



Agricultural Land Commission
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December 22, 2005

Reply to the attention of Brandy Ridout

Glen and Carol Wharton
PO Box 2229
Princeton, B.C. V0X 1W0

Dear Sir/Madam:

Re: **Application #V-36331-0**
Parcel B (DD 113682F and Plan B3532) of DL 2136, KDYD, Except Plan 22216

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide four 2 ha lots from the above noted 18 ha property. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*.

The Commission wishes to thank your agent, Neil McHaffie, for taking the time to meet with its representatives on December 6, 2005. The Commission found the meeting and site visit informative, noting that the property was not developed for agricultural uses and lay adjacent to smaller rural residential lots to the south and larger agricultural properties to the west.

The Commission believes that larger parcels offer their owners a wider range of agricultural options, and are, in general, more likely to be used for agricultural purposes. In contrast, it is the Commission's experience that 2 ha lots are residential rather than agricultural. While the Commission appreciates that the 18 ha property may have some soil and climate constraints, no compelling evidence has been provided suggesting that the land could not be developed and used for grazing or pasture, either on its own, or in conjunction with other properties (in lease or rental arrangements). As such, the Commission believes that in its present size the parcel has greater agricultural capability than if subdivided.

For these reasons, the Commission refused your application as proposed.

In addition, the Commission writes, by way of a copy of this letter, in response to the Regional District's referral of Bylaw #1725.06, that it does not support the redesignation of the property from "Resource Area" to "Small Holdings".

The decision noted above is recorded as Resolution #673/2005.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:

A handwritten signature in black ink, appearing to read 'E. Karlsen', is written over the printed name.

Erik Karlsen, Chair

cc: Regional District of Okanagan Similkameen (#H 05-01133.000)

BR/lv/36331d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the “Commission”) on December 8, 2005 at 8090 Highway 97, Lake Country, BC.

PRESENT: Sue Irvine Chair
 Sharon McCoubrey Commissioner

ABSENT: Sid Sidhu Commissioner

STAFF: Brandy Ridout, Regional Research Officer
 Martin Collins, Planner

For Consideration

Brandy Ridout presented the staff report dated October 27th, 2005 regarding application #V-36331. Neil McHaffie (the agent) confirmed that he received the staff report and did not identify any errors.

However, the Commission did note that since the staff report was prepared, the Regional Director (Gerri Logan) had indicated by way of an October 31, 2005 letter that she had no objection to the proposed subdivision.

Site Inspection

A site inspection was conducted on Tuesday, December 6, 2005. Those in attendance were:

- Commissioners Irvine & McCoubrey
- Agricultural Land Commission Staff: Brandy Ridout and Martin Collins
- Neil McHaffie, agent

The Commissioners viewed the property, noting that the proposed 2 ha lots were located on the upland portion of the property, closer to the road. The existing home lay on the lowland area, closer to the creek and the adjoining irrigated farmlands.

Commission Discussion

The Commission noted that the subdivision patterns in the area were mixed, with smaller lots interspersed with larger properties. The rural residential lots were noted to have predated the establishment of the ALR. The Commission also recalled a previous decision on the property to refuse a similar subdivision request. Considering all factors, the Commission did not support subdivision because the property had greater capability as a grazing and pasture parcel in its present size than if subdivided into rural residential lots.

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IT WAS

MOVED BY: Commissioner Irvine

SECONDED BY: Commissioner McCoubrey

THAT the staff report be received

AND THAT the application to subdivide four 2 ha lots from the property be refused on the grounds that subdivision would reduce the property's agricultural capability.

CARRIED



Staff Report
Application # V – 36331-0
Applicant: Glen and Carol Wharton
Agent: Neil McHaffie
Location: Princeton

DATE RECEIVED: October 27, 2005

DATE PREPARED: November 14, 2005

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To subdivide four 2 ha lots from the 18 ha subject property.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The parcel has been in the applicants' family since 1949 and it has never been used for agriculture. The four proposed lots would be sold as small residential holdings and the applicants would retain the remainder as it is the location of their home.

Local Government:

Regional District of Okanagan-Similkameen

Legal Description of Property:

Parcel B (DD 113682F and Plan B3532) of District Lot 2136, Kamloops Division Yale District, Except Plan 22216 (PID: 013-184-610)

Purchase Date:

The current owners acquired the property in 1986.

Location of Property:

422 Huey Road, 3 km northeast of Princeton, off the Princeton to Summerland Highway

Size of Property:

18 ha (The entire property is in the ALR)

Present use of the Property:

Rural residence, lightly treed grassland

BACKGROUND INFORMATION (continued):

Surrounding Land Uses:

WEST: Large ALR parcel in pasture and hay.
SOUTH: 2-3 ha rural residences, and a mobile home park within the ALR
EAST: 4 ha rural residence within the ALR
NORTH: 4 ha rural residence within the ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 92H/8
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

There is no OCP for this area.

Zoning Bylaw and Designation:

Rural Land Use Bylaw 1725 (1997)
Designation: "Resource Area" (RA)
Minimum lot size: 8 ha

PREVIOUS APPLICATIONS:

Application #15693-0

Applicant: Viola Wharton
Decision Date: December 14, 1982
Proposal: To subdivide the 18 ha subject property into four lots of 2.8 ha and one lot of 6.8 ha.
Decision: Refused - the proposed subdivision would result in the parcelization of land with fair agricultural potential and represent an intrusion of hobby farm sized parcels into an extensive ranching area.

RELEVANT APPLICATIONS:

Application #30790-0

Applicant: Edith Currie
Decision Date: September 3, 1996
Proposal: To subdivide a 2.67 ha lot from the northeast corner of District Lot 2135 to be used as a home site for farm help.
Decision: Refused - due to reasons of impact.

Application #35570-0

Applicant: Similkameen Valley Transportation Ltd
Decision Date: November 19, 2004
Proposal: To subdivide an 11.3 ha lot from the northeast corner of the 83 ha property for the applicant's daughter.
Decision: Refused - subdivision would contribute to the parcelization of the grasslands in the Princeton area. However, the Commission did allow the subdivision of the 8 ha lot subject to the consolidation of the remnant with the adjoining property also owned by the applicants by covenant, preventing their separate sale.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional District of Okanagan Similkameen: Forwarded the application without a recommendation, as per policy.

Planning and Building Inspection Department: Although there are other small holdings designations in the immediate vicinity, the proposed subdivision was not supported by ALC in the past. Recent discussions with ALC staff indicate that their mandate remains to preserve grazing land as larger parcels and corridors, discouraging smaller residential parcels of less than 10 ha.

STAFF COMMENTS:


Staff suggests that the Commission consider the following:

- As the main agricultural use of the area is grazing, it is preferable to maintain larger parcels and corridors to ensure these operations are as successful as possible.
- An almost identical application for subdivision on the subject property was previously refused due to concerns regarding parcelization of agricultural land and intrusion of hobby farm sized parcels into an extensive ranching area.
- The Commission recently refused an application for a one-lot subdivision in the area due to concerns regarding parcelization.

END OF REPORT



Signature



Date

Attachment 1: Applicant proposed subdivision of Lot B, Plan B3532,
District Lot 2136, Portion (DD113682F), Except Plan 22216, KDYD

