



**Staff Report**  
**Application # G – 37746**  
**Applicant: Gabriele Jackel**  
**Agent: Stephanie & Michael Jackel**  
**Location: East side of Wood Lake - 14551 Oyama Rd.**

**DATE RECEIVED:** October 19, 2007

**DATE PREPARED:** November 26, 2007

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

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

**PROPOSAL:** To subdivide a 0.5 ha lot from the 5.3 ha property for a relative (the applicant's son), containing an existing mobile home.

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

**BACKGROUND INFORMATION:**

No previous applications have been considered on the subject property.

**Local Government:**

District of Lake Country

**Legal Description of Property:**

PID: 012-075-850

Lot 50, District Lot 7, Osoyoos Division of Yale District, Plan 808

**Purchase Date:**

1958-01-01

**Location of Property:**

14551 Oyama Road

**Size of Property:**

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

**Present use of the Property:**

Orchard with two homes, a single family dwelling and a mobile home. The orchard is leased.

**Surrounding Land Uses:**

**WEST:** 2.5 ha orchard in the ALR  
**SOUTH:** 2.7 ha orchard and residence in the ALR  
**EAST:** 4 ha rural residence in the ALR  
**NORTH:** 2.5 ha rural residence, orchard in the ALR

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82L.004  
The majority of the property is identified as having prime dominant ratings.

**Official Community Plan and Designation:**

The Lake Country OCP designates the property "Agricultural"

**Zoning Bylaw and Designation:**

Zoning Designation - RU-AG agriculture - which permits a minimum lot size of 3.8 ha. However, the proposal (if allowed) would be concluded under Section 946 of the Local Government Act.

**RELEVANT APPLICATIONS:**

**Application #24800-0**

**Applicant:** Schmidt, W & H  
**Decision Date:** Nov. 27<sup>th</sup>, 1990  
**Proposal:** To subdivide an 0.8 ha lot from the 2.75 ha property  
**Decision:** Allow subject to the consolidation of the remainder of Lot 1 with the adjoining Lot 2 which is also owned by the applicant.

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**Application #24800-1**

**Applicant:** Schmidt, W & H  
**Decision Date:** July 16<sup>th</sup>, 1991  
**Proposal:** Allow 0.8 ha homesite lot with the necessity of consolidation  
**Decision:** Refuse as proposed

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**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

The District of Lake Country forwarded the application with a recommendation of support.

**STAFF COMMENTS:**

Staff suggest that the Commission consider the following:

- The applicant may qualify for consideration under Homesite Severance Policy, having purchased the property in 1958.
- The request is for a subdivision for the applicant's son and daughter in law, not the applicant, which is not consistent with the intent of Homesite Severance Policy.

