



# Provincial Agricultural Land Commission - Staff Report

## Application: 52500

**Applicant:** Marina Hall  
**Agent:** Glen Hall  
**Local Government:** Okanagan-Similkameen

**Proposal:** To subdivide a parcel of approximately 0.4 ha from the 6.0 ha property under the conditions of the ALC's Homesite Severance Policy.

## BACKGROUND INFORMATION

In order to qualify for a homesite severance, an individual must have continuously owned and occupied the property as their principal place of residence since December 21, 1972. Documentation has been provided showing that Robert and wife, Marina Hall owned the property since 1967. Robert Hall passes away in 1980 and the property title was put in Marina's name.

## PROPERTY INFORMATION

**PID:** 011-650-494  
**Legal Description:** Lot C District Lot 337 Similkameen Division Yale District Plan 1279 Except Plans 2976, 3995, 11597, 21632 and KAP47246  
**Property Area:** 6.0 ha  
**ALR Area:** 6.0 ha  
**Purchase Date:** May 27, 1992  
**Location:** 598 Eastside Road, Electoral Area 'D'  
**Owner:** Marina Hall

**Total ALR Area:**

## LAND USE

### Current Land Use:

The subject property is situated north of OK Falls townsite, and is adjacent to Hody Drive and Eastside Road. The majority of the property is productive farming with orchards. There is an existing single family dwelling and several storage and smaller farm buildings on the property. The residential footprint on the southern side of the property and sloped area along the western portion of the property comprises an area of approximately 1.4 ha.

### Surrounding Land Uses:

**North:** Residential, outside of the ALR  
**East:** Large holdings and large agricultural zoned properties to the east with a small pocket of multi-family zoned property to the south east.  
**South:** Residential, outside of the ALR  
**West:** Residential, outside of the ALR

## PROPOSAL DETAILS

**Subdivision - ALR Area:** 6.0 ha

Number of Lots	ALR Area of Lot (ha)
1	5.6
1	0.4

### **Agricultural Capability:**

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

**Source:** BCL

**Mapsheet:** 82E.033

## PREVIOUS APPLICATIONS

**Application ID:** 38457

**Legacy #:** 23596

**Applicant:** Mrs. Marina Hall

**Note:** Application request to subdivide 8 lots of 100 ft by 100 ft from the subject property. Refused as proposed. The Commission would allow the subdivision of up to 5 lots in the area along the road subject to 1) vegetative screening and chain link fencing to protect the orchard 2) lots are to only include the sloping area and not encroach on the orchard and 3) the size and shape of the lots is subject to Highways and Regional District's approval.

## LOCAL GOVERNMENT INFORMATION

### Official Community Plan:

**Bylaw Name:** OCP Bylaw no. 2454, 2008

**Designation:** Agriculture (AG)

**OCP Compliance:** Yes

### Zoning:

**Zoning Bylaw Name:** Zoning Bylaw No. 2455

**Zoning Designation:** Agriculture One (AG1)

**Minimum Lot Size:** 4.0 ha

**Zoning Compliance:** Yes

### Comments and Recommendations:

#### **Board/Council**

The RDOS Board authorise the ALC to undertake a homesite severance application in accordance with Section 21(2) of the ALC Act.

#### **Planning Staff**

The administrative recommendation is that the RDOS Board "authorize" the ALC application to undertake a homesite severance in accordance with Section 21(2) of the ALC Act.

## ALC STAFF COMMENTS

Staff has the following comments:

- The applicant is eligible for consideration of the proposed subdivision under the ALC's homesite severance policy.
- The proposed new lot will be serviced by both community water and sewer.
- The subject property is surrounded by non-ALR land and is used mostly for residential purposes.
- The proposed homesite lot is located adjacent to other residential properties lying outside of the ALR.
- The building site for the remainder property should be restricted to the southern end of the property, to ensure the arable portion of the property is retained for agriculture.

## ATTACHMENTS

52500\_ContextMap20k.pdf

52500\_AgCapabilityMap.pdf

52500\_AirphotoMap20k.pdf

52500sitemap.pdf

# **END OF REPORT**

**Prepared by:** Ron Wallace, March 5, 2012