



Agricultural Land Commission Staff Report

DATE: August 23, 2010
TO: Vice Chair and Commissioners - Okanagan Panel
FROM: Martin Collins

RE: Application # 51890
PROPOSAL: To subdivide two 2 ha lots from the 32 ha property. Only ~2 ha of the proposed lots (the front half of each) lies in the ALR. Approximately 16 ha of the 32 ha property lies within the ALR. The applicant proposes to include 3.4 ha into the ALR comprising pasture and lightly forested areas as compensation for the subdivision area.

PROPOSAL INFORMATION

Background: The applicants are requesting the two additional lots for their children's use. One of the two new lots would contain an existing modular home.
Received Date: August 9, 2010
Applicant: Ken & Betty Rees
Agent: Jason R. Shortt
Local Government: Township of Spallumcheen

DESCRIPTION OF LAND

PID: 011-849-801
Legal Description: The Easterly 80 Acres of District Lot 1017 Township 17 Range 10 West of the 6th Meridian Kamloops Division Yale District Shown on Plan DD9216
Civic Address: 4699 Hallam Road
Area: 35.4 ha
ALR Area: 16.5 ha
Purchase Date: August 30, 1988
Owner: Ken & Betty Rees

Total Land Area: 35.4 ha
Total ALR Area: 16.5 ha
Current Land Use: The parcel is currently used for hay, pasture and rough cattle grazing. A permanent single family home, a modular home and farm outbuildings occupy the property. The non ALR portion of the property is lightly forested hillside.

PROPOSAL DETAILS

Subdivision Area	Agricultural Capability	Agricultural Capability Source
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16.0 Secondary BCLI

Number of Lots Lot Size (ha)

2 1.0
1 14.0

Surrounding Land Uses:

North Nunnery (Llamas) in the ALR (12 ha)
East Three 2 ha rural residential lots. hayland beyond.
South Rural residential - some agriculture
West Non ALR forested hillside

Official Community Plan

Bylaw Name: Township of Spallumcheen OCP
Designation: Agricultural
OCP Compliance: No

Zoning

Zoning Bylaw Name: Township of Spallumcheen zoning bylaw
Zoning Designation: Agricultural (A.2)
Minimum Lot Size: 30.5 ha
Zoning Compliance: No

Committee Recommendations

Type	Recommendation	Description
Planning Staff	Refuse	The Township of Spallumcheen staff recommended that the application be refused because it is inconsistent with local government bylaws.
Board/Council	No Comment	The Township of Spallumcheen forwarded the application without a recommendation

STAFF COMMENTS

Staff recommends that the Commission consider the following:

- 1) The proposed two lot subdivision affects primarily non ALR land, and is adjacent to similar sized lots across Hallam Road.
- 2) The applicants propose to include a similar amount of land than is being proposed for subdivision and an area greater than the ALR area affected by the subdivision.
- 3) The ALR land proposed for subdivision is a narrow band of cleared land, comprised of secondary soils.
- 4) The Township of Spallumcheen staff do not support the proposal because it is not consistent with the Township's bylaw(s).

5) The applicant has potential to subdivide the 16 ha non ALR portion of the property. Should the Commission believe that the subdivision of a narrow band of cleared land is not supportive of agriculture there may be potential to suggest an alternate subdivision options outside the ALR.

ATTACHMENTS

51890 sketch plan.pdf

51890_ContextMap50k.pdf

51890_AirphotoMap20k.pdf

END OF REPORT

Signature

Date