



# Provincial Agricultural Land Commission - Staff Report

## Application: 52138

**Applicant:** Jean Prokopetz  
**Agent:** Jason Shortt  
**Local Government:** Township of Spallumcheen

**Proposal:** SUBDIVISION - Proposal to subdivide subject property of 1.7 ha into a 0.6 ha parcel that would contain the existing house and a 1.1 remainder parcel, under the ALC Homesite Severance Policy.

### BACKGROUND INFORMATION

The owner has provided a plan of subdivision of the subject property, dated October 6, 1972 (see attached). The applicant is unable to farm the westerly portion of the lot and is currently used by other farmers. Approximately 0.2 ha of the proposed 0.6 ha homesite severance lot is a steep brush filled ravine.

### PROPERTY INFORMATION

**PID:** 002-580-152  
**Legal Description:** Lot 2 Section 11 Township 7 Osoyoos Division Yale District Plan 24010  
**Property Area:** 1.7 ha  
**ALR Area:** 1.7 ha  
**Purchase Date:** November 15, 2011  
**Location:** 4421 Larkin Cross Road  
**Owner:** Jean Prokopetz

### LAND USE

**Current Land Use:**

The land is currently used for hay by another farmer, and contains the applicant's residence.

**Surrounding Land Uses:**

North: Larkin Cross Road, 30 ha farm land in ALR  
 East: 1 ha residence in ALR  
 South: Hay field, residence and ravine in ALR  
 West: 1 ha residence in ALR

### PROPOSAL DETAILS

**Subdivision - ALR Area:** 1.7 ha

| Number of Lots | ALR Area of Lot (ha) |
|----------------|----------------------|
| 1              | 0.6                  |
| 1              | 1.1                  |

**Agricultural Capability:**

The majority of the area under application is rated as: Secondary

**Source:** CLI

**Mapsheet:** 82L.034

### LOCAL GOVERNMENT INFORMATION

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### Official Community Plan:

**Bylaw Name:** Twp. Spallumcheen OCP No. 1570 (2004)  
**Designation:** Agricultural  
**OCP Compliance:** No

### Zoning:

**Zoning Bylaw Name:** Twp. Spallumcheen Zoning Bylaw No. 1700 (2008)  
**Zoning Designation:** Small Holdings  
**Minimum Lot Size:** 1.0 ha  
**Zoning Compliance:** No

### Comments and Recommendations:

#### **Other**

The Township of Spallumcheen Development Services recommends that the proposal be authorized for submission to the ALC.

## ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

- 1) The CLI index for the subject land is 4AD, improvable to 7:3D 3:3DT
- 2) The proposed 0.6 ha parcel severance does not meet the Township of Spallumcheen Zoning Bylaw No. 1700 minimum lot size of 1 ha. However, the owner qualifies for a ALC homesite severance as she has continuously occupied the property as her principal place of residence prior to December 21, 1972.
- 3) The Ministry of Agriculture states that subdivision of the proposed parcel will limit future agricultural opportunities. If possible, consolidating the proposed new lot with the lot immediately to the west should be considered.
- 4) The remaining 1.1 ha parcel may not be a suitable size for agriculture, and could be used for rural residential purposes.

## ATTACHMENTS

52138\_ProofOfTitle.pdf  
52138\_ContextMap20k.pdf  
52138\_AirphotoMap10k.pdf  
52138\_ProposalSketch.pdf

## END OF REPORT

**Prepared by:** Liz Sutton