



Agricultural Land Commission
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June 14, 2007

Reply to the attention of Brandy Ridout
ALC File: #V - 37280

Pat and Larry Johnson
3817 DeJong Crescent
Terrace, BC V8G 5H7

Dear Mr. and Mrs. Johnson:

Re: Application to subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 270/2007 outlining the Commission's decision as it relates to the above noted application.

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 (#C07-05697-020)

Enclosure: Minutes

BR/lv
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Discussion

Assessment of Agricultural Capability

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is Class 3 (prime) with limitations of stoniness, soil moisture deficiency, and low fertility characteristics. Class 3 land has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Assessment of Agricultural Suitability

The Commission considered whether the property was suitable for agriculture. This consideration included details such as property size, surrounding land use and limitations to agriculture. While the Commission noted that the property's small size and location adjacent to similar sized lots were challenges to its agricultural use, it did not believe these factors rendered the land unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land.

It noted that the limited agricultural suitability of the property would be completely eliminated if it was subdivided as most of the cultivable land would be used for residential purposes (i.e. house, yard, driveway).

In addition, the Commission noted that the property was adjacent to a large parcel to the north and a large parcel to the south (across 324th Avenue). It was concerned that subdivision of the subject property would negatively impact agriculture on the surrounding properties by introducing an additional residential lot in this area, thereby increasing the potential for urban/rural conflict. The Commission recalled that a previous request to subdivide the subject property into two lots had been refused in 1993 on the grounds of impact. The Commission maintained its belief that it did not wish to see an increase in residential density in this area.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That while the land under application has challenges to its use for agriculture, it is suitable for agricultural use.
3. That the proposal will negatively impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.



Staff Report
Application # V – 37280
Applicant: Pat and Larry Johnson
Location: Rural Oliver

DATE RECEIVED: March 9, 2007

DATE PREPARED: April 2, 2007

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To subdivide the 0.4 ha subject property into two 0.2 ha lots, with a panhandle driveway accessing the northerly lot.

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

BACKGROUND INFORMATION:

The property shared a title with two other small properties in 1972 and so is subject to the *Agricultural Land Commission Act*.

Local Government:

Regional District of Okanagan-Similkameen

Legal Description of Property:

PID:
Lot 270, District Lot 2450s, Block B, Similkameen Division Yale District, Plan 1790

Purchase Date:

09/01/2004

Location of Property:

9564 - 324th Ave and 9564 - 10 Road, Rural Oliver, Electoral Area "C"

Size of Property:

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

Present use of the Property:

Vacant Land

BACKGROUND INFORMATION (continued):

Surrounding Land Uses:

WEST: Residential
SOUTH: Open Field
EAST: Residential
NORTH: Residential

Agricultural Capability:

Data Source: Agricultural Capability Map # 82E.013
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

Electoral Area "C", Oliver Rural OCP: Bylaw No. 2122 (2002), Designation: Agricultural

Zoning Bylaw and Designation:

Electoral Area "C" Oliver Rural Zoning Bylaw No. 2123, 2002
Designation: RS1, Minimum Lot Size: 0.202 ha

PREVIOUS APPLICATIONS:

Application #28118-0

Applicant: Jose & Maria Barata
Decision Date: September 17, 1993
Proposal: To subdivide each of the 0.4 ha parcels in half.
Decision: Refused due to impact.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

RDOS Board: No comments or recommendations, as per policy.

RDOS Development Services: Has concerns with the proposal, primarily in the context of setting a precedent for increased density in this rural area and associated impacts to adjacent agricultural lands.

STAFF COMMENTS:

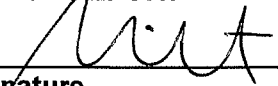
Staff suggests the Commission consider the following:

- The subdivision of this property was refused in the past because of concerns over impact. A site visit may help determine the current agricultural situation of the area.
- If subdivision of this property is allowed, there may be future applications from adjacent landowners, thus further increasing the residential density of the area.

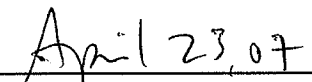
ATTACHMENTS:

- ALR base and constituent maps
- RDOS Development Services Department report
- Air photo

END OF REPORT



Signature



Date