



**Staff Report**  
**Reconsideration of Applications # V-36514 and # V-34459**  
**Applicant: 590335 BC Ltd**  
**Agent: Urban Connections**

**DATE RECEIVED:** January 17, 2008

**DATE PREPARED:** January 21, 2008

**TO:** Chair and Commissioners – Okanagan Panel

**FROM:** Martin Collins, Land Use Planner

**PROPOSAL:** The Commission, by Resolution #250/2006, (V-36514) refused the exclusion of ~387 ha of ALR for rural residential development. The Commission indicated that it would be willing to reconsider its decision if the applicant revised his proposal and retained portions of the subject lands, and land in Sublot 2 in the ALR. All 1100 ha of Sublot 2 was approved for exclusion by Resolution # 563/2002 (V-34459). The lands under application are high elevation, pasture and forested grazing areas, comprised of secondary soils. Approximately 162 ha of the subject properties and 444 ha of Sublot 2 are proposed for conservation and intermittent livestock grazing.

The applicant's agent, in a letters dated July 17<sup>th</sup>, 2006 and January 18<sup>th</sup>, 2008 is requesting a reconsideration of Resolution #250/2006, and specifically proposes the following:

- The dedication and construction of a new road right of way totaling 0.80 ha (Kehoe Rd.) through the ALR in Sublot 2, from Highway #3 to improve access to new lots proposed on lands to be excluded from the ALR. About 0.5 ha of the existing road will be decommissioned and returned to grazing uses.
- the exclusion of 227 ha from the ALR from a total area of 387 ha. The applicant also assents to the partial rescission of Resolution # 563/2002 (which allowed the exclusion of ~1100 ha of Sublot 2), retaining ~ 444 ha in the ALR in Sublot 2.
- In both applications, the total excluded area would be ~883 ha.

This reconsideration is made pursuant to section 33 of the *Agricultural Land Commission Act*.

**Local Government:**

Regional District of Okanagan-Similkameen

**Legal Description of Properties:**

1. PID: 004-748-832  
The South West 1/4 of, Section 3, Township 65, Similkameen Division of Yale District
2. PID: 008-978-247  
The North 1/2 of the NorthEast 1/4 of, Section 4, Township 65, SDYD
3. PID: 008-978-204  
The North 1/2 of the NorthWest 1/4 of, Section 3, Township 65, SDYD
4. PID: 008-978-263  
The South 1/2 of the SouthEast 1/4 of, Section 9, Township 65, SDYD
5. PID: 008-978-298  
The South 1/2 of the SouthWest 1/4 of, Section 10, Township 65, SDYD
6. PID: 004-748-841  
The SouthEast 1/4 of, Section 4, Township 65, SDYD, EXCEPT Plan 39502
7. PID: 015-149-200  
The SouthWest 1/4 of the SouthEast 1/4 of, Section 16, Township 65, SDYD
8. PID: 015-148-777  
The East 1/2 of the NorthWest 1/4 of, Section 9, Township 65, SDYD
9. PID: 015-149-234  
The SouthEast 1/4 of the SouthWest 1/4 of, Section 16, Township 65, SDYD
10. PID: 015-148-751  
The West 1/2 of the NorthEast 1/4 of, Section 9, Township 65, SDYD
11. PID: 015-148-637  
The NorthEast 1/4 of the SouthWest 1/4 of, Section 9, Township 65, SDYD
12. PID: 015-148-696  
The NorthWest 1/4 of the SouthEast 1/4 of, Section 9, Township 65, SDYD
13. Sublot 2, DL 2709, SDYD, Plan 1188 except.....

**Location of Property:**

Anarchist Mountain, east of Osoyoos, straddling Highway #3.

**Present use of the Property:**

Grazing and hayland, sparsely forested areas, ranch homes and barns.

**Surrounding Land Uses:**

**WEST:** Vacant forested non ALR land (recently excluded from the ALR)  
**SOUTH:** U.S. border  
**EAST:** Vacant, forested non ALR land (recently excluded from the ALR)  
**NORTH:** Forested cattle grazing lands, also owned by the applicant.

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82E/3  
The majority of the property is identified as having secondary ratings.

**Official Community Plan and Designation:**

Osoyoos Rural OCP, Bylaw 2260, 2004 designates the properties as Resource Area

**Zoning Bylaw and Designation:**

Resource Area, which permits a minimum lot size of 20 ha.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

No local government comments have been solicited. The Regional District, as a policy does not provide comments.

**STAFF COMMENTS:**

Staff suggest that the Commission consider the following:

- that the Commission allow the proposed Kehoe Road re-alignment, and
- that the Commission approve the exclusion of ~227 ha subject to the partial rescission of Resolution # 563/2002 that retains ~ 444 ha of subplot 2 in the ALR.

**ATTACHMENTS:**

- applicant's January 17<sup>th</sup>, 2008 letter and sketch, and July 17<sup>th</sup>, 2006 letter
- the Commission's 1:25,000 scale map.

**END OF REPORT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date