17.7 ha of the SE 1/4 with the NE 1/4 (proposed Lot B) and subdivide a 2 ha lot from the SE 1/4 which would remain in the ALR.

PROPOSAL INFORMATION

Background: The subdivision of the 2 ha lot is proposed to prevent the consolidated farm parcel from having two dwellings.
Received Date: March 9, 2010
Applicant: Notch Hill Farms Ltd
Agent: R G (Bob) Holtby
Local Government: Columbia Shuswap Regional District

DESCRIPTION OF LAND

PID: 008-722-668
Legal Description: The Southeast 1/4 of Section 12 Township 22 Range 11 West of the 6th Meridian Kamloops Division Yale District
Civic Address: 2369 Notch Hill Road, Tappen
Area: 65.4 ha
ALR Area: 65.4 ha
Purchase Date: June 7, 2007
Owner: Notch Hill Farms Ltd

PID: 013-795-881
Legal Description: The North East 1/4 Section 1 Township 22 Range 11 West of the 6th Meridian Kamloops Division Yale District Except Plans B5844 and 20611
Civic Address: 2369 Notch Hill Road, Tappen
Area: 22.2 ha
ALR Area: 22.2 ha
Purchase Date: June 10, 2008
Owner: Notch Hill Farms Ltd

Total Land Area: 87.6 ha

Total ALR Area: 87.6 ha

Current Land Use: Two residences, outbuildings, farmed land and hillside

PROPOSAL DETAILS

Exclusion

Area	Agricultural Capability	Agricultural Capability Source
44.0	Mixed Prime and Secondary	CLI

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
43.6	Mixed Prime and Secondary	CLI

Number of Lots Lot Size (ha)

1	2.0
1	41.6

Surrounding Land Uses:

North	Uncleared land
East	Hill side grazing
South	Small holdings
West	Undeveloped small holdings

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 #: 32554

Applicant: Floyd H. Adams

Proposal: To subdivide the 21.5 ha property into two lots of 13.3 and 8.2 ha.

Decisions:

Resolution Number	Decision Date	Decision Description
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Note: Resolution #507/1984 refused the proposed on the grounds that the subject lands have a good potential for agricultural purposes and as such should be preserved in a single parcel. Furthermore, the Commission is not prepared to encourage the subdivision of adjoining ALR lands.

RELEVANT APPLICATIONS

Application #: 44547

Applicant: Shuswap West Developments Ltd

Proposal: To exclude the 56 ha Agricultural Land Reserve (ALR) portion of the 64 ha subject property for urban residential development.

Decisions: Resolution

Number	Decision Date	Decision Description
108	March 27, 2008	Refused.

Note: This property is to the north of the subject property (see air photo map).

Committee Recommendations

Type	Recommendation	Description
Planning Staff	Refuse	CSR Development Services: Recommend REFUSAL.
Board/Council	Approve	CSR Board: Moved that the application be forwarded to the ALC recommending APPROVAL.
Advisory Planning Committee	Approve	Area 'C' APC: Recommend approval by a vote of 6 to 3 however expressed concerns about future development, what shape it may take, and the impact on surrounding agricultural area.

STAFF COMMENTS

- Under application #H-37781, a property to the north that is similar in that the area proposed for exclusion stretches from the 600 metre contour to the 540 metre contour was refused exclusion.
- In its consideration of application #H-37781, the Commission concurred that portions of the property had challenges to agricultural development, particularly without irrigation. However, while recognizing these challenges, the Commission considered the property to have reasonably good potential for pasture and hayland, particularly if irrigated. It recalled that the Regional District was presently assessing options for sewage treatment and disposal in the Electoral Area, and that one of the favoured options was spray irrigation. The Commission believed that the property and similar lands in the surrounding area had potential to benefit from spray irrigation.
- The "Soil Survey of the Shuswap Lakes Area BC by A.B. Dawson and C.C. Kelley, Interim Report" was consulted for information on soils in this area. Looking at the Notch Hill area as a whole, it was evident that soils that exist on the subject property also exist in the surrounding area.
- The previous owner of the SE ¼, Section 12 has submitted a letter indicating that she and her husband ran at least 40 cow/calf pairs, with a bull, from 1994 until 2003. They also cut hay from the lower 20 ha the first couple of years and developed another hay field but then decided to let the cattle use the whole property for pasture. During the summer, the cattle would go to the top half of the property to graze as there was plenty of pasture and would stay there for days at a time, often calving at the top. She indicates that the property had first water rights on 'willow pond' and in the summer there were at least six ponds spread all over that the cattle drank from.
- The majority of the residential development in the Notch Hill area is to the north of the highway, with the exception of the parcel kitty-corner to the northeast. The exclusion of a 44 ha portion of the subject properties would represent an encroachment into the ALR in this area.

ATTACHMENTS

Wing letter 10 Mar 2010.pdf
51634 contours.pdf
51634_AirphotoMap20k.pdf
51634 agent report excerpt.pdf
51634 CSR staff report.pdf
51634_ContextMap20k.pdf

END OF REPORT

Signature

Date
