



Provincial Agricultural Land Commission - Staff Report

Application: 52227

Applicant: Rogers Foods Ltd.
Agent: William Maddox
Local Government: Township of Spallumcheen

Proposal: Subdivision /Boundary Adjustment:
(1) River Breeze Dairy Farm (26.3 ha) proposes to purchase 21.1 ha from Lot 3 owned by Rogers Foods Ltd and expand the River Breeze parcel to 47.4 ha.

(2) Rogers Foods proposes to expand their present 3.5 ha mill site on Parcel A by adding 2.2 ha from Lot 3 owned by Rogers Food.

BACKGROUND INFORMATION

There will be no increase in the number of parcels, however the three parcels will change in size:
Lot 1 increase from 26.3 ha to 47.4 ha
Lot 2 increase from 3.5 ha to 5.7 ha
Lot 3 decrease from 31.4 ha to 8.1 ha

PROPERTY INFORMATION

PID: 023-107-081
Legal Description: Parcel A (DJ44981) Section 11 Township 7 Osoyoos Division Yale District Plan 32510
Property Area: 3.7 ha
ALR Area: 3.7 ha
Purchase Date: June 13, 1995
Location: 4420 Larkin Cross Road
Owner: Rogers Foods Ltd.

PID: 023-949-597
Legal Description: Lot B Section 11 Township 7 Osoyoos Division Yale District Plan KAP60479
Property Area: 28.7 ha
ALR Area: 28.7 ha
Purchase Date: June 2, 2008
Location: 4434 Larkin Cross Road
Owner: RiverBreeze Farms Ltd

PID: 017-883-920
Legal Description: Lot 3, Section 11 & 12, Township 7, Osoyoos Division of Yale District, Plan KAP47909
Property Area: 31.7 ha
ALR Area: 31.7 ha
Purchase Date: August 21, 1992
Location: Pineridge Road / Larkin Cross Road in Spallumcheen - just west of Highway 97
Owner: Rogers Foods Ltd.

Total Land Area: 64.1 ha
Total ALR Area: 64.1 ha

LAND USE

Current Land Use:

Dairy farm, pasture, grain mill

Surrounding Land Uses:

North: ALR - 64 ha Grain field

East: ALR - 10 ha Small holdings, Pineridge Road, CPR railway, Highway 97A

South: ALR - 64+ ha Agricultural

West: ALR - 64+ ha Agricultural

PROPOSAL DETAILS

Subdivision - ALR Area: 61.2 ha

Number of Lots	ALR Area of Lot (ha)
1	5.7
1	47.4
1	8.1

Agricultural Capability:

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

Source: CLI

Mapsheet: 82L/6

PREVIOUS APPLICATIONS

Application ID: 41034

Legacy #: 35263

Applicant: Rogers Foods Ltd.

Proposal: To dedicate a 10 meter wide railway right of way and construction a railway spur line within the right of way over the three subject properties between the existing CN railway line paralleling Highway #97 and the Roger's Foods Ltd. Flour Mill. The length of the right of way is about 800 meters, therefore the total area required by the right of way is 0.8 ha

Decision:

Resolution #	Decision Date	Decision Description
141/2004	April 8, 2004	The Commission allowed the 10 meter wide railway right of way 800 meters long to access the Roger's Foods Ltd. factory on the grounds the impact on agriculture was minimal, and the right of way would permit the facility to remain cost effective.

RELEVANT APPLICATIONS

Application ID: 44177

Legacy #: 37523

Applicant: Vernon

Proposal: To construct a 50 lot RV Park on an 8 ha lot adjacent to the Okeefe Ranch Historical site

Decision:

Resolution #	Decision Date	Decision Description
33/2008	January 29, 2008	Refused

RELEVANT APPLICATIONS

Application ID: 42506

Legacy #: 36342

Applicant: John Helston

Proposal: To subdivide a 2.8 ha lot from the 15 ha property as divided by Otter Lake Road. The applicant indicates that the area across the road is becoming increasingly difficult to access due to heavy traffic.

Decision:

Resolution #	Decision Date	Decision Description
676/2005	December 8, 2005	Refuse. Would allow subject to the consolidation of the 2.8 ha parcel with an adjoining property.

Application ID: 41509

Legacy #: 35616

Applicant: Bruce Crocker

Proposal: To subdivide the 32.8 ha property into two lots of approximately 12.3 ha and 20.5 ha as divided by St. Anne's Road.

Decision:

Resolution #	Decision Date	Decision Description
517/2004	November 19, 2004	The Commission allowed the subdivision of the 32.8 ha property into two lots (12.3 ha and 20.5 ha) as divided by St Anne's Rd. on the grounds the land has limited agricultural suitability to be used as a single unit (due to its configuration), and is dominated by rough topography.

Application ID: 2815

Legacy #: 29495

Applicant: F.T. Holdings Ltd

Proposal: To exclude the 4.76 ha property in order to 1) increase the size of the existing fibreglass plant and 2) s/d the property to raise capital.

Decision:

Resolution #	Decision Date	Decision Description
631/1995	June 1, 1995	Allow exclusion subject to retention of 10 meter strip of natural vegetation and fencing of north boundary.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Township of Spallumcheen OCP Bylaw No. 1570, 2004

Designation: Industrial/Agricultural

OCP Compliance: No

Zoning:

Zoning Bylaw Name: Twp. of Spallumcheen Zoning Bylaw No., 1700, 2008

Zoning Designation: Agricultural Industrial (I4)/Agricultural (A2)

Minimum Lot Size: 30.5 ha

Zoning Compliance: No

Comments and Recommendations:

Board/Council

The Township of Spallumcheen Council authorize the application for submission to the ALC.

Planning Staff

The Township of Spallumcheen recommend that the application be authorized for submission to the ALC.

ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

ALC STAFF COMMENTS

- 1) The improved CLI rating of the subject properties is 2D. The land is currently used for dairy operations and a grain mill.
- 2) The proposed 2.2 ha to be added to the mill site is presently used for parking, pallet storage, and sewage disposal field. The proposed Lot 2 has adequate set back of the disposal field from the property line as indicated by a letter from Donald Stenhouse Contracting.
- 3) There will be no increase in the number of parcels as proposed by the application. River Breeze Farm would increase the size of its operation. Rogers Food would increase the size of its mill site. There would be a decrease in the size of Lot 3 from 31.4 ha to 8 ha and would require rezoning from Agricultural to either Country Residential (minimum 2 ha), or Small Holdings (minimum 1 ha).
- 4) If the boundary adjustment is approved the additional land added to Rogers Food will be for non-farm use.

ATTACHMENTS

52227 Proposal Sketch.pdf
52227 Proposal Sketch - color.pdf
52227_ContextMap20k.pdf
52227_AirphotoMap20k.pdf

END OF REPORT

Prepared by: Liz Sutton