



Provincial Agricultural Land Commission - Staff Report

Application: 52090

Applicant: Lance Valcourt
Agent: Urban Connections
Local Government: District of Summerland

Proposal: To exclude the 1.6 ha parcel from the ALR. There are no immediate plans for development. A Soils and Agronomic Assessment (dated November 18, 2009) has been provided by Eike Scheffler (P.Ag) in support of the exclusion. The report indicates that the land has limited potential for agricultural development.

BACKGROUND INFORMATION

The Commission has considered and refused five previous exclusion applications on the subject property.

PROPERTY INFORMATION

PID: 002-771-829
Legal Description: That part of Lot 1, shown on Plan B5507; District Lot 439, ODYD (Osoyoos Division of Yale District), Plan 218 EXCEPT Plan 33956
Property Area: 1.6 ha
ALR Area: 1.6 ha
Purchase Date: August 6, 2008
Location: Cedar Ave in Summerland
Owner: Lance Valcourt

LAND USE

Current Land Use:

Residential - one residential structure and two accessory storage buildings

Surrounding Land Uses:

North: Non ALR urban residential
East: Non ALR, urban residential
South: ~4 ha ALR orchard
West: Non ALR urban residential

PROPOSAL DETAILS

Exclusion Area: 1.6 ha

Agricultural Capability:

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

Source: BCL

Mapsheet: 82 E0.52

PREVIOUS APPLICATIONS

PREVIOUS APPLICATIONS

Application ID: 39760

Legacy #: 34825

Applicant: Lance Valcout

Proposal: To exclude 1.7 ha from the ALR for urban residential development (eight lots)

Decision:

| Resolution # | Decision Date | Decision Description |
|--------------|---------------|--|
| 253/2003 | June 19, 2003 | Application to exclude 1.7 ha subject property for residential development refused as the land has good agricultural capability. |

Application ID: 37766

Legacy #: 21984

Applicant: Peter R. Van Ryswyk

Proposal: To exclude the 1.7 ha property from the ALR for urban residential development.

Decision:

| Resolution # | Decision Date | Decision Description |
|--------------|----------------|---|
| 759/1988 | August 9, 1988 | The Commission refused the exclusion application on the grounds the land has very good agricultural capability. |

Application ID: 31501

Legacy #: 13442

Applicant: Peter & Cheryl Van Ryswyk

Proposal: To exclude 0.3 ha because the land is unsuitable for agriculture (assessed as 7N), and divided from the agricultural remainder by a 30 ft bank.

Note: Originally refused, but allowed on reconsideration

Application ID: 20123

Legacy #: 06925

Applicant: ALC

Proposal: Block exclusion/inclusion in Summerland; 1461 ha for exclusion; 20 ha for inclusion.

Decision:

| Resolution # | Decision Date | Decision Description |
|--------------|---------------|--|
| 13479/1979 | April 5, 1979 | Partial Approval. Cabinet approved inclusion of 30.4 ha by OIC 1022/79 and refused 3.6 ha. This resolution number is used to enter statistical information relating to the area approved for inclusion and subsequent decision by Cabinet. |

Note: Refuse the exclusion of the majority of Giants Head area - retain 175 acres in the ALR

Application ID: 10415

Legacy #: 75-1106

Applicant: P Campitellie

Proposal: To exclude the 2 ha property for a urban residential subdivision

Decision:

| Resolution # | Decision Date | Decision Description |
|--------------|------------------|---|
| 3245/1976 | January 27, 1976 | The Commission refused the exclusion application because the property has good agricultural capability and can support a wide range of crops. |

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: District of Summerland OCP 2000-310

Designation: Agricultural

OCP Compliance: No

Zoning:

Zoning Bylaw Name: Bylaw 99-001

Zoning Designation: A1 Agriculture

Minimum Lot Size: 2.0 ha

Zoning Compliance: No

LOCAL GOVERNMENT INFORMATION

Comments and Recommendations:

Agricultural Advisory Committee

The APC recommended that the application be refused.

Board/Council

The District of Summerland Council forwarded the application without comment.

Planning Staff

The District of Summerland planning staff recommended that the application be supported.

ALC STAFF COMMENTS

Staff suggests that the Commission consider the following:

- 1) The proposed parcel has a long history of agricultural use, and a BCLI designation of 30% 4A (*1) and 70% 4AT (*2T). However the land has not been used for agriculture for over two decades.
- 2) The land is bounded on three sides by residential uses. However, the ALR/residential interface is mitigated by topography.
- 3) Five previous exclusion applications have been refused on the grounds the land has agricultural potential.
- 4) The "Soils and Agronomic Assessment" provided with the application confirms the unimproved BCLI ratings (4A and 4T). The report also notes that there is a uniform hardpan at 76 cm depth, that the parcel has an unfavourable aspect because it slopes away from the sun, and that Giants Head mountain shades the site from morning sun, and contributes to potential frost impacts.

ATTACHMENTS

52090 soils report.pdf
52090_ContextMap10k.pdf
52090_AirphotoMap5k.pdf

END OF REPORT

Prepared by: Martin Collins, January 13, 2010