



Provincial Agricultural Land Commission - Staff Report

Application: 52533

Applicants: Garry Best, Rose Diprose
Agent: Corporation of the Village of Lumