



## Provincial Agricultural Land Commission - Staff Report Application: 52562

**Applicant:** Susan Cooper  
**Agent:** Urban Connections  
**Local Government:** Okanagan-Similkameen EA

**Proposal:** To exclude two adjoining properties from the ALR (1.8 ha and 0.6 ha) for more intensive residential development. The Town of Osoyoos intends to extend the sewer north to Willow Beach through the properties. The sewer would permit additional lakeshore residences.

### BACKGROUND INFORMATION

The properties came to be in their current configuration as a result of a previous Commission decision to allow the consolidation of the abandoned CPR right of way with adjoining parcels in the 1990's.

### PROPERTY INFORMATION

<b>PID:</b>	024-814-393
<b>Legal Description:</b>	Lot A, District Lot 2450S, SDYD, Plan KAP66886
<b>Property Area:</b>	1.8 ha
<b>ALR Area:</b>	1.8 ha
<b>Purchase Date:</b>	June 1, 2000
<b>Location:</b>	West side of Osoyoos Lake
<b>Owner:</b>	Susan Cooper
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<b>PID:</b>	024-814-407
<b>Legal Description:</b>	Lot B, District Lots 2450S and 3460S, SDYD, KAP66886
<b>Property Area:</b>	0.6 ha
<b>ALR Area:</b>	0.6 ha
<b>Purchase Date:</b>	June 1, 2000
<b>Location:</b>	West side of Osoyoos Lake
<b>Owner:</b>	
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<b>Total Land Area:</b>	2.4 ha
<b>Total ALR Area:</b>	2.4 ha

### LAND USE

#### Current Land Use:

Rural residence, with some prune plum trees.

#### Surrounding Land Uses:

North: ~1 ha ALR parcel used for hobby farm uses  
East: Osoyoos Lake  
South: Single family residential lot in the ALR in Inkameep Point residential neighbourhood.  
West: ~4 ha farm parcel (with residence) in the ALR, and cultivated in tree fruits.

## PROPOSAL DETAILS

**Exclusion Area:** 2.4 ha

**Agricultural Capability:**

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

**Source:** BCL

**Mapsheet:** 82 E.003

## PREVIOUS APPLICATIONS

**Application ID:** 51719

**Applicant:** Town of Osoyoos

**Proposal:** To install a sanitary sewage collection system for the Northwest Sector of Osoyoos Lake. The system is only designed to collect from the lakefront properties and will not support development of properties within the collection area. All disturbances caused by this project will be restored to a preconstruction state or better.

**Decision:**

Resolution #	Decision Date	Decision Description
2782/2010	November 23, 2010	Allowed, subject to conditions

**Application ID:** 4005

**Legacy #:** 25687

**Applicant:** CPALO Holdings Inc.

**Proposal:** Subdivision of the old railway right of way and consolidation with adjacent properties.

**Decision:**

Resolution #	Decision Date	Decision Description
1043/1991	October 21, 1991	Allowed. Proposal would increase the size and functional utility of several orchard parcels.

**Note:** Resulted in the subject properties.

## RELEVANT APPLICATIONS

**Application ID:** 52469

**Applicant:** Peter & Yvette Beckett

**Proposal:** The proposal is to subdivide the 0.2 ha property into two lots. One of the lots would contain the existing home; the second lot would be fully serviced by a new sewer and water line. The new lot would be 0.061 ha and the existing lot would be reduced to 0.142 ha.

**Decision:**

Resolution #	Decision Date	Decision Description
141/2012	March 19, 2012	Refuse as proposed. The Commission would suggest that a block exclusion be considered for the properties adjacent to Osoyoos Lake and north of 87th Street.

**Note:** Located to the north of the subject parcels.

**Application ID:** 43693

**Legacy #:** 37148

**Applicant:** Lyle and Maret Johanson

**Proposal:** To exclude approximately 3,660m<sup>2</sup> from the 3.85 ha subject property. The purpose of the exclusion is to facilitate the submission of an application to the Regional District to subdivide the excluded area either as a single residential allotment, or as three (3) separate allotments with an average area of 0.124 ha.

**Decision:**

Resolution #	Decision Date	Decision Description
268/2007	June 6, 2007	Refuse

**Note:** Located to the south of the subject properties.

**Application ID:** 42035

**Legacy #:** 36035

**Applicant:** Paul Dumoret

**Proposal:** To exclude the 0.81 ha (2.02 acres) parcel from the ALR for the purpose of subdividing off the principal residence.

**Decision:**

Resolution #	Decision Date	Decision Description
407/2005	June 22, 2005	Allow.

**Application ID:** 19036

**Legacy #:** 34339

**Applicant:** Gormar Properties Ltd.

**Proposal:** To exclude five small parcels totalling 3.3 ha from the Agricultural Land Reserve.

**Decision:**

Resolution #	Decision Date	Decision Description
277/2002	July 20, 2002	The Commission refused this exclusion application, but allowed the subdivision of the property. Subdivision approval is subject to submission of a subdivision plan of up to eight lots and a plan of fencing (chain link or solid wood).

**Note:** Located to the south of the subject properties. Was previously debilitated as a millsite. The Commission reconsidered and excluded the properties.

## LOCAL GOVERNMENT INFORMATION

### Comments and Recommendations:

#### **Board/Council**

The Regional District of Okanagan Similkameen Board of Directors forwarded the application for the Commission's decision without comment.

