



Agricultural Land Commission
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June 7, 2006

Reply to the attention of Brandy Ridout
ALC File #V-36576

Don Lloyd
3006a Skaha Lake Road
Penticton, BC V2A 7H2

Dear Mr. Lloyd:

Re: Application to exclude land from the Agriculture Land Reserve

Please find attached the Minutes of Resolution #167/2006 outlining the Commission's decision as it relates to the above noted application. As agent it is your responsibility to notify your client accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over the 'Per:' label.

Erik Karlsen, Chair

cc: Regional District of Okanagan-Similkameen - D06-08023-000

BR/lv/Encl.: Minutes
36576d1

The Commission's discussion focused on whether the applicant's day-use campground facility was an impediment to agricultural development, and what, if any, incentives could be offered to encourage more intensive agriculture on the subject property. The question arose as to whether the scale of the campground could be reduced or if an alternate, more intensive residential/recreational development pattern would make more land available for agricultural uses.

The Commission was not prepared to allow the strata campground development of the 1.78 ha as campground or residential subdivision development in either configuration because both would establish residents on the property, to the detriment of agriculture.

The Commission appreciated that the vineyard intensification proposal had merit but noted that a vineyard and winery could be developed at any time on the agricultural remainder of the property without incentives. It also noted that the current camping facilities were not actively heavily used.

The Commission remains prepared to consider alternate proposal(s) that include a vineyard and winery on the property but significantly reduce the development footprint so that the agricultural potential of the land is maximized and development restrictions (i.e. lakeshore setbacks) are recognized. The Commission will then weigh the agricultural impacts of a revised proposal against the existing authorization for day use campsites.

IT WAS

MOVED BY: Commissioner Irvine

SECONDED BY: Commissioner McCoubrey

THAT the application to exclude 1.7 ha from the ALR to intensify the recreation/residential uses of an existing campground be refused as proposed on the grounds of concerns about impact on the agricultural capability of the subject property.

CARRIED

RESOLUTION #167/2006



Staff Report
Application # V – 36576
Applicant: Anne Thorstenson
Agent: Don Lloyd
Location: Vaseux Lake

DATE RECEIVED: March 28, 2006

DATE PREPARED: May 10, 2006

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To exclude a 1.7 ha portion of the 4.35 ha property from the ALR to develop as a 64-unit campground. The 1.7 ha area carries a historic zoning for campground uses and is currently used as a seasonal campground. The remainder of the property would be developed as a vineyard/winery.

This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The applicants have provided an alternate option that includes a 48-unit campground that uses more foreshore area.

Local Government:

Regional District of Okanagan-Similkameen

Legal Description of Property:

PID: 011-636-157

Lot 1, Section 16 & 21, Township 85, Similkameen Division Yale District, Plan 1340

Purchase Date:

May 1993

Location of Property:

3500 Highway 97 on Vaseux Lake, between Oliver and Okanagan Falls

Size of Property:

4.35 ha (The entire property is in the ALR).

BACKGROUND INFORMATION (continued):

Present use of the Property:

Two Residences and seasonal campground.

Surrounding Land Uses:

WEST: Vaseux Lake
SOUTH: 4 ha ALR property owned by Nature's Trust (containing a residence)
EAST: Highway 97, rocky hillside in the ALR
NORTH: Vaseux Lake

Agricultural Capability:

Data Source: Agricultural Capability Map # 82E/5
The majority of the property is identified as having prime dominant ratings 60% of the property has ratings of 6A (2A) and 40% is 6A (7*3A 3*3TA).

Official Community Plan and Zoning Designation:

East Skaha, Vaseux OCP Bylaw No. 1708
Designation: Agriculture 1 and Campground (CT3).
The zoning bylaw permits a minimum lot size of 4 ha on the AG 1 zoned area, and 0.1 ha on the CT1 area.

PREVIOUS APPLICATIONS:

Application #07099-0

Applicant: A. Thorstenson
Decision Date: March 14, 1979
Proposal: To upgrade and expand an existing campground. Campground currently composed of 36 campsites located on 2 ha of the 8 ha parcel. Proposal included a 9-hole par three golf course within the orchard.
Decision: Refused as proposed, but allowed the upgrade of existing facilities on the condition that works were limited to the existing campground area.
Application was reconsidered and decision upheld.

RELEVANT APPLICATIONS:

Application #28022-0

Applicant: A. Thorstenson
Decision Date: October 8, 1993
Proposal: To redevelop the existing campsite into a strata and redevelop the existing orchard to a high density planting.
Decision: Refused - because intensification of campground use was not deemed compatible with intensive agricultural uses. **This property has since been sold to the Nature's Trust.**

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:


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


STAFF COMMENTS:

Staff recommends that the Commission consider the following.

- The proposed development is anticipated to be strata, and the lots will be sold to individuals for their own use. Depending on the strata agreement, some strata lots will be placed in a rental pool and used for short stay purposes.
- The Commission refused a very similar application on lands to the south (that were also owned by the applicant before being sold to the Nature's Trust).
- The proposed vineyard and winery represents a benefit to agriculture. However, the vineyard and winery may also be developed without the proposed exclusion.
- Should the Commission consider allowing the request, it is recommended that the vineyard and winery be developed prior to the creation of the strata campground.
- Staff prefers the lakeshore reconfiguration option over the existing footprint option because the shape of the agricultural remnant is more suitable for an agricultural operation.

END OF REPORT


Signature


Date