



Agricultural Land Commission Staff Report

DATE: August 26, 2009
TO: Vice Chair and Commissioners - Okanagan Panel
FROM: Brandy Ridout

RE: Application # 50240
PROPOSAL: To subdivide the 32.4 ha subject property into four lots - one 25.4 ha lot north of Hill Creek and three lots south of the creek (1 x 1.8 ha & 2 x 4 ha).

PROPOSAL INFORMATION

Background: The applicants have previously been given approval to subdivide along the road.
Received Date: July 14, 2009
Applicant: Max & Gerry Johnstone
Agent: N/A
Local Government: Columbia Shuswap Regional District

DESCRIPTION OF LAND

PID: 023-176-342
Legal Description: Lot A District Lot 8309 Kootenay District Plan NEP22497
Civic Address: 930 Hill Creek Road in Galena Bay
Area: 32.4 ha
ALR Area: 32.4 ha
Purchase Date: September 28, 1975
Owner: Max & Gerry Johnstone

Total Land Area: 32.4 ha
Total ALR Area: 32.4 ha
Current Land Use: Rural residential with vegetable and flower gardens, one dwelling, work shed, storage sheds

PROPOSAL DETAILS

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
32.4	Mixed Prime and Secondary	CLI

Number of Lots Lot Size (ha)

2	4.0
1	1.8
1	22.6

Surrounding Land Uses:

North	Crown Land
East	Rural Holding
South	Rural Holding
West	Rural Holding

Official Community Plan

Bylaw Name: Electral Area 'B' Bylaw No. 850

Designation: RH-Rural Holdings

OCP Compliance: Yes

Zoning

Zoning Bylaw Name: Not applicable

Zoning Designation: Not applicable

Minimum Lot Size: 4.0 ha

Zoning Compliance: Yes

PREVIOUS APPLICATIONS

Application #: 37066

Applicant: Max & Gerry Johnstone

Proposal: To subdivide the 32.4 ha subject property as severed by the southern road into a 7 ha lot and a 25.4 ha lot.

Decisions:

Resolution

Resolution Number	Decision Date	Decision Description
863	August 22, 1989	Allowed.

Note: This approval from 1989 has not been pursued. Plans for development now include the creation of three lots and a remainder lot with the boundary being Hill Creek and not Hill Creek Road.

RELEVANT APPLICATIONS

Application #: 43990

Applicant: Jonn Lillace

Proposal: To exclude 16.0 ha of the 53 ha subject property to develop a 52-lot residential subdivision with lots ranging in size from 0.4 ha to 2 ha. The remainder of the property will be developed as a park.

**Decisions:
Resolution
Number**

Decision Date
November 9, 2007

Decision Description

The Commission allowed the exclusion of 16 ha in principle, subject to the submission of a detailed subdivision plan which is also supported by the Regional District.

Note: This is the most recent application in the Galena Bay area.

Application #: 15156

Applicant: Galena Bay Development Corp

Proposal: To subdivide the 64 ha subject property into 15 lots.

**Decisions:
Resolution
Number**

Decision Date
October 19, 1983

Decision Description

Rrefused as proposed but would allow limited subdivision into lots not less than 4.0 ha subject to the concerns of the R.D. and Health.

Committee Recommendations

Type	Recommendation	Description
Planning Staff	Approve	CSR Development Services recommend approval.
Board/Council	Approve	CSR Board recommend approval.

STAFF COMMENTS

- The applicants have been granted approval to subdivide their property along the road.
- The Commission allowed the subdivision of a nearby 64 ha parcel into lots of a minimum lot size of 4 ha. This approval has not been pursued (see application #15156).
- Considering the Commission's previous approvals in the area, creating two lots, both larger than 4 ha, south of the creek, may be more appropriate.

ATTACHMENTS

- 50240_ContextMap50k.pdf
- 50240_ContextMap20k with relevants.pdf
- 50240_AgCap.pdf.pdf
- 50240 proposal sketch.pdf
- 50240 air photo.pdf
- 50240 photos.pdf

END OF REPORT

Signature

Date