



Provincial Agricultural Land Commission - Staff Report

Application: 52284

Applicant: Lang's Enterprises Ltd
Agent: Paul Dumoret
Local Government: Regional District of Okanagan-Similkameen

Proposal: Non-farm Use - Proposal: To develop a commercial campground on the west half of the subject property. The owners would like to construct an RV Park pursuant to the existing Tourist Commercial Four (Campground) (CT4) zone on the property. The applicants plan on using the east half of the property for farm use once they determine an economic use of that land, possibly hops plus their purebred Clydesdale horses, with the possibility of an Agri-Tourism business.

BACKGROUND INFORMATION

The property was re-zoned CT4 - Commercial Tourist 4, with 'campgrounds' as the only permitted principle use, prior to the ALC Act in 1974.

It is not clear why the campground proposal was never acted upon, yet the commercial zoning has been re-confirmed under each proceeding land use bylaw - the 2002 OCP Review for Electoral Area 'C' being the most recent.

In 2000, an application to exclude the subject property from the ALR in order to facilitate subdivision was refused by the ALC on the basis that "the subject land has a reasonable degree of agricultural suitability overall and as such, does not warrant exclusion from the ALR."

A similar application to develop the whole property as a commercial campground containing 57 RV sites with the potential to go to over 70 RV sites was considered by the ALC on November 23, 2010. This application was refused as outlined under previous applications.

In addition, for the 2010 application, an Agronomic Assessment for the property, was prepared by Elke Scheffler, P. Ag., QEP, P. bio (ALTA). It was indicated that the property has never been cleared or farmed before but has recently been logged of the existing pine and fir trees. The property has a 4 year old irrigation licence but it has not been used for some time. The conclusion of the consultant is that "judging from the soils profiles and the extremely rocky and porous nature of the ground, down to bedrock, no intensive agricultural cropping or farming is recommended for this site."

PROPERTY INFORMATION

PID: 006-281-486
Legal Description: Lot 1 District Lot 3473 Similkameen Division Yale District Plan 23659
Property Area: 4.8 ha
ALR Area: 4.8 ha
Purchase Date: March 30, 2010
Location: Vaseaux Lake - south Okanagan Falls
Owner: Lang's Enterprises Ltd

LAND USE

Current Land Use:

There is a residence, shop and an old block building shell on the property. All the mature trees on the property have been logged.

Surrounding Land Uses:

North: Vineyard - ALR
East: Semi forested hilled Crown Land - Not ALR
South: Homesite - Excavating Contractor - ALR
West: Hwy 97, Ranch / Orchard and residence - ALR

PROPOSAL DETAILS

Non- Farm Use Area: 2.5 ha

Non- Farm Use Type: Commercial / Retail: Campground (Private) & RV Park

Agricultural Capability:

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

Source: BCL

Mapsheet: 82E.023

PREVIOUS APPLICATIONS

Application ID: 52016

Applicant: Lang's Enterprises Ltd

Proposal: To develop a commercial campground containing 57 RV sites with the potential to go over 70 RV sites on the 4.6 ha subject property under a non-farm use application.

Decision:

Resolution #	Decision Date	Decision Description
2836/2010	November 23, 2010	Refused

Application ID: 32873

Legacy #: 02532

Applicant: Ron Lehman

Note: (1976) Allow construction of an equipment building.

Application ID: 15508

Legacy #: 33192

Applicant: Larry Lehman

Proposal: exclude the subject properties in order to use them for campground purposes for which they are zoned. The reason for the request is due to the rockiness of the ground.

Decision:

Resolution #	Decision Date	Decision Description
320/2000	June 20, 2000	refuse exclusion of the property but allow reconfiguration of the property boundaries as intended by the applicant.

Note: Second lot located immediately south of subject property.

RELEVANT APPLICATIONS

Application ID: 38315

Legacy #: 26392

Applicant: Arnold & Minda Elgert

Note: (1991) Refuse subdivision of 3.9 ha property into 2 lots. Located one lot north of subject property.

RELEVANT APPLICATIONS

Application ID: 13323

Legacy #: 32543

Applicant: McIntyre Bluff Ranch Ltd

Proposal: exclude 48.5 ha of the property and develop a "eco" golf course

Decision:

Resolution #	Decision Date	Decision Description
510/1999	July 19, 1999	Refuse due to agricultural capability but allow exclusion of that portion of the property east of the Highway (32.8 ha).

Note: Located 2 lots south of subject property.

Application ID: 1991

Legacy #: 28703

Applicant: W. & F. LAHAISE

Proposal: subdivide the 2.8 ha property into 2-3 lots of equal size

Decision:

Resolution #	Decision Date	Decision Description
212/1994	March 15, 1994	refused due to impact and agricultural capability

Note: Located across Highway 97 and two lots south from subject property.

Application ID: 500

Legacy #: 28055

Applicant: James & Huldah. BANNISTER

Proposal: subdivide the property into three lots

Decision:

Resolution #	Decision Date	Decision Description
1036/1993	October 8, 1993	refused due to impact

Note: Located directly across Highway 97.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Electoral Area 'C' OCP Bylaw No. 2452, 2008

Designation: Commerical (C)

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Electoral Area 'C' No. 2453, 2008 (CT4)

Zoning Designation: Tourist Commercial (Campground) Zone (CT4)

Minimum Lot Size: 0.1 ha

Zoning Compliance: No

Comments and Recommendations:

Planning Staff

That the Regional District forward the "non-farm use" application to the ALC as it is seen to be consistent with the Electoral Area 'C' OCP Bylaw No. 2452, 2008, and Zoning Bylaw No. 2453, 2008.

ALC STAFF COMMENTS

Staff would like the Commission to consider the following:

- The ALC refused a similar proposal over the whole property for a commercial RV Park use, The current application is proposing to scale back the commercial RV Park use to the western half of the property and use the remaining eastern half for an agricultural purpose.
- In 2000 the subject property and the lot to the south, totalling 5.7 ha, was refused exclusion to build a campground, but property line adjustment was allowed (legacy #33192).
- The property was zoned CT4 before the ALR came into effect for the purpose of a 150 site campground that never came into existence. The zoning was re-assessed and kept commercial during the OCP review for Electoral

ALC STAFF COMMENTS

Area 'C' in 2002.

- No previous site inspection was done for the RV Park application.

ATTACHMENTS

52284_ContextMap10k.pdf
52284_AirphotoMap5k.pdf
52284_AgCapabilityMap.pdf
52284Basemap.pdf

END OF REPORT

Prepared by: Ron Wallace, May 2011