



# Agricultural Land Commission Staff Report

**DATE:** June 2, 2010  
**TO:** Vice Chair and Commissioners - Okanagan Panel  
**FROM:** Brandy Ridout  
**RE:** Application # 51731  
**PROPOSAL:** To subdivide a 5.3 ha property into a 2 ha lot and a 3.3 ha lot.

## PROPOSAL INFORMATION

**Background:** Gravel extraction was permitted on the subject property to improve the area for agricultural use.  
**Received Date:** May 10, 2010  
**Applicant:** Yvette & Bob Mawson  
**Agent:** D.E. Pilling & Associates Ltd - Dawn Williams  
**Local Government:** Regional District of Central Okanagan

## DESCRIPTION OF LAND

**PID:** 008-356-807  
**Legal Description:** Lot C, District Lot 1, Osoyoos Division of Yale District, Plan 38632  
**Civic Address:** 1267 Father's Place  
**Area:** 5.3 ha  
**ALR Area:** 5.3 ha  
**Purchase Date:** August 4, 2005  
**Owner:** Yvette & Bob Mawson

**Total Land Area:** 5.3 ha  
**Total ALR Area:** 5.3 ha  
**Current Land Use:** Existing single family residence, garage with 3 bedroom suite on second story, and previous gravel extraction permit on property.

## PROPOSAL DETAILS

### Subdivision

Area	Agricultural Capability	Agricultural Capability Source
5.3	Prime Dominant	BCLI

Number of Lots	Lot Size (ha)
1	2.0
1	3.3

**Surrounding Land Uses:**

North Mill Creek Regional Park  
East Rural residential - ALR  
South Rural residential - ALR  
West Vacant parcel within the ALR (ALC approval for subdivision)

**Official Community Plan**

**Bylaw Name:** Ellison Bylaw No. 1124 (2006)  
**Designation:** Rural 2 ha  
**OCP Compliance:** Yes

**Zoning**

**Zoning Bylaw Name:** No. 871 (2000)  
**Zoning Designation:** A1 Agricultural  
**Minimum Lot Size:** 2.0 ha  
**Zoning Compliance:** Yes

**PREVIOUS APPLICATIONS**

**Application #:** 43066  
**Applicant:** Yvette & Bob Mawson  
**Proposal:** Notice of Intent

**Decisions:**

Resolution Number	Decision Date	Decision Description
472	August 22, 2008	Allowed the extraction of approximately 50,000 m3 of aggregate from a 3.6 ha area to improve the property for agricultural use. Once the extraction is complete, the objective is to evenly grade the extraction area, replace salvaged top soil and plant the area to pasture.

**Note:** Legacy application #36615.

**RELEVANT APPLICATIONS**

**Application #:** 45768  
**Applicant:** Glen and Laura McKillop  
**Proposal:** To subdivide the 5.1 ha subject property into two equal lots.

**Decisions:**

Resolution Number	Decision Date	Decision Description
76	March 26, 2009	Allowed on the grounds that it is consistent with community planning and other decisions in the area.

**Application #:** 45562  
**Applicant:** Robert and Benita Arbo  
**Proposal:** To subdivide the 5 ha subject property into a 2 ha lots and a 3 ha lot.  
**Decisions:**

**Resolution  
Number**

75

**Decision Date**

March 26, 2009

**Decision Description**

Allowed on the grounds it was consistent with planning decisions and other subdivisions permitted in this area.

**Application #:** 16984

**Applicant:** Gordon Ziglar

**Proposal:** Subdivide the properties into four parcels of a minimum of 2 ha plus a fifth parcel of 1.23 ha to be dedicated as park.

**Decisions:**

**Resolution  
Number**

355

**Decision Date**

June 26, 2001

**Decision Description**

Allow as proposed.

**Note:** Legacy application #33798. This approval has not been pursued.

**Committee Recommendations**

**Type**

Planning Staff

**Recommendation**

Approve

**Description**

RDCO Development Services: Recommend SUPPORT. The proposal is in keeping with the policies of the Rural 2 ha designation of the Ellison OCP and the proposed subdivision does not conflict with the RDCO Agricultural Plan.

Board/Council

Approve

RDCO Board: SUPPORT application.

**STAFF COMMENTS**

- Under application #36615 (43066), the Commission allowed the extraction of aggregate from the subject property on the grounds that the removal would improve the soil conditions and enhance the agricultural potential of the property.
- Rationale provided by RDCO Development Services includes: (1) the proposal has been supported by the Advisory Planning Commission and the Agricultural Advisory Commission; (2) similar subdivisions have been supported and approved by the ALC under the same Rural 2 ha land use designation in this part of Ellison; (3) the proposal would not allow for construction of additional residential dwellings that is not already provided for in the Zoning Bylaw (i.e. two permanent residences with or without subdivision); (4) the proposed subdivision should not negatively impact neighbouring farm operations, will not impact services for the area.
- The Commission has endorsed the Ellison OCP and the minimum lot size of 2 ha for this area. However, if the property has been improved for agriculture, it may be appropriate to retain the property in its current size.

**ATTACHMENTS**

- 51731 proposal sketch.pdf
- 51731 CSRD Development Services report.pdf
- 51731\_ContextMap20k.pdf
- 51731\_AirphotoMap10k.pdf

**END OF REPORT**

**Signature**

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**Date**

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