



Agricultural Land Commission Staff Report

DATE: May 27, 2010
TO: Vice Chair and Commissioners - Okanagan Panel
FROM: Brandy Ridout
RE: Application # 51644
PROPOSAL: To subdivide the 3.1 ha subject property into a 1.4 ha lot, a 1.5 ha lot and a 0.2 ha lot. The 0.2 ha lot would be along the waterfront and dedicated as park for a public boat launch and parking.

PROPOSAL INFORMATION

Background: The property was originally 8 ha but was reduced to its current size by a lot line adjustment in 1990.
Received Date: March 16, 2010
Applicant: Herman Halvorson
Agent: N/A
Local Government: Regional District of North Okanagan

DESCRIPTION OF LAND

PID: 024-083-933
Legal Description: Lot B District Lot 526 Kamloops Division Yale District Plan KAP60768
Civic Address: 51 Foxwood Road, Grindrod
Area: 3.1 ha
ALR Area: 3.1 ha
Purchase Date: January 26, 2004
Owner: Herman Halvorson

Total Land Area: 3.1 ha
Total ALR Area: 3.1 ha
Current Land Use: Residence, two shops and a wood shed.

PROPOSAL DETAILS

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
3.1	Prime	CLI

Number of Lots	Lot Size (ha)
1	0.2
1	1.4
1	1.5

Surrounding Land Uses:

North	hay field
East	Shuswap River
South	Forested area; hay crops further west
West	Industrial wood product storage area

Official Community Plan

Bylaw Name: Electoral Area 'F' Bylaw No. 1934 (2004)
Designation: Agricultural/Non-Urban/Development Permit Area
OCP Compliance: Yes

Zoning

Zoning Bylaw Name: Zoning Bylaw No. 1888 (2003)
Zoning Designation: Non-Urban Zone (N.U.)
Minimum Lot Size: 7.2 ha
Zoning Compliance: Yes

PREVIOUS APPLICATIONS

Application #: 31502

Applicant: Roger Scales

Proposal: To subdivide a 1.2 ha parcel from the subject property (Lot 2, Plan 20830) and consolidate it with the adjacent parcel (Lot 1, Plan 20830). The adjacent lot is used as a saw mill and the applicant notes that the 1.2 ha area was once used as a dump site by the saw mill and for this reason is not suitable for agriculture.

Decisions:

Resolution Number	Decision Date	Decision Description
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Note: Resolution #331/1982 refused the proposal on the grounds that the property is suitable for agriculture as indicated by its agricultural capability rating of Class 2X.

Application #: 4191

Applicant: Custom Pre-Cut Stud Mills Ltd

Proposal: To consolidate two parcels (3.2 and 8.0 ha) and create a 2.0 ha residential lot along the river and a 9.2 ha lot to expand the mill operation currently operating on the 3.2 ha lot.

**Decisions:
Resolution
Number**

Decision Date
May 17, 1990

Decision Description

Allowed expansion of the mill onto the proposed 9.2 ha parcel (a Commission member and BCFA Advisor viewed the property) subject to several conditions concerning buffering and handling of drainage and run-off.

Note: This approval created the subject property.

Committee Recommendations

Type	Recommendation	Description
Planning Staff	Refuse	RDNO Development Services: Recommend that the application NOT be authorized for submission. The introduction of a small lot on the north side of Foxwood Road would have a negative effect on agricultural land and the farming community in this area. The proposed subdivision would also break up an agricultural parcel with prime agricultural soil capability. If approved the proposal would set a precedent for subdivision of other farmland located in the ALR with frontage on the Shuswap River system.
Board/Council	No Comment	RDNO Board: Authorized for submission (Director Halvorson declared a conflict of interest and left the meeting). Opposed - Directors Dirk, Macnabb, Nicol, Hansma and alternate Director Baumbrough.
Advisory Planning Committee	Refuse	Moved to accept the recommendations of Development Services (March 19, 2007 report) which was that the application NOT be authorized for submission.
Other	Refuse	Electoral Area Services Committee: Recommended that the application NOT be authorized for submission.

STAFF COMMENTS

- Letters of support for the proposal were received from Councillor Howie Cyr and Mayor Judith Wejr. They indicate that the proposal will allow the local government to provide access to the Shuswap River, which is currently not available between Enderby and Grindrod. The access and parking would be an asset to the City of Enderby and Area ' F ' that would not be possible except by donation (a waterfront lot is quoted by a local realtor as valued at \$250,000).
- There is an area along the water to the north of the subject property (James, Carlin and Davey Streets) that is outside the ALR. Although a small-lot subdivision plan underlays the area, it does not appear as though all the lots have been developed. This area may be more suitable for a parking area for access to the river.
- The majority of the surrounding area is farmed. However, there is a saw mill directly to the west of the subject property that has been in operation since the 1970' s. As such, the impact of the proposed additional two lots on the surrounding properties might be more limited on this property than on other near-by properties.
- If a park, boat launch and parking area are permitted in this area, traffic in the area may increase.
- In this area, the river is bordered on both sides by ALR land. Although public boat launches and

parking are not required all along the river, there is the possibility that other similar proposals would be submitted.

ATTACHMENTS

- 51644 air photo.pdf
- 51644 proposal.pdf
- 51644 RDNO report.pdf
- 51644_ContextMap20k.pdf
- 51644_AirphotoMap10k.pdf

END OF REPORT

Signature _____

Date _____