



Agricultural Land Commission Staff Report

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

RE: Application # 51767

PROPOSAL: Top View Farms is requesting to subdivide a 15.5 ha area lying south of Trinity Valley Road from the 65 ha property. This area is vacant and forested because of poor soils and steep topography. There is a small irregular shaped area of the 15.5 ha area (20%) that is level enough to be used for forage crops.

The application also intends to dedicate ~ 2.2 ha for right of way encompassing the existing Trinity Valley Road. The ~600 meter long right of way ranges in width from 30 - 37 meters.

PROPOSAL INFORMATION

Background: No previous applications have been considered on the property.
Received Date: June 27, 2010
Applicant: Top View Dairy Ltd
Agent: Browne Johnson Land Surveyors
Local Government: Regional District of North Okanagan

DESCRIPTION OF LAND

PID: 014-014-581
Legal Description: West of the 6th Meridian Kamloops Division Yale District
Civic Address: 3028 Trinity Valley Road, Enderby
Area: 65.8 ha
ALR Area: 65.8 ha
Purchase Date: September 16, 1991
Owner: Top View Dairy Ltd

Total Land Area: 65.8 ha
Total ALR Area: 65.8 ha
Current Land Use: Farm house, 2 barns, feed storage silos, hay sheds, machinery shed & shop. Approximately 60% of the property is cleared and used for forage crops.

PROPOSAL DETAILS

**Subdivision
Area**

**Agricultural
Capability**

**Agricultural
Capability Source**

65.0 Secondary

CLI

Number of Lots Lot Size (ha)

1 15.5
1 49.5

Surrounding Land Uses:

North Partially cleared 1/4 section in the ALR.
East Primarily forested 1/4 section in the ALR.
South Forested crown land outside the ALR
West Partially cleared and cultivated 1/4 section owned by Top View Dairy.

Official Community Plan

Bylaw Name: Electoral Area F OCP, Bylaw # 1934
Designation: Agriculture
OCP Compliance: Yes

Zoning

Zoning Bylaw Name: Bylaw # 1888
Zoning Designation: Non Urban
Minimum Lot Size: 7.2 ha
Zoning Compliance: Yes

RELEVANT APPLICATIONS

Application #: 30393
Applicant: V&A Hooper
Proposal: To subdivide a 12 ha parcel from the 65 ha property as divided by Trinity Valley Road.

**Decisions:
Resolution**

Number	Decision Date	Decision Description
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Note: The Commission allowed the subdivision and subsequently, in 1983 and 1992 two smaller rural residential lots lying south of Trinity Valley Road.

Committee Recommendations

Type	Recommendation	Description
Board/Council	No Comment	The Regional District of North Okanagan forwarded the application without a recommendation.

STAFF COMMENTS

Staff suggest that the Commission consider the following:

- 1) The Commission has allowed the subdivision of the adjoining parcel as divided by Trinity Valley Road, in addition to two 2 ha lots lying south of the Road.

2) The applicant indicates that the land has limited agricultural potential due to steep topography and poor soils.

3) Recently the Commission excluded from the ALR nearby, similar capability, forested lands lying south of Hidden Lake Road.

4) The presence of Trinity Valley Road should not be construed as rationale for subdivision because traffic on the road is not heavy enough to prevent the 15.5 ha area from being utilized with the 49 ha remainder of the property.

ATTACHMENTS

- 51767_ContextMap50k.pdf
- 51767_AirphotoMap20k.pdf
- 51767 sketch plan.pdf
- 51767 previous decisions.pdf

END OF REPORT

Signature

Date