



Provincial Agricultural Land Commission - Staff Report

Application: 51957

Applicants: David Prystay, Lenorre Leydier
Agent: Milagro Advisory Services Ltd
Local Government: City of Penticton

Proposal: Non-farm Use - to construct a "Carriage House" (a suite) within an existing barn on the subject property. The proposed structure is classified as a carriage house, which is not permitted under the ALC Act without application. Under the Act, the proposed carriage house constitutes a non-farm use.

BACKGROUND INFORMATION

A house previously attached to the barn has been demolished. The proposed 'carriage house' would be located in the second storey of the barn. The barn is approximately 1500 square ft per floor.

There are no previous applications on the subject property.

PROPERTY INFORMATION

PID: 003-723-500
Legal Description: Parcel Y District Lot 587 Similkameen Division Yale District Plan 466 Except Plans 19398 and 29746
Property Area: 3.3 ha
ALR Area: 3.3 ha
Purchase Date: May 29, 2009
Location: 3445 Valleyview Road
Owners: David Prystay, Lenorre Leydier

LAND USE

Current Land Use:
one residence under construction, one 2 storey barn.

Surrounding Land Uses:

North: Part orchard and part grazing - ALR
East: Valleyview Road, country residential and orchard - ALR
South: Country residential, open field, Hickory Road - ALR
West: Urban residential - Not ALR

PROPOSAL DETAILS

Non- Farm Use Area: 3.3 ha
Non- Farm Use Type: Residential: Residential - other

Agricultural Capability:

The majority of the area under application is rated as: Prime Dominant

Source: BCLI

Mapsheet: 82E.043

RELEVANT APPLICATIONS

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Application ID: 6858

Legacy #: 24521

Applicant: G Fitzgerald

Note: (1990) Allowed subdivision of 0.5 ha from 12 ha. The sale of the 11.5 ha will allow the applicant to reside on the smaller lot free and clear of debt.

Lot located just north of subject property.

Application ID: 725

Legacy #: 26889

Applicant: SARDUL BRAR

Proposal: To subdivide the 8.1 ha subject property along the ALR boundary into a 5.4 ha lot and a 2.7 ha lot.

Decision:

| Resolution # | Decision Date | Decision Description |
|--------------|---------------|--|
| 832/1992 | July 30, 1992 | Commissioners allowed subdivision into one 5.6 ha lot and a 2.6 ha lot subject to the inclusion of a 0.9 ha portion fo the property currently planted to orchard into the ALR. |

Note: Located across Valleyview Rd from subject property.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: OCP Bylaw 2002-20 AG

Designation: AG - Agricultural

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Bylaw No.87-65

Zoning Designation: A - Agrilcultural

Minimum Lot Size: 2.0 ha

Zoning Compliance: Yes

Comments and Recommendations:

Agricultural Advisory Committee

Move to allow a submission to the ALC in application for a non-farm use on the subject property.

Board/Council

The City of Penticton support the application and the forwarding of it to the Commission for review.

ALC STAFF COMMENTS

Staff would like the Commission to note the following:

- 1) The subject property has an improved rating of prime agricultural potential (2 and 3) for tree fruits on 50% and secondary agricultural potential (7) on 50% within the BCLI classification system.
- 2) The applicant has removed a second dwelling previously attached to the barn and is proposing the 'carriage house' within the current barn structure as a low footprint solution for the daughter's residence.
- 3) As indicated by the applicant, the 'carriage house' would result in less site coverage than if the allowed manufactured home were put on the property; however, it is also more permanent, as cited in the report prepared by the City of Penticton planning staff.
- 4) No design plan for the 'carriage house' was submitted. Should the Commission deem the application allowable, further details on the size and layout of said 'carriage house' should be determind prior to final approval.

ATTACHMENTS

51957_ContextMap20k.pdf
51957_AirphotoMap5k.pdf
51957 - Penticton City Council Report.pdf
51957 - proposal background.pdf
51957 - proposal sketch.pdf

END OF REPORT

Prepared by: Lindsay McCoubrey