



Provincial Agricultural Land Commission - Staff Report Application: 52451

Applicant: District of Summerland
Local Government: District of Summerland

Proposal: The District of Summerland has submitted a block application to exclude the subject ten (10) properties from the ALR to be used for light industrial purposes. The ten properties comprise approximately 7.2 ha and are located on the west side of Bentley Road south of Highway 97.

A public hearing was held on August 8, 2011 at the District of Summerland's Municipal Hall.

BACKGROUND INFORMATION

The area under application is made up of ten separate parcels and if this land were to be excluded from the ALR, the land would then have to be added to the Urban Growth Boundary and designated for future industrial use. This would involve advising property owners and investors that this area is intended for future industrial development. Individual rezoning applications by individual property owners would then be considered on a case by case basis.

Designation of this area for future industrial expansion was considered in 1998 and exclusion of this area from the ALR for this purpose was discussed and supported by the ALC. While the ALC supported exclusion of this area it had concerns about the impact exclusion and more intensive industrial development would have on ALR properties to the south. Two issues arose during the ALC's deliberations. Firstly, the ALC felt that unbuffered industrial development was not suitable, and secondly, the issue of increased storm water drainage and its effect on adjacent ALR lands needed to be addressed. A copy of this decision letter is attached.

PROPERTY INFORMATION

PID:	010-733-825
Legal Description:	Lot 7 District Lot 1178 Osoyoos Division Yale District Plan 3776
Property Area:	2.0 ha
ALR Area:	2.0 ha
Purchase Date:	November 1, 1990
Location:	17418 Bentley Road
Owner:	Paul & Anna Buddingh
PID:	009-448-748
Legal Description:	Lot A District Lot 1178 Osoyoos Division Yale District Plan 12220
Property Area:	0.1 ha
ALR Area:	0.1 ha
Purchase Date:	June 14, 1999
Location:	17612 Bentley Road
Owner:	Gaylene Davidson
PID:	007-830-211
Legal Description:	Lot A District Lot 1179 Osoyoos Division Yale District Plan 20577
Property Area:	0.4 ha
ALR Area:	0.4 ha
Purchase Date:	March 26, 2008
Location:	17618 Bentley Road
Owner:	Eryn & Christopher Roberts
PID:	002-699-451
Legal Description:	Lot 2 District Lot 1178 Osoyoos Division Yale District Plan 10022 Except Plans 12220 and 20577
Property Area:	1.9 ha
ALR Area:	1.9 ha
Purchase Date:	August 15, 2008
Location:	10918 Rennie Road
Owner:	Classic Ventures Ltd
PID:	003-426-572
Legal Description:	Lot 1 District Lot 1178 Osoyoos Division Yale District Plan 10022
Property Area:	0.2 ha
ALR Area:	0.2 ha
Purchase Date:	February 16, 2007
Location:	17808 Bentley Road
Owners:	Pascal Lavoie, Samantha Tutuarima
PID:	009-363-220
Legal Description:	Lot 1 District Lot 1178 Osoyoos Division Yale District Plan 9655
Property Area:	0.3 ha
ALR Area:	0.3 ha
Purchase Date:	August 17, 2000
Location:	17814 Bentley Road
Owner:	Brian & Hilda Zeuzinger
PID:	010-733-809
Legal Description:	Lot 3 District Lot 1178 Osoyoos Division Yale District Plan 3776
Property Area:	0.8 ha
ALR Area:	0.8 ha
Purchase Date:	April 20, 2011
Location:	18006 Bentley Road
Owner:	Debra Selwood

PROPERTY INFORMATION

PID: 003-613-267
Legal Description: Lot B District Lot 1178 Osoyoos Division Yale District Plan 31705
Property Area: 0.8 ha
ALR Area: 0.8 ha
Purchase Date: March 18, 1981
Location: 18010 Bentley Road
Owner: Clifford Gibson

PID: 003-613-259
Legal Description: Lot A District Lot 1178 Osoyoos Division Yale District Plan 31705
Property Area: 0.5 ha
ALR Area: 0.5 ha
Purchase Date: August 21, 1987
Location: 18022 Bentley Road
Owner: Monte & Gayanne Pennington

PID: 011-764-929
Legal Description: That Part District Lot 1178 Osoyoos Division Yale District Except Plans 183, B1755 and 12910
Property Area: 0.2 ha
ALR Area: 0.2 ha
Purchase Date: January 28, 1921
Location: 18021 Bentley Road
Owner: District of Summerland

Total Land Area: 7.2 ha
Total ALR Area: 7.2 ha

LAND USE

Current Land Use:

The subject area consists of ten separate properties ranging in size from 0.1 and 0.2 ha to 1.9 and 2.0 ha. The properties are used for rural residential, hobby farms and light industrial uses.

Surrounding Land Uses:

North: Vacant, non-ALR land
East: Industrial, non-ALR land
South: Agricultural
West: Residential

PROPOSAL DETAILS

Exclusion Area: 7.2 ha

Agricultural Capability:

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

Source: BCLI

Mapsheet: 82E.062

RELEVANT APPLICATIONS

Application ID: 9497

Legacy #: 31903

Applicant: Provincial Agricultural Land Commission

Proposal: Block Application - To exclude approximately 268 ha from the ALR in the District of Summerland, consisting of residential properties, industrially designated lands, golf course, playing fields and other lands with poor agricultural capability.

Decision:

Resolution #	Decision Date	Decision Description
326/1998	May 27, 1998	<p>The Commission concurred with part of the proposed exclusion. It was not prepared to exclude the Bentley Road area (8 ha), unless and until a scheme for implementation was submitted showing how the District planned to buffer lands lying to the south from the proposed light industrial development. In addition the Commission was unprepared to exclude the large 160 ha block north and west of the Prairie Valley until concerns about the development staging of Cartwright mountain were alleviated. A total of 80 ha was approved for outright or conditional exclusion with a further 8 ha approved for conditional exclusion.</p> <p>A thorough review of the areas requested, approved and refused was conducted by E. Lew and T. Pellett. It was determined that 268 ha was requested for exclusion, 64.2 ha approved for exclusion and 203.8 ha refused. Partial Approval. Cabinet allowed exclusion of 64.2 ha by OIC and refused 203.8 ha by Notice-of-Determination. This resolution number is used to enter statistical information relating to the area under application and subsequent decision by Cabinet.</p>

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Summerland OCP Bylaw #2000-310

Designation: Agricultural

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Bylaw 99-001

Zoning Designation: Agricultural (A1)

Minimum Lot Size: 2.0 ha

Zoning Compliance: Yes

Comments and Recommendations:

Board/Council

Council authorized staff to pursue a block ALR exclusion application.

Planning Staff

The Director of Economic Development notes Summerland's shortage of industrial land. Given this situation and the ALC's previous support for exclusion of these lands for industrial expansion, it is recommended that Council authorize staff to pursue a block ALR exclusion application.

ALC STAFF COMMENTS

In 1998 the ALC reviewed the current subject area under for exclusion from the ALR. As outlined in ALC application #V-31903 the ALC is prepared to exclude the Bentley Road area subject to the following:

- 1) the submission of a drainage plan (from the District) showing how storm water drainage from industrial development is to be achieved with no negative impacts on the ALR.
- 2) the submission of a buffering and implementation plan (through the District) showing how appropriate buffering/fencing is to be achieved on the south boundary of Lot 7, plan 3776.

ATTACHMENTS

52451_ContextMap5k.pdf
52451_ContextMap20k.pdf
52451_AgCapabilityMap.pdf

END OF REPORT

Prepared by: Ron Wallace, September 23, 2011