



Staff Report
Application # G – 39038
Applicant: Trepanier Creek Properties Ltd.
Agent: Graham Stanley Todd

DATE RECEIVED: May 27, 2009

DATE PREPARED: June 10, 2009

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To exclude 1.2 ha from the ALR lying west of Trepanier Creek.
To subdivide the remainder of Block C into three lots; the westerly 6.2 ha area is to be consolidated with the adjoining Lot 1 to create a 17 ha lot; a ~ 1 ha area donated to Trepanier Creek Park, and an easterly remainder ~ 6ha.

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

BACKGROUND INFORMATION:

The Commission previously allowed the subdivision of these lands for park purposes. See below for details.

Local Government:

Regional District of Central Okanagan

Legal Description of Property:

1. PID: 027-576-981
Lot 1, District Lot 483 & 4488, Osoyoos Division of Yale District, Plan KAP87034
2. PID: 011-349-565
Block C, of District Lot 483, Osoyoos Division of Yale District

Purchase Date:

2009-01-01

Location of Property:

Trepanier Creek, adjacent to Highway 97C

Size of Property:

Lot 1 – 11 ha (only ~1 ha lies in the ALR)
Block C – 12 ha (only 5 ha lies within the ALR)

Present use of the Property:

Forested land, homesite

Surrounding Land Uses:

EAST: Highway 97 C, ALR land in cultivation
EAST: Small holdings in the ALR
EAST: Forested crown land outside the ALR
NORTH: Forested crown land outside the ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 82E.082
The majority of the property is identified by the BCLI mapping as having mixed prime and secondary ratings. However, an on-site soils report conducted by Herb Luttmerding (for a previous application) indicates that the soils are secondary with no capability of improvement because of the lack of irrigation water. The revised ratings are: 60% 6P, 20% 6TP, 20% 5AP.

Official Community Plan and Designation:

No OCP exists in this area

Zoning Bylaw and Designation:

A 1 Agricultural

PREVIOUS APPLICATIONS:

Application #36572-0

Applicant: BC Transportation Financing Authority

Decision May 25, 2006

Date:

Proposal: To subdivide three properties (10 ha, 7 ha and 5 ha), into five 4 ha lots. The properties are to be sold to recoup the expenses associated with the recently completed Trepanier on/off interchange.

Decision: The Commission allowed the subdivision of four lots into size lots ranging in size from 4-6 ha on the grounds the parcels sizes are consistent with those in the surrounding area.

RELEVANT APPLICATIONS:

Application #30445-0

Applicant: Agricultural Land Commission

Decision January 31, 1996

Date:

Proposal: To exclude the entire valley north of Highway 97C.

Decision: Table Applications #G-29727, #G-29728 and #G-29863 and initiate a block exclusion application for these parcels and all other ALR lands in the Trepanier Valley within and to the north of the Coquihalla Connector freeway right-of-way.

Subsequent clarification was provided by the Commissioners that it was also intended that the application would exclude all parts of each privately owned parcel (one of which extends south of the highway right-of-way) but that no Crown land south of the highway right-of-way was to form part of the exclusion application.

Application #30445-1

Applicant: Provincial Agricultural Land Commission

Decision Date: June 27, 1996

Date:

Proposal: Consider application to exclude entire valley north of Highway 97C

Decision: Exclude entire area notwithstanding the request by two owners to have their land remain in the ALR

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

The Central Okanagan Regional District forwarded the application with a recommendation of support.

The Agricultural Advisory Commission indicated that it supported the application.

STAFF COMMENTS:

Staff suggests that the Commission consider the following:

- The lands have very limited capability for agriculture based on the soil agrologist's report.
- The largest remaining ALR portion of Block C, ~ 6 ha would be retained as a single unit.
- The 1.2 ha ALR area proposed for exclusion is a narrow band running alongside the westerly edge of Trepanier Creek. As a unit it has no agricultural utility.

ATTACHMENTS:

- Airphotos submitted with the application
- 1:10,000 scale ALR map
- subdivision/exclusion map submitted by the applicant

END OF REPORT

Signature

Date