



Provincial Agricultural Land Commission - Staff Report

Application: 52379

Applicants: 925 Investments Inc, Spallumcheen Estates Ltd
Agent: Jason R. Shortt
Local Government: Township of Spallumcheen

Proposal: To consolidate Lot A, Plan 34292 and Lot B, Plan 1488, both of which are currently developed as part of a golf course. The applicant is proposing a boundary line adjustment between the golf course land and the adjacent property to the east by adding an 8 ha portion of the neighbouring property to the golf course. The golf course use would expand onto most of the 8 ha portion of the property.

BACKGROUND INFORMATION

The applicant is proposing to consolidate two parcels currently developed as part of the Spallumcheen Golf and Country Club (9401 Hwy 97) and to expand the golf course to the east by adding a 8 ha portion of the neighbouring property located at 9315 Hwy 97.

PROPERTY INFORMATION

PID: 002-999-536
Legal Description: Lot A District Lot 104 Osoyoos Division Yale District Plan 34292
Property Area: 48.7 ha
ALR Area: 48.7 ha
Purchase Date: January 20, 2009
Location: 9401 Highway 97
Owner: Spallumcheen Estates Ltd

PID: 011-548-037
Legal Description: Lot B District Lot 104 Osoyoos Division Yale District Plan 1488 Except Plan H433
Property Area: 7.3 ha
ALR Area: 7.3 ha
Purchase Date: January 20, 2009
Location: 9401 Highway 97
Owner:

PID: 011-501-359
Legal Description: Lot 3, District Lot 104, Osoyoos Division of Yale District, Plan 1677, EXCEPT Plan 34292, H433 and KAP86362
Property Area: 25.2 ha
ALR Area: 25.2 ha
Purchase Date: April 10, 2008
Location: Adjacent to the Spallumcheen Golf Course
Owner: 925 Investments Inc

Total Land Area: 81.2 ha
Total ALR Area: 81.2 ha

LAND USE

Current Land Use:

The subject properties are located on the south side of Highway 97. the Spallumcheen Golf and country Club, located at 9401 Hwy 97, is zoned Recreation Commercial (C.5) and includes Lot A, Plan 34292 and Lot B, Plan 1488. The property located at 9315 Hwy 97 (Lot 3, Plan 1677) is situated immediately east of the golf course, is zoned Agricultural (A.2) and is used for farm pasture purposes.

Surrounding Land Uses:

North: Highway 97, agricultural land
East: Agricultural land within the ALR, residential use outside of the ALR
South: Indian Reserve land, subdivision
West: Indian Reserve, golf course and subdivision land

PROPOSAL DETAILS

Non- Farm Use Area: 8.0 ha

Non- Farm Use Type: Commercial / Retail: Golf Course

Agricultural Capability:

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

Source: BCLI

Mapsheet: 82L.034

PREVIOUS APPLICATIONS

Application ID: 41857

Legacy #: 35894

Applicant: 925 Investments Inc

Proposal: To exclude approximately 19 ha of the 44 ha property for a rural residential housing development (17 - 1 ha lots).

Decision:

Resolution #	Decision Date	Decision Description
193/2005	April 27, 2005	The Commission allowed the exclusion of 17 ha for rural residential housing on the grounds the land had very marginal capability for agriculture due to steep slopes and shallow soils. As a condition of approval the Commission required that a no build covenant be registered against the titles of the lots adjacent to the ALR boundary restricting buildings on Lots 3-9 to 30 meters and on lot 2 to 15 meters.

Note: Located to the south of the subject properties, includes Lot 3, Plan 1677.

Application ID: 32903

Legacy #: 15936

Applicant: WA Jones

Note: Involving Lot 2, Plan 1677 and Lot 3, Plan 1677 to subdivide off approximately 12.2 ha from Lot 3 and consolidate it with Lot 2. Lot 2 is presently used as a golf course. The owners wish to expand the existing golf operation. New fairways would be built on the 12.2 ha area. The proposal was allowed.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Bylaw No. 1570, 2004

Designation: Township of Spallumcheen OCP

OCP Compliance: No

LOCAL GOVERNMENT INFORMATION

Zoning:

Zoning Bylaw Name: Bylaw No. 1700, 2008
Zoning Designation: Agricultural (A.2) and Recreation Commercial (C.5)
Minimum Lot Size: 30.5 ha
Zoning Compliance: No

Comments and Recommendations:

Agricultural Advisory Committee

The Committee noted that it appeared part of the land was already being utilized as the golf course and only a small portion of agricultural land was proposed to be added to the golf course. The AAC also noted there is a natural buffer as suggested by the applicant (the easterly slope). The Committee recommended that the application be supported.

Board/Council

That the application for non-farm use and and lot consolidation and boundary adjustment be authorized for submission to the ALC be supported for fairway and green space use (golf course).

Ministry of Agriculture and Lands

The Ministry indicated the use of agricultural land for a golf course has little or no agricultural basis or rationale and is inappropriate in the ALR.

Planning Staff

Development Services recommends that this application not be supported as it is not in accordance with OCP policies regarding Agricultural and Commercial lands.

ALC STAFF COMMENTS

Staff recommends the Commission consider the following:

- The agricultural capability of most of the land proposed to be added to the golf course is relatively flat with an agricultural capability rating of Class 4, which is capable of a restricted range of crops, and an improved rating of Class 1 and Class 2 which are capable of producing a wide range of crops. The land is currently being used for pasture land for cattle.
- The 8 ha area proposed to be added to the golf course would need to be rezoned from Agricultural (A2) to Recreational Commercial (C5) and this area would require an OCP amendment to change the future land use designation from Agricultural to Commercial.
- Land designated as Agricultural is intended to be used for agricultural purposes only. The proposal to expand the golf course along the base of the easterly slope by adding an 8 ha portion of a neighbouring property is contrary to Agricultural and Commercial policies of the OCP.

ATTACHMENTS

52379_ContextMap20k.pdf
52379_AgCapabilityMap.pdf
52379_AirphotoMap20k.pdf

END OF REPORT

Prepared by: Ron Wallace, Land Use Planner