



**Staff Report**  
**Application # V – 37541**  
**Applicant: Joseph & Freda Horton**  
**Agent: Tony Molachyk**  
**Location: Highway 3A, adjacent to Olalla**

**DATE RECEIVED:** July 09, 2007

**DATE PREPARED:** August 15, 2007

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

**FROM:** Brandy Ridout, Land Use Planner

**PROPOSAL:** To subdivide a 1.5 ha lot lying west of Keremeos Creek from the 49.5 ha property. The 1.5 ha lot is intended to be used by the adjoining residential property owner for pasture.

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

**BACKGROUND INFORMATION:**

Two previous applications have been considered on the property. See below for details.

**Local Government:**

Regional District of Okanagan-Similkameen

**Legal Description of Property:**

PID: 002-281-520

Lot 1, District Lot 176, Similkameen Division of Yale District, Plan 35946

**Purchase Date:**

2002-04-19

**Location of Property:**

Olalla, between Keremeos and Kaleden

**Size of Property:**

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

**Present use of the Property:**

Pasture, no structures (on the 1.5 ha area proposed for subdivision)

**Surrounding Land Uses:**

**SOUTH:** Pasture and hayland in the ALR  
**WEST:** Highway 3A, and non ALR rural residence  
**EAST:** Pasture in the ALR  
**NORTH:** Pasture land in the ALR

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82E/5  
The majority of the property is identified as having prime dominant ratings.

**Official Community Plan and Zoning Designation:**

No OCP or zoning bylaw exists in this portion of Electoral Area G.

**PREVIOUS APPLICATIONS:**

**Application #16888-0**

**Applicant:** Jolleys, Trevor & Mary  
**Decision Date:** October 19, 1983  
**Proposal:** To subdivide the 115 ha lot into two lots of roughly equal size to separate the arable land from the non arable hillside.  
**Decision:** Allow as proposed.

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**Application #12154-0**

**Applicant:** Nyen, G&J  
**Decision Date:** May 12, 1981  
**Proposal:** To subdivide a 0.2 ha lot from DL 176 that is severed by Keremeos Creek and adjacent to the Olalla townsite.  
**Decision:** The Commission allowed the subdivision as proposed.

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**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

The Regional District of Okanagan Similkameen forwarded the application without comment, as per policy.

**STAFF COMMENTS:**

Staff suggests that the Commission consider the following:

- The applicants indicate that the 1.5 ha area is not accessible from the remainder of the property due to the presence of the creek and cannot be used in conjunction with the farm remnant.
- The purpose of the subdivision is to facilitate the purchase of the 1.5 ha area by the owner of the small adjoining residential property. According the application materials the intent is to irrigate the 1.5 ha and use it for pasture.


- The 1.5 ha area is identified on provincial mapping as being environmentally sensitive and the Riparian Areas Regulation will apply. However, no watercourse development permits exist in this area.
- The existing development pattern in this area is a narrow linear strip that follows Highway 3A to the north of the subject property. The proposed 1.5 ha lot represents the southern extremity of small lot subdivision. However, to the south, large ALR parcels have a narrow strip of irrigated ALR hayland land lying between Keremeos Creek and Highway 3A. It is possible that approval of this subdivision might precipitate similar subdivision requests on lands to the south, extending residential development into the ALR.

**ATTACHMENTS:**

- 1:20,000 scale ALR map
- Regional District sketch map

**END OF REPORT**

  
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Signature

  
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Date