## **ALC STAFF COMMENTS**

Staff suggests that the Commission consider the following:

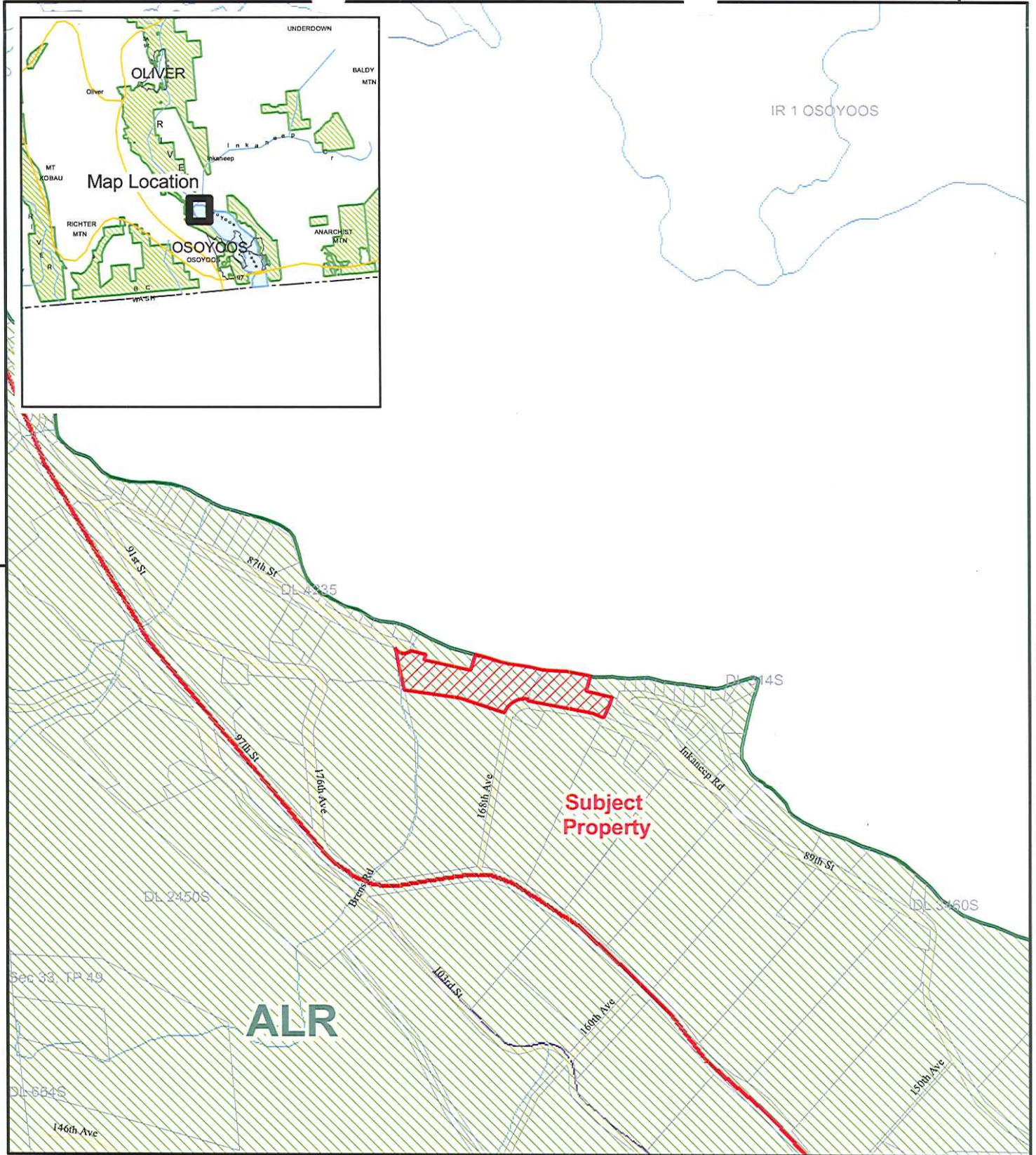
- 1) The land appears to have limited capability for agriculture due to topographic constraints and poor capability soils. The BCLI ratings are 6AT (\*3TA) for the majority of the property. Previous discussions about the rail bed portions of Osoyoos Lake parcels confirm that the soils have been significantly altered.
- 2) The Commission has previously refused to exclude/subdivide small lots on lakeshore portions of farm parcels, notwithstanding their limited agricultural potential. See previous applications for details.
- 3) The primary concern with exclusion is that potentially multiple residences may be planned on the upper flat bench adjacent to the orchard - to take advantage of the view. This could have negative impacts on the adjoining orchard as conflicts could arise due to differing expectations about farm activity between residents and farmers. A single residence is the most appropriate neighbour adjoining a farm parcel, particularly if there is no topographic break.

## **ATTACHMENTS**

52562 ALR map.pdf  
52562 airphoto map.pdf

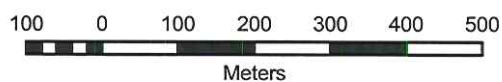
## **END OF REPORT**

**Prepared by:** Martin Collins, Regional Planner, May 24 2012



**ALC Context Map**

Map Scale: 1:10,000



ALC File #:	52562
Mapsheet #:	82E.003
Map Produced:	Jan 11, 2012
Regional District:	Okanagan Similkameen

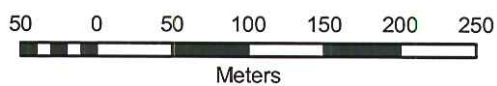
49°40'N



### Airphoto Map

Provincial Orthophoto 2007

Map Scale: 1:5,000



ALC File #: 52562

Mapsheet #: 82E.003

Map Produced: Jan 11, 2012

Regional District: Okanagan Similkameen