



Provincial Agricultural Land Commission - Staff Report

Application: 52170

Applicant: Anna Phillips
Agent: Dennis Phillips
Local Government: Regional District of North Okanagan

Proposal: SUBDIVISION - Proposal to subdivide 1 ha from a 7.6 ha property.

BACKGROUND INFORMATION

The applicant proposes to subdivide a small lot on which to build a house for a family member to care for the applicant. The applicant intends to sell the 1 ha lot to the family member. 6.8 ha of the 7.6 ha total property are within the ALR boundary. The ALR boundary crosses through the middle of the proposed lot, leaving 0.5 ha of the lot within the ALR.

PROPERTY INFORMATION

PID: 013-914-057
Legal Description: That Part of the North West 1/4 of Section 24 Township 19 Range 9 West of the 6th Meridian Kamloops Division Yale District Lying to the West of District Lot 526 Kamloops Division Yale District Except Plan 22534
Property Area: 7.6 ha
ALR Area: 6.8 ha
Purchase Date: July 8, 2005
Location: 68 Old Sicamous Road
Owner: Anna Phillips

LAND USE

Current Land Use:
 Pasture and 1.2 ha for hay

Surrounding Land Uses:
 North: ALR - 15 ha Pasture
 Non-ALR - 10 ha Pasture
 East: ALR - 8 ha Crops
 South: ALR - 8 ha Hobby Farm
 West: Non-ALR - Bush, Grandview Bench Road

PROPOSAL DETAILS

Subdivision - ALR Area: 6.8 ha

Number of Lots	ALR Area of Lot (ha)
1	1.0

Agricultural Capability:
 The majority of the area under application is rated as: Secondary

Source: CLI
Mapsheet: 82L/11

RELEVANT APPLICATIONS

RELEVANT APPLICATIONS

Application ID: 31823

Legacy #: 11762

Applicant: Wm. & Margaret Moore

Proposal: The applicant proposed to subdivide the subject property along Sicamous road which bisects the the land. The portion of the land east of Sicamous Road is within the ALR boundary and the portion to the west is outside the ALR.

Note: The Commission allowed the subdivision with the condition that the westerly non-ALR portion be included into the ALR.

Application ID: 30451

Legacy #: 09370

Applicant: S Karpowich

Proposal: The applicant proposed to subdivide a lot in the southeast corner of the property in exchange for consolidating two lots on the west side of Sicamous Road.

Note: The Commission refused the application because of the area being good agricultural land, and the importance of minimizing urbanization in this agricultural area. The Commission did agree to the creation of one lot on the west side of Sicamous Road and two lots on the east of the road.

Application ID: 30320

Legacy #: 17127

Applicant: BA & PJ Glanfield

Proposal: The applicant proposed to subdivide 0.7 ha from several parcels totalling 7.7 ha so that they could sell their home. The 0.7 ha parcel was divided by Old Sicamous Road.

Note: The Commission allowed the subdivision subject to the properties being consolidated so that there is only one lot on either side of the road.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Electoral Areas "F" OCP Bylaw No.1934, 2004

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Zoning Bylaw No. 1888, 2003

Zoning Designation: Non-Urban (NU)

Minimum Lot Size: 7.2 ha

Zoning Compliance: No

Comments and Recommendations:

Advisory Planning Committee

The Electoral Area Advisory Committee recommend to the Board of Directors that the application for subdivision by Homesite Severance be authorized for submission to the ALC.

Board/Council

The Regional District of North Okanagan authorize the submission of the application for subdivision by Homesite Severance of the smallest possible size consistent with sewer and water requirements, be forwarded to the ALC.

ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

1) The CLI rating of the subject property is 50% 6:5F 4:6W and 50% 7:5TP 3:7TC, and is currently used for pasture and hay crop. The proposed 1 ha subdivision is in the northwest corner on 7:5TP 3:7TC which has less productivity than the remainder parcel.

ALC STAFF COMMENTS

- 2) The applicant states that the location of the proposed lot will have the least impact on the land. There is easy access off of Grandview Bench Road, access to BC Hydro, and the lot provides enough space for a septic field away from a water source (see attached letter from applicant).
- 3) The location of the proposed lot is preferable to severing the existing dwelling which is in the center of the property. A corner severance keeps the original house and barns on the large parcel which could still be used for agricultural purposes.
- 4) The remainder lot of 6.6 ha is smaller than the Regional District Homesite Severance minimum lot size of 7.2 ha. However, the Local Government Act does not allow a local government to establish a minimum lot size standard for parcels of land in the ALR that may be subdivided under Section 946. For this reason, the Regional District Development Services authorized the submission of the application to the ALC.
- 5) The proposed 1 ha subdivision is for the utilization of a family member to assist the applicant who will remain on the remainder parcel. The applicant is applying for, and qualifies for Homesite Severance under ALC policy. Proof of ownership since April 1, 1963 has been provided to the ALC.

ATTACHMENTS

52170_ContextMap10k.pdf
52170_AirphotoMap5k.pdf
52170_Proposal Sketch.pdf
52170_Applicant Rationale.pdf

END OF REPORT

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