



Agricultural Land Commission Staff Report

DATE: May 17, 2010
TO: Vice Chair and Commissioners - Okanagan Panel
FROM: Brandy Ridout

RE: Application # 51689
PROPOSAL: To subdivide two 5.7 ha parcels with panhandle access to 60th Street SW from the 16.2 ha subject property leaving a 4.8 ha remainder wholly within the ALR. The panhandle access and the easterly portions of the 5.7 ha lots would lie within the ALR.

PROPOSAL INFORMATION

Background: The Commission has allowed a similar proposal in the area. However it has recently expressed an interest in establishing road access to these upland parcels to avoid each lot requiring a panhandle to access the non-ALR portion of the property.

Received Date: April 14, 2010
Applicant: Randy & Shaunette Hayward
Agent: N/A
Local Government: City of Salmon Arm

DESCRIPTION OF LAND

PID: 007-133-685
Legal Description: Lot 1 Section 17 Township 20 Range 10 West of the 6th Meridian Kamloops Division Yale District Plan 21973
Civic Address: 861 - 60th Street
Area: 16.2 ha
ALR Area: 7.8 ha
Purchase Date: June 16, 1998
Owner: Randy & Shaunette Hayward

Total Land Area: 16.2 ha
Total ALR Area: 7.8 ha
Current Land Use: Pasture, barn, residence, garage, pool shed, wood shed.

PROPOSAL DETAILS

Subdivision

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

Number of Lots Lot Size (ha)

2	1.5
1	4.8

Surrounding Land Uses:

North	Partly ALR, rural residential
East	ALR, primarily forested large parcel
South	Partly ALR, 8 ha parcel
West	Non-ALR, unsurveyed Crown Land - forested hillside.

Official Community Plan

Bylaw Name:	City of Salmon Arm OCP, bylaw #3000
Designation:	Acreage Reserve
OCP Compliance:	Yes

Zoning

Zoning Bylaw Name:	City of Salmon Arm zoning bylaw #2303
Zoning Designation:	A-2 Rural Holding
Minimum Lot Size:	4.0 ha
Zoning Compliance:	Yes

RELEVANT APPLICATIONS

Application #: 45448

Applicant: Jan Kees and Monique Maria Van Lindert

Proposal: To subdivide a 2.1 ha lot from the 8 ha subject property. The 5.9 ha remainder would lie predominantly outside the ALR and be accessed by a panhandle through the reserve.

Decisions:

Resolution

Number	Decision Date	Decision Description
757	November 28, 2008	Refused as proposed, but was prepared to allow the subdivision of a 2.5 ha lot and a 5.5 ha lot without a panhandle which achieves access to the westerly lot through the extension and dedication of the 20 metre wide right of way on the property lying to the south (permitted by Resolution #340/2008)

Note: The City of Salmon Arm submitted a letter with regard to this application indicating that it would not extend a road parallel to 60th Street SW to access the non-ALR portion of the property.

Application #: 43378

Applicant: Ernest Arsenault

Proposal: To subdivide the 15 ha subject property to create 7 parcels of approximately 2 ha each and an access road.

**Decisions:
Resolution**

Number	Decision Date	Decision Description
494	September 29, 2006	The Commission refused the proposed subdivision on the grounds the land had good agricultural capability.

Note: The proposal was reconsidered and the subdivision of the 15 ha property into three 2 ha lots (ALR hillside), a 3.2 ha lot (non-ALR) and a 6.1 ha lot (wholly in the ALR) was allowed subject to the registration of a covenant against the title of the new 6.1 ha ALR lot restricting the location of a new home to within 50 metres of the proposed right of way. It appears as though the 20 metre right of way will not be created but rather the road will end in a bulb.

Application #: 40729

Applicant: Al & Barbara Horsman

Proposal: To subdivide the 8.1 ha subject property into one approximately 2 ha lot and an approximately 8 ha remainder.

**Decisions:
Resolution**

Number	Decision Date	Decision Description
526	November 4, 2003	Refuse as proposed, but allow an alternate subdivision alignment which retains the maximum amount of agricultural land in one lot.

Note: This property is directly to the north of the subject property.

Committee Recommendations

Type	Recommendation	Description
Planning Staff	Approve	City of Salmon Arm Planning staff recommended that the application be forwarded with a recommendation of support
Board/Council	Approve	The City of Salmon Arm council forwarded the application with a recommendation of support.

STAFF COMMENTS

- 1) The Commission has recently refused (in 2008) and reconfirmed its refusal of a similar application (38528) for a panhandle access through the ALR.
- 2) The Commission has indicated that it would prefer that a new access road be located at the base of the mountain to enable the subdivision of hillside lands. Panhandle access erodes the limited land base of ALR remainder parcels fronting onto 60th St. SW.
- 3) The City of Salmon Arm does not support the dedication and construction of a new road at the base of the hill.

ATTACHMENTS

- 51689_ContextMap50k.pdf
- 51689_Salmon Arm airphoto.pdf
- 51689_Sketch.pdf
- Salmon Arm road.pdf

END OF REPORT

Signature

Date
