



Agricultural Land Commission Staff Report

DATE: August 19, 2009
TO: Vice Chair and Commissioners - Okanagan Panel
FROM: Brandy Ridout

RE: Application # 50337
PROPOSAL: To subdivide the 6.1 ha subject property into a 2 ha lot and a 4.1 ha lot.

PROPOSAL INFORMATION

Background: The small lot subdivision to the south pre-dates the ALR.
Received Date: July 29, 2009
Applicant: Jorg & Laura Philipps
Agent: Urban Connections
Local Government: Regional District of Okanagan-Similkameen

DESCRIPTION OF LAND

PID: 007-239-769
Legal Description: Lot 3 District Lot 3098 Similkameen Division Yale District Plan 21824
Civic Address: 5026 Green Lake Road, Oliver
Area: 6.1 ha
ALR Area: 6.1 ha
Purchase Date: December 1, 2007
Owner: Jorg & Laura Philipps

Total Land Area: 6.1 ha
Total ALR Area: 6.1 ha
Current Land Use: Eastern 1.5 ha portion used as homesite and dry land pasture, western 4.5 ha portion contains steep terrain and is vacant.

PROPOSAL DETAILS

Subdivision

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

Number of Lots Lot Size (ha)

1	2.0
1	4.1

Surrounding Land Uses:

North	ALR, 6.1 ha property with a single family dwelling and 1 ha of dry pasture land
East	ALR, Green Lake Road - 4.8 ha parcel across the road - no buildings, some pasture land
South	Non-ALR, 6 x 1 ha properties, each with a single family dwelling and acreage
West	ALR, 6 ha - single family dwelling with adverse topographical land

Official Community Plan

Bylaw Name: Electoral Area 'C' Bylaw No. 2452, 2008

Designation: Agriculture (AG)

OCP Compliance: No

Zoning

Zoning Bylaw Name: Electoral Area 'C' Bylaw No. 2453, 2008

Zoning Designation: Agriculture One (AG1) Zone

Minimum Lot Size: 4.0 ha

Zoning Compliance: No

Committee Recommendations

Type	Recommendation	Description
Planning Staff	Refuse	It remains unclear as to the implications of subdivision on the long-term agricultural viability of the proposed 4 ha lot; that subdivision could encourage a residential land use on the remainder parcel; and also encourage speculation on surrounding ALR lands.
Board/Council	No Comment	It was moved and seconded that the RDOS Board not authorize the application. This motion was defeated.
Advisory Planning Committee	Refuse	Recommends that the RDOS Board not authorize the application.

STAFF COMMENTS

- The agricultural capability of the western 2/3 of the subject property is 70% Class 6 and 30% Class 7, both with limitations of topography and bedrock near the surface.
- The land to the north of the subject property is in the ALR and has the same agricultural capability.

ATTACHMENTS

50337_AirphotoMap.pdf

50337_ContextMap20k.pdf

50337_ag_cap.pdf

50337_UrbanConnections_excerpt.pdf

50337_RDOS_staff_report_excerpt.pdf

END OF REPORT

Signature

Date