



Provincial Agricultural Land Commission - Staff Report

Application: 52053

Applicant: Vic & Diane Isaak
Agent: Vic Isaak
Local Government: Regional District of Central Okanagan

Proposal: To subdivide the 7.3 ha parcel into two lots of 2.9 ha and 4.4 ha to provide a residential lot for a family member. The subdivision would result in each of the two dwellings occupying its own parcel.

BACKGROUND INFORMATION

The Commission created the subject property in 2001 by subdividing the 13.8 ha parcel into two lots as divided by Booth Road. Since then two new homes have been constructed on the parcel.

PROPERTY INFORMATION

PID: 025-484-257
Legal Description: Lot A Section 18 Township 24 Osoyoos Division Yale District Plan KAP71841
Property Area: 7.3 ha
ALR Area: 7.3 ha
Purchase Date: October 3, 2005
Location: 5325 Booth Road
Owner: Vic & Diane Isaak

LAND USE

Current Land Use:
 Two residences, the remainder is vacant and undeveloped.

Surrounding Land Uses:

North: Booth Road and ~4 ha rural residential parcel within the ALR
 East: Booth Road ~6 ha rural residential parcel within the ALR
 South: Large farm property within the ALR is primarily used for grazing. Sunset Ranch development beyond.
 West: Rural residential within the ALR with bare land and orchard

PROPOSAL DETAILS

Subdivision - ALR Area: 7.3 ha

Number of Lots	ALR Area of Lot (ha)
1	4.4
1	2.9

Agricultural Capability:
 The majority of the area under application is rated as: Prime
Source: BCLI
Mapsheet: 82 E.094

PREVIOUS APPLICATIONS

PREVIOUS APPLICATIONS

Application ID: 17059

Legacy #: 33832

Applicant: Per Klas-Olaof Algard

Proposal: To subdivide the 13.8 ha property into 2 lots (6.3 ha and 7.5 ha) as divided by Booth Road

Decision:

Resolution #	Decision Date	Decision Description
432/2001	August 2, 2001	Not in ATS

Note: This decision created the subject parcel.

Application ID: 4909

Legacy #: 25616

Applicant: Twin Creek Cattle Company Ltd.

Proposal: Subdivide 32 ha parcel into 5 lots of not less than 4.0 ha, one lot of 9.9 ha for the existing house plus a road (completion of which would require applications from three other parcels).

Decision:

Resolution #	Decision Date	Decision Description
289/1992	January 14, 1992	Refuse on the grounds that portions of the land have agricultural merit. Commission will not consider subdivision pending more detailed capability info, road networks and new OCP.

Note: This complex application eventually resulted in the subdivision of the hillside into ~4 ha lots.

RELEVANT APPLICATIONS

Application ID: 7201

Legacy #: 25727

Applicant: Paul Hariton

Proposal: To subdivide the 32 ha property into eight lots of 4 ha.

Decision:

Resolution #	Decision Date	Decision Description
290/1992	January 14, 1992	refused would would reconsider when more information was available relating to agricultural capability, O.C.P. development, future road network plans

Note: The subdivision was allowed upon reconsideration.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Ellison OCP Bylaw #1124, 2006

Designation: Agriculture

OCP Compliance: No

Zoning:

Zoning Bylaw Name: Bylaw #871

Zoning Designation: A1 Agricultural

Minimum Lot Size: 4.0 ha

Zoning Compliance: No

Comments and Recommendations:

Agricultural Advisory Committee

The Regional District AAC did not support the subdivision noting that it was not consistent with the Agricultural policies of the Ellison OCP.

Board/Council

The Regional District of Central Okanagan Board forwarded the application with the recommendation that the subdivision be refused.

LOCAL GOVERNMENT INFORMATION

Comments and Recommendations:

Ministry of Agriculture and Lands

Ministry staff do not support the subdivision application because it is contrary to the intent of the OCP.

Planning Staff

Regional District planning staff recommended that the application be refused.

ALC STAFF COMMENTS

Staff suggests that the Commission consider the following:

- 1) The property has good capability for agricultural development based on the BCLI ratings: The land is improvable to 6*3A 4:1 with irrigation. However two new homes occupy the property.
- 2) The local government, the AAC, planning staff and the Ministry of Agriculture do not support the application because the subdivision is not consistent with the agricultural policies of the Ellison OCP.
- 3) Notwithstanding commonly voiced sentiments to the contrary, subdivision into smaller lots does not appear to result in increased agricultural activity. Most of the 4 ha lots in the area, which were subdivided in the 1990's show no signs of intensive agricultural development.
- 4) Generally the Commission takes the view that larger properties are more likely to be used for agriculture because they offer a wider range of agricultural options.

ATTACHMENTS

52053 airphoto map.pdf
52053 sketch plan.pdf
52053_ContextMap20k.pdf

END OF REPORT

Prepared by: Martin Collins, January 2011