



Provincial Agricultural Land Commission - Staff Report

Application: 51961

Applicant: Gilbert & Edi Inglis
Agent: Urban Connections
Local Government: District of Summerland

Proposal: To exclude property (2.4 ha) from the ALR. The subject property is made up of 3 lots (1.6 ha, 0.2 ha, and 0.6 ha). The two northern lots are residential (one currently under construction) and the southern lot is vacant (previously leased to a commercial silviculture operation).

BACKGROUND INFORMATION

Applicants and property have been under application 4 times in the past - see staff comments.

PROPERTY INFORMATION

PID: 016-101-511
Legal Description: Lot 1 District Lot 454 Osoyoos Division Yale District Plan 43158
Property Area: 0.6 ha
ALR Area: 0.6 ha
Purchase Date: June 20, 1990
Location: East end and between Jones Flat Road and McLachlan Street
Owner: Gilbert & Edi Inglis

PID: 027-904-113
Legal Description: Lot A District Lot 454 Osoyoos Division Yale District Plan KAP89022
Property Area: 1.6 ha
ALR Area: 1.6 ha
Purchase Date: May 5, 2009
Location: east end and between Jones Flat Road and McLachlan Street
Owner:

PID: 012-094-820
Legal Description: Lot A District Lot 454 Osoyoos Division Yale District Plan 40250 Except Plan KAP89022
Property Area: 0.2 ha
ALR Area: 0.2 ha
Purchase Date: May 5, 2009
Location: east end and between Jones Flat Road and McLachlan Street
Owner: Gilbert & Edi Inglis

Total Land Area: 2.4 ha
Total ALR Area: 2.4 ha

LAND USE

Current Land Use:

Residential (1.6 ha), residential under construction (0.3 ha), vacant lot - previously silviculture operation (0.6 ha).

Surrounding Land Uses:

North: Jones Flat Road, two large agricultural parcels and one smaller residential lot - ALR

East: Small residential subdivision - Not ALR
Fosberry Road, residential and agriculture - ALR

South: McLachlan Street, a recently approved rural residential subdivision and Silviculture - ALR

West: 16 lot Logie Road Light Industrial Park - Not ALR
Agriculture - ALR

PREVIOUS APPLICATIONS

Application ID: 38491

Legacy #: 26337

Applicant: Gilbert & Edi Inglis

Proposal: To subdivide the 1.9 ha subject property into 3 lots of 0.1 ha, 0.2 ha and 1.6 ha.

Refused - the Commission acknowledges that while the topography of the property is in itself a substantial limitation to agriculture, it also provides a physical separation between the "industrial" uses located to the west of the property and the agricultural uses located to the north and east. The Commission noted that in previous decisions to allow subdivision in this area, its intentions have always been to limit any negative impact that could result from the creation of residential lots directly adjacent to agricultural operations. The Commission is prepared to permit the creation of a 0.1 ha lot in the northwest corner of the subject property (later allowed a 0.3 ha lot).

Application ID: 37697

Legacy #: 23607

Applicant: G & E. INGLIS

Proposal: The exclude the easterly 0.7 ha of the 1.3 ha subject property.

Allowed.

Note: No reasoning detailed in decision minutes.

Application ID: 26729

Legacy #: 21964

Applicant: Gil & Edi INGLIS

Proposal: To subdivide the undeveloped northern half from the 3.2 ha subject property.

Refused - but would consider if remainder consolidated with an adjacent parcel.
Reconsideration - to allow a 1.7 lot and 1.5 ha lot. Allowed.

Application ID: 8985

Legacy #: 26346

Applicant: Gil Inglis

Proposal: To exclude the 0.6 ha subject property for residential development.

Decision:

Resolution #	Decision Date	Decision Description
348/1992	February 10, 1992	Refused based on agricultural capability and size.

RELEVANT APPLICATIONS

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Application ID: 37757

Legacy #: 26123

Applicant: Phili-Can. Enter. Ltd.

Note: (1991) Refused: Exclusion of 0.4 ha in SE corner kiddy corner to subject parcel.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: OCY 2000-310

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Bylaw 99-001 CR1 and A1

Zoning Designation: CR1-Country Residential (1 ha) and A1-Ag. (2 ha)

Minimum Lot Size: 2.0 ha

Zoning Compliance: Yes

Comments and Recommendations:

Advisory Planning Committee

Support: Members discussed: Non suitability of farming.

Board/Council

Support application and moved for submission to the ALC.

ALC STAFF COMMENTS

Staff would like the Commission to note the following:

1) The agricultural capability on the eastern half of the parcel is designated as 80% BCLI class 6 with topographic and consolidated rock limitations and 20% BCLI class 7 with consolidated rock limitations. The western portion (including the vacant parcel previously leased for silviculture) is classed as 80% BCLI class 4 with drought limitations and 20% BCLI class 5 with drought limitations. This section has an improved rating of 80% BCLI class 2 with drought limitations and 20% BCLI level 3 with drought and stoniness limitations.

2) The subject property and applicant has 4 previous applications:

1988: (recon 1988): Leg.# 21964 - recieved reconsidered approval of subdivision of orchard (1.5 ha) from residence (1.6 ha).

1989: Leg.# 23607 - recieved exclusion of 0.7 ha from the SE corner of DL 454 - previously orchard.

1991- (recon. 1997): Leg.#26346 - refused subdivision of SW lot 1 (silviculture lot) - ALC Planning staff did support future use for industrial given proximity to existing industrial.

1991 - (recon. 1993): Leg.# 26337 - refused subdivision of northern 1.6 ha lot into 3 plots on basis of compartmentalization and acting agriculture buffer. Current NW 0.3 ha lot subdivision allowed.

3) Within the Summerland OCP the 2 northern lots are designated rural residential and the southern lot is zoned agricultural (see attached OCP map).

4) Application has recieved 1 letter of support and 1 letter of conditional support based on rezoning for residential and not industrial - letters attached.

ATTACHMENTS

51961_ContextMap10k.pdf
51961_AirphotoMap5k.pdf
51961 - Letter of support.pdf
51961 - Letter of support 2.pdf
51961 - Summerland OCP map zoom.pdf

END OF REPORT

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