



Staff Report
Application # H – 36785
Applicant: Rain Dixie Nechvatel
Agent: Bob Holtby

DATE RECEIVED: June 26, 2006

DATE PREPARED: September 19, 2006

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To exclude a 3 ha and a 3.7 ha property from the ALR for residential development.

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

BACKGROUND INFORMATION:

Under application #H-28541, the Commission considered boundary adjustments in Salmon Arm. At that time, the Commission agreed in principle to the exclusion of a portion of the subject properties, subject to buffering. However, when the block application was put forward under application #N-31728, the properties were not proposed or considered. The property to the north of Lot B (0.8 ha) where the school is located was excluded.

Local Government:

District of Salmon Arm

Legal Description of Properties:

1. PID: 006-953-832
Lot A, Section 12, Township 20, Range 10, W6M, Kamloops Division Yale District, Plan 22344, Except Plan KAP53247
2. PID: 006-077-137
Lot B, Section 12, Township 20, Range 10, W6M, Kamloops Division Yale District, Plan 24221

Purchase Dates:

Lot A – January 2006, Lot B – September 1992

Location of Properties:

2310 10th Avenue SE and 1400 20th Street SE

Size of Properties:

6.7 ha (Both properties are entirely in the ALR).

BACKGROUND INFORMATION (continued):

Present use of the Properties:

Homsite, gardens and bush

Surrounding Land Uses:

WEST: 20th Street, residential subdivision
SOUTH: Small holdings, hay land
EAST: Grieve/Greaves Property
NORTH: School Yard

Agricultural Capability:

Data Source: Agricultural Capability Map # B. McBride
The majority of the properties are identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

City of Salmon Arm OCP Bylaw No. 3000
Designation: Acreage Reserve

Zoning Bylaw and Designation:

City of Salmon Arm Zoning Bylaw No. 2303
Designation: Zoned A-2 & A-3
Minimum Lot Size: A-2, 4.0 ha, A-3, 2.0 ha

PREVIOUS APPLICATIONS:

Application #11486-0 (Re: Lot A)

Applicant: William P. Wilson
Decision Date: May 6, 1981
Proposal: To exclude the northerly 0.4 ha fronting onto 10th Avenue to subdivide the area into three (3) residential lots.
Decision: Allowed - on the grounds that the exclusion would not negatively affect the ALR.

Application #28541-0 (Re: Lot A and Lot B)

Applicant: Provincial Agricultural Land Commission
Decision Date: November 18, 1993
Proposal: To identify areas for ALR boundary amendment.
Decision: Areas identified for inclusion and exclusion. A portion of the subject properties was identified for exclusion, subject to buffering.

RELEVANT APPLICATIONS:

Application #31728-0

Applicant: Provincial Agricultural Land Commission
Decision Date: February 23, 1998
Proposal: To exclude lands from in the District of Salmon Arm totalling 294 ha. The purpose of the exclusion is to provide lands for industrial development as well as recognize existing non-agricultural uses and poor capability lands adjacent to hillsides.
Decision: Amended the proposal, reducing the exclusion area by about 90 ha due to concerns about non-industrial uses developing on lands designated light industrial if they were prematurely excluded and reasonable agricultural capability.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

City of Salmon Arm: The application be authorized for submission.

City of Salmon Arm Development Services: Does not support the application in view of OCP policies, previous exclusion applications in the area, the bylaw amendments required to accommodate the proposal and the amount of land available for residential development within the existing boundaries of Development Area 'A'.

STAFF COMMENTS:

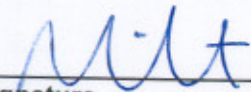
Staff suggests the Commission consider the following:

- The properties have agricultural capability.
- The 2004 Development Services Department report concluded that the existing land base within Area 'A' is sufficient to accommodate approximately 1,500 additional single family residential lots (since 2004, approximately 150 single family residential lots have been created in Area 'A').
- If allowed, the exclusion would leave a strip of ALR to the east of the subject properties that would be surrounded on three sides by non-ALR.

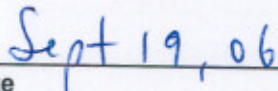
ATTACHMENTS:

- ALR Base Map: 82L/11 - 1:50,000
- ALR Constituent 21
- City of Salmon Arm Development Services staff report (contains excerpts from report prepared by agent for the application)
- June 3, 1997 Commission decision letter regarding application #H-28541
- Map #4 from file #H-31729

END OF REPORT



Signature



Date