



# Provincial Agricultural Land Commission - Staff Report

## Application: 51923

**Applicant:** Barbara Gardner  
**Local Government:** Regional District of Okanagan-Similkameen

**Proposal:** To subdivide 0.3 ha under the Homesite Severance Policy. The severance would leave a remaining 8.8 ha. The subject property is comprised of two parcels that represent a combined land area of approx. 9.2 ha. The applicant has owned the land since 1966.

### BACKGROUND INFORMATION

The owner has been in residence and ownership of the subject property since 1963 and 1966 respectively. Widowed in 1992, the land title was transferred solely into her name.

The proposed subdivision includes the current driveway located on Lot 38 and the residence, garage and garden on Lot 35. The applicant would plant Cedar hedges along the north and west property lines.

An interested party has been found for the remaining parcels currently planted to tree fruit.

### PROPERTY INFORMATION

**PID:** 010-342-290  
**Legal Description:** Lot 35 District Lot 258 and of Section 3 Township 52 Similkameen Division Yale District Plan 5269  
**Property Area:** 5.0 ha  
**ALR Area:** 5.0 ha  
**Purchase Date:** January 20, 1992  
**Location:** 1933 Barcello Road & 1960 Northey Avenue, Cawston  
**Owner:** Barbara Gardner

**PID:** 003-867-960  
**Legal Description:** Lot 38 District Lot 258 Section 3 Township 52 Similkameen Division Yale District Plan 5269 Except Plan H12917

**Property Area:** 4.2 ha  
**ALR Area:** 4.2 ha  
**Purchase Date:** January 20, 1992  
**Location:** 1933 Barcello Road & 1960 Northey Avenue, Cawston  
**Owner:**

**Total Land Area:** 9.2 ha  
**Total ALR Area:** 9.2 ha

### LAND USE

**Current Land Use:**  
 Tree fruit orchard, single detached dwelling, garage, mobile home, machine shed and picker's cabin.

**Surrounding Land Uses:**  
 North: Treefruit orchard and First Nations Reserve - ALR  
 East: Neighbour's homesite and treefruit orchard - ALR  
 South: Creekbed and treefruit orchard - ALR  
 West: Treefruit orchard - ALR

## PROPOSAL DETAILS

Subdivision - ALR Area: 9.2 ha

Number of Lots	ALR Area of Lot (ha)
1	8.9
1	0.3

### Agricultural Capability:

The majority of the area under application is rated as: Prime Dominant

Source: BCLI

Mapsheet: 82E0.12

## PREVIOUS APPLICATIONS

Application ID: 16392

Legacy #: 00425

Applicant: L. & B. Gardner

Proposal: subdivide in order to establish a well site

Decision:

Resolution #	Decision Date	Decision Description
3933/1976	June 2, 1976	allowed with conditions

Note: Lot 38

## RELEVANT APPLICATIONS

Application ID: 32423

Legacy #: 17715

Applicant: Norbet Ricker

Proposal: To subdivide a 0.3 ha parcel from the subject property under the Homesite Severance Policy.

Decision:

Resolution #	Decision Date	Decision Description
608/1984	August 25, 1984	Allowed as a normal subdivision and not subject to the provisions of the Homesite Severance Policy. However, as such, all future claims for subdivision under the Policy are forfeited.

Note: Located 2 lots south of subject property.

Application ID: 4609

Legacy #: 30303

Applicant: Nellie Thompson

Proposal: Applicant is seeking permission to s/d a 1.3 ha lot from the 5.2 ha property on which to retire and maintain a small vineyard.

Decision:

Resolution #	Decision Date	Decision Description
280/1996	April 3, 1996	refuse as submitted but would allow s/d of a 0.2 ha homesite or alternatively the proposed lot size s/t consolidation of the remainder with an adjacent property.

Note: Located 2 lots northwest of subject property.

## LOCAL GOVERNMENT INFORMATION

### Official Community Plan:

Bylaw Name: N/A

### Zoning:

Zoning Bylaw Name: N/A

## LOCAL GOVERNMENT INFORMATION

### Comments and Recommendations:

#### Advisory Planning Committee

Recommends that the subdivision be allowed subject to the consolidation of the two remaining parcels.

## ALC STAFF COMMENTS

Staff would like the Commission to note the following:

- 1) The 0.3 ha proposed severance is classified as BCLI improved prime dominant agricultural land for tree fruit. The slightly larger severance request includes a gully and creek south of the house, the garage north of the house and the driveway.
- 2) The owner has indicated an interested buyer in Mr. Manjit Gill who plans to continue orcharding.
- 3) Should the Commission feel the homesite severance is warranted, staff suggest the APC suggestion to consolidate the remaining two lots be an approval condition.

## ATTACHMENTS

51923\_ContextMap20k.pdf  
51923\_AirphotoMap10k.pdf  
51923 - Proposal Sketch (RDOS).pdf

## END OF REPORT

Prepared by: Lindsay McCoubrey