



**Staff Report
Application # T – 37592
Applicant: Joel and Rita Allen
Location: Coldstream**

DATE RECEIVED: July 30, 2007

DATE PREPARED: September 10, 2007

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To exclude 32.4 ha of the 42.5 ha subject property from the Agricultural Land Reserve. As approximately 36.4 ha are in the ALR, approximately 4 ha would remain in the ALR.

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

BACKGROUND INFORMATION:

In application #T-37112, the applicants proposed to subdivide six (6) 2.0 ha lots from the 42.5 ha subject property. This request was refused as the Commission believed that keeping the land within the ALR necessitated the retention of the property in the largest possible size to ensure that the broadest range of the potential (though limited) options remain for agriculture. However, at that time it indicated that it but would be prepared to consider a revised exclusion application that identified the non-arable areas of the property.

Local Government:

The Corporation of the District of Coldstream

Legal Description of Property:

PID: 004-378-920

Lot 3, Section 26, Township 6, Osoyoos Division Yale District, Plan 29175

Purchase Date:

September 1995

Location of Property:

6615 Buchanan Road, Vernon

BACKGROUND INFORMATION (continued):

Size of Property:

42.5 ha (approximately 36.4 ha are in the ALR).

Present use of the Property:

0.4 ha used for greenhouses

Surrounding Land Uses:

WEST: No Farming to Steep

SOUTH: Hay Field

EAST: Partly Farmed

NORTH: Residence

Agricultural Capability:

Data Source: Agricultural Capability Map # 82L.025

The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

OCP: N/A

Designation: RU2 (ALR)

Zoning Bylaw and Designation:

Zoning: N/A

Designation: Rural Two Zone (RU.2)

Minimum Lot Size 2 ha

PREVIOUS APPLICATIONS:

Application #37112-0

Applicant: Joel and Rita Allen

Decision Date: February 14, 2007

Proposal: Subdivision for a relative: To subdivide six 2 ha lots from 34 ha subject property for their children.

Decision: Refused as proposed, but would be prepared to consider a revised exclusion application that identified the non-arable areas of the property.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

District of Coldstream Council: Forwarded the application with a recommendation of support.

Advisory Planning Commission: Recommends that because the site has low agricultural capability as stipulated by the agrologist retained by the applicant, Council consider forwarding the application to the ALC specifically requesting that the ALC address the potential impact of the proposed exclusion and subsequent subdivision on adjacent agricultural properties.

STAFF COMMENTS:

- The applicants are proposing the retention the 4 ha ALR portion of the property that has Class 3 soil capability.
- Access to the area proposed for exclusion as well as impact on adjacent agricultural operations should be discussed.

ATTACHMENTS:

- ALC Context Map (1:50,000)
- Air photo (1:10,000)
- Agricultural Capability Map (1:20,000)
- Application #T-37112 minutes
- Soil and Land Capability agrologist report

END OF REPORT



Signature



Date