



Agricultural Land Commission Staff Report

DATE: July 6, 2010
TO: Vice Chair and Commissioners - Okanagan Panel
FROM: Martin Collins

RE: Application # 51751

PROPOSAL: To undertake a boundary adjustment between adjoining 1 ha and 4.4 ha parcels. The proposed configuration is 0.4 ha and 5 ha. The proposed 0.4 ha lot fronts onto Highway #97 and contains a secondary residence and farm buildings. Both parcels are owned and farmed by the applicant.

PROPOSAL INFORMATION

Background: No previous applications have been considered on the subject properties.
Received Date: May 19, 2010
Applicant: Harjit Sidhu
Agent: Joe Cardoso
Local Government: Regional District of Okanagan-Similkameen

DESCRIPTION OF LAND

PID: 003-607-275
Legal Description: Lot 289 District Lot 2450S Similkameen Division Yale District Plan 1790
Civic Address: 31465 Highway 97
Area: 4.4 ha
ALR Area: 4.4 ha
Purchase Date: April 19, 1994
Owner: Harjit Sidhu

PID: 003-607-305
Legal Description: Lot B District Lot 2450S Similkameen Division Yale District Plan 2046
Civic Address: 31449 Highway 97
Area: 1 ha
ALR Area: 1 ha
Purchase Date: April 19, 1994
Owner: Harjit Sidhu

Total Land Area: 5.4 ha
Total ALR Area: 5.4 ha
Current Land Use: Two residences, fruit tree orchard and ancillary buildings

PROPOSAL DETAILS

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
5.4	Prime	BCLI

Number of Lots	Lot Size (ha)
1	0.4
1	5.0

Surrounding Land Uses:

North	4 ha orchard in the ALR
East	orchard in ALR
South	vineyard in the ALR
West	Highway #97, orchards beyond in the ALR

Official Community Plan

Bylaw Name:	Electoral Area C OCP Plan 2452
Designation:	Agriculture
OCP Compliance:	No

Zoning

Zoning Bylaw Name:	Zoning Bylaw # 2453
Zoning Designation:	Agriculture 1
Minimum Lot Size:	4.0 ha
Zoning Compliance:	No

Committee Recommendations

Type	Recommendation	Description
Board/Council	No Comment	The Regional District of Okanagan Similkameen forwarded the application without recommendation
Advisory Planning Committee	Approve	The APC for Electoral Area C supported the application.

STAFF COMMENTS

Staff suggest that the Commission consider the following:

- 1) The proposed boundary adjustment will increase the size of the arable farm parcel, improving its agricultural viability.
- 2) The creation of a 0.4 ha parcel will ensure that either; a permanent non farm resident will be introduced to the community; or potentially there might be pressure to use the parcel for highway commercial purposes.
- 3) There are similar sized and configured parcels lying to the south, raising the potential for similar reconfigurations.
- 4) It is likely that if the 0.4 ha lot is sold, that the applicant will re-construct farm buildings on the 5 ha parcel, resulting in a loss of productive capacity.

5) The subject parcels have been severely debilitated by the recent Testalinden Creek mudflow (see attached photo). It is possible that the applicant may not follow through with the boundary adjustment if the structures must be replaced or removed.

ATTACHMENTS

- 51751_ContextMap20k.pdf
- 51751_flood photo.pdf
- 51751_RDOS airphoto.pdf
- 51751_RDOS sketch.pdf

END OF REPORT

Signature _____

Date _____