



Provincial Agricultural Land Commission - Staff Report

Application: 52190

Applicant: Arthur & Mona Chambers
Agent: Jason Shortt
Local Government: Regional District of North Okanagan

Proposal: INCLUSION - Proposal to include a 4.4 ha portion of non-ALR land to offset any negative impacts from the proposed subdivision of 0.6 ha from a 34.4 ha property on Hwy 6 for the applicant's daughter. See ALC File #52191.

BACKGROUND INFORMATION

The applicant has been approached by the ALC about adding land to the ALR in exchange for approval of the 0.6 ha subdivision of a property on Hwy 6.

PROPERTY INFORMATION

PID: 003-815-226
Legal Description: Lot 1 Sections 5 and 6 Township 43 Osoyoos Division Yale District Plan 31087 Except Plan 31425
Property Area: 60.0 ha
ALR Area: 55.6 ha
Purchase Date: June 11, 1999
Location: 2524 Lumby Mabel Lake Road
Owner: Arthur & Mona Chambers

LAND USE

Current Land Use:
Residential, Agricultural

Surrounding Land Uses:

North: Non-ALR - Forest
ALR - 64+ ha Agricultural
East: ALR - 64+ ha Agricultural
South: ALR - 64+ ha Agricultural
West: Non-ALR - Forest

PROPOSAL DETAILS

Inclusion Area: 4.4 ha

Agricultural Capability:

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

Source: CLI

Mapsheet: 82L/07

RELEVANT APPLICATIONS

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Application ID: 52191

Applicant: Arthur & Mona Chambers

Proposal: SUBDIVISION - Proposal to subdivide a 0.6 ha from 34.4 ha for the applicant's daughter. The applicants also propose to include a 4.4 ha portion of another property to offset any negative impacts from the proposed 0.6 ha subdivision. See ALC File #52190. This application is being made pursuant to Section 946 of the Local Government Act.

Application ID: 16080

Legacy #: 33426

Applicant: RD of North Okanagan

Proposal: To include approximately 320 ha into the ALR in the Lumby Cherryville area based on agricultural capability and or use. The proposal is in conjunction with an application for exclusion which proposes to exclude 4000 ha from the ALR (T-33425)

Decision:

Resolution #	Decision Date	Decision Description
693/2000	October 24, 2000	The Commission included the lands as proposed.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Electoral 'D' and 'E' OCP Bylaw No. 1690, 2001

Designation: Non-Urban, Agricultural, Large Holdings

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: District of N. Okanagan Bylaw No. 1888, 2003

Zoning Designation: Non-Urban (NU), Large Holdings (LH)

Minimum Lot Size: 30.5 ha

Zoning Compliance: Yes

Comments and Recommendations:

Advisory Planning Committee

The Advisory Planning Commission of Electoral Area 'D' do not support the recommendations contained in the Development Services report, to not authorize submission of the proposed 0.6 ha subdivision and 4.2 ha inclusion to the ALC. The Advisory Planning Commission authorizes the application for submission to the ALC.

Board/Council

The Regional District of North Okanagan authorize the application for the 0.6 ha subdivision and the 4.2 ha inclusion to be submitted to the ALC

Other

The Electoral Area Advisory Committee recommend to the Board of Directors that the 0.6 ha subdivision and 4.2 ha inclusion application be authorized and submitted to the ALC.

Planning Staff

The Regional District of North Okanagan Development Services recommend that the proposed 0.6 ha subdivision, and 4.2 ha inclusion not be authorized for submission to the ALC because the size and soil characteristics of the property allow it to be used for agricultural purposes and subdividing it would not be consistent with the Agricultural policies of Electoral Areas 'D' and 'E' OCP. Also, the proposed inclusion of land would not offset the negative impacts of the proposed subdivision.

ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

1) The CLI rating of the subject 4.4 ha parcel for inclusion into the ALR is 7TR which is deemed unproductive, and not desirable for agricultural activities. Slopes of this parcel exceed 30%.

ALC STAFF COMMENTS

2) The ALC has previously denied an application to subdivide on the 34.4 ha Hwy 6 property, and also refused two reconsiderations. In 2002, the ALC noted that it has reconsidered decision where it has been demonstrated that it is possible to achieve some net benefit for agriculture which will offset the negative impacts of a proposed subdivision. The applicants are now offering to include 4.4 ha of land from the Lumby Mabel Rd property into the ALR, in exchange for the subdivision of 0.6 ha from the 34.4 ha Hwy 6 property.

3) The 4.4 ha Lumby Mabel Rd parcel is not currently cleared and is separated from the majority of the property by the Shuswap River. The Regional District of North Okanagan Planning Staff state that the inclusion of 4.4 ha of Class 7 land does not offset the loss of the proposed subdivision of 0.6 ha of Class 2 and 3 land.

ATTACHMENTS

52190_ContextMap20k.pdf
52190_AirphotoMap20k.pdf
52190_Proposal Sketch.pdf

END OF REPORT

Prepared by: Liz Sutton