



Agricultural Land Commission Staff Report

DATE: November 5, 2009
TO: Vice Chair and Commissioners - Okanagan Panel
FROM: Brandy Ridout
RE: Application # 50713
PROPOSAL: To subdivide the 69.8 ha subject property lot into 3 lots - 2 x 8 ha and 1 x 53.8 ha. As the property is partly in the ALR, the two 8 ha lots would be entirely in the ALR and the 53.8 ha lot would have 15.1 ha in the ALR and 38.7 ha outside the ALR.

PROPOSAL INFORMATION

Background: Approximately 31 ha of the 69.8 ha subject property are in the ALR.
Received Date: October 6, 2009
Applicant: Gecosa Management Ltd
Agent: Edward Nunn
Local Government: Regional District of Okanagan-Similkameen

DESCRIPTION OF LAND

PID: 003-308-677
Legal Description: District Lot 1199 Kamloops Division Yale District Except: (1) Parcel A (DD N2769F) (2) Plans E15671 and 36371
Civic Address: 2692 Highway 5a
Area: 69.8 ha
ALR Area: 31.1 ha
Purchase Date: September 9, 2007
Owner: Gecosa Management Ltd

Total Land Area: 69.8 ha
Total ALR Area: 31.1 ha
Current Land Use: Forestry (dormant - second growth), grassland

PROPOSAL DETAILS

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
31.1	Secondary	CLI

Number of Lots Lot Size (ha)

2	8.0
1	15.1

Surrounding Land Uses:

North	Non-ALR, residential acreage
East	Non-ALR, residential acreage
South	ALR, Borgeson Lake
West	Non-ALR, residential subdivision

Official Community Plan

Bylaw Name: Electoral Area 'H' OCP Bylaw No. 2463 (2008)

Designation: Resource Area (RA)

OCP Compliance: Yes

Zoning

Zoning Bylaw Name: Electoral Area 'H' Zoning Bylaw No.2464 (2008)

Zoning Designation: Resource Area (RA)

Minimum Lot Size: 8.0 ha

Zoning Compliance: Yes

PREVIOUS APPLICATIONS

Application #: 32026

Applicant: A & O Petersen

Proposal: To subdivide a 14.2 ha lot from the 129.5 ha subject property as divided by Highway 5.

Decisions:

Resolution Number	Decision Date	Decision Description
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Note: Allowed on May 16, 1977 by Resolution #6325/1977. Legacy application #V-04284.

Application #: 31456

Applicant: Arvid & Olive Petersen

Proposal: To exclude 13 ha of the 25 ha portion of the 80.3 ha subject property. The property has agricultural capability ratings of Class 4-6. It contains one residence, 16 ha planted to hay, and the remainder is mountainside.

Decisions:

Resolution Number	Decision Date	Decision Description
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Note: Allowed on October 25, 1984 by Resolution #1513/1984. Legacy application #V-18525.

Committee Recommendations

Type	Recommendation	Description
Planning Staff	Approve	RDOS Planning Staff: Concerns include that the applicant has provided no information with regard to the impact of the proposal on agriculture while it is generally understood that the fragmentation of agricultural lands into smaller parcels hold the potential to be harmful to agriculture, the proposed subdivision risks encouraging development in the vicinity of a wetland, and the proposal is inconsistent with the intent of the Climate Action Charter to create complete compact and more energy efficient communities. However, the proposal meets minimum parcel size regulation.
Board/Council	Partial	RDOS Board: Authorized the application to proceed. However, there is a concern that the proposed subdivision will sever the farm lands on this site and negatively impact the agricultural viability of the property. As an alternative to subdividing the best agricultural lands in two, an option to keep the level farmland on one lot and create 1-2 lots on the steeper portion of the site may have merit.

STAFF COMMENTS

- The two proposed 8 ha lots would divide the field area on the property.
- Approximately 38 ha of the subject property lie outside the ALR. This area can be subdivided without application to the Commission.

ATTACHMENTS

50713_ContextMap20k.pdf
50713_proposal air photo.pdf
50713_ContextMap50k.pdf

END OF REPORT

Signature

Date