



# Provincial Agricultural Land Commission - Staff Report

## Application: 52429

**Applicants:** Peter & Judith Slinn, Margaret, Ryan & Lorraine Lockhart, Alberto & Delfina Figuiera  
**Agent:** Len Fox  
**Local Government:** City of Penticton

**Proposal:** To exclude 9 ha from the ALR for urban residential development. Three parcels are affected: 5 ha, 4 ha, 3.3 ha. Two remainder lots of 1.5 ha and 1 ha would be retained in the ALR and accessed from Valleyview Road.

### BACKGROUND INFORMATION

The Commission endorsed the OCP designation of these parcels for residential purposes by Resolution #24/2005.

### PROPERTY INFORMATION

<b>PID:</b>	012-322-911
<b>Legal Description:</b>	Block 200 District Lot 587 Similkameen Division Yale District Plan 466
<b>Property Area:</b>	5.0 ha
<b>ALR Area:</b>	5.0 ha
<b>Purchase Date:</b>	December 11, 1972
<b>Location:</b>	2900 Valleyview Road
<b>Owner:</b>	Peter & Judith Slinn
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<b>PID:</b>	012-322-938
<b>Legal Description:</b>	Block 201 District Lot 587 Similkameen Division Yale District Plan 466
<b>Property Area:</b>	3.3 ha
<b>ALR Area:</b>	3.3 ha
<b>Purchase Date:</b>	June 16, 2010
<b>Location:</b>	3050 Valleyview Road
<b>Owner:</b>	Margaret, Ryan & Lorraine Lockhart
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<b>PID:</b>	025-403-524
<b>Legal Description:</b>	Lot B District Lot 2710 Similkameen Division Yale District Plan KAP70957
<b>Property Area:</b>	4.0 ha
<b>ALR Area:</b>	4.0 ha
<b>Purchase Date:</b>	April 4, 2002
<b>Location:</b>	610 Pineview Road
<b>Owner:</b>	Alberto & Delfina Figueira
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<b>Total Land Area:</b>	12.3 ha
<b>Total ALR Area:</b>	12.3 ha

### LAND USE

#### Current Land Use:

Agriculture (orchard uses), pasture and rural residences.

#### Surrounding Land Uses:

North: Non ALR urban residential  
East: Non ALR urban residential  
South: Rural residential, agriculture in the ALR.  
West: Rural residential, agriculture in the ALR

## PROPOSAL DETAILS

**Exclusion Area:** 9.0 ha

**Agricultural Capability:**

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

**Source:** BCL

## PREVIOUS APPLICATIONS

**Application ID:** 12537

**Legacy #:** 25250

**Applicant:** Peter & Judith Slinn

**Proposal:** subdivide a 0.4 ha lot from the 4.9 ha property under the H.S.P.

**Decision:**

Resolution #	Decision Date	Decision Description
551/1991	July 16, 1991	refused due to excessive size but allow subdivision of a 0.2 ha lot subject to the conditions of the H.S.P.

**Note:** The approved H.S. subdivision was never finalized.

**Application ID:** 1237

**Legacy #:** 27412

**Applicant:** A. FIGUEIRAS

**Proposal:** exclude the 4.2 ha property for residential development

**Decision:**

Resolution #	Decision Date	Decision Description
538/1993	May 18, 1993	refused as submitted but allow exclusion of +/- 1.0 ha subject to the installation of fencing and buffering from a minimum of 2.5 m from the ending of the planting block (upto the gully) and buffering along the southern boundary at the time of subdivision

**Note:** The approved exclusion was never finalized.

## LOCAL GOVERNMENT INFORMATION

**Official Community Plan:**

**Bylaw Name:** OCP Bylaw 2002-20

**Designation:** Low Density Residential

**OCP Compliance:** Yes

**Zoning:**

**Zoning Bylaw Name:** Zoning Bylaw

**Zoning Designation:** Agriculture

**Minimum Lot Size:** 2.0 ha

**Zoning Compliance:** No

**Comments and Recommendations:**

**Agricultural Advisory Committee**

The AAC of the City of Penticton does not support the application because the land has agricultural capability and a long history of agricultural uses.

**Board/Council**

The City of Penticton Council forwarded the application with a recommendation of support.

## ALC STAFF COMMENTS

Staff recommends that the application be allowed subject to buffering and fencing, because the Commission endorsed the non-agricultural designation of the subject properties in the 2005 review of the City of Penticton OCP.

It should be noted that the Penticton AAC does not support the exclusion, noting that the lands have agricultural capability and a long history of agricultural uses.

# **END OF REPORT**

Prepared by: Martin Collins, October 4, 2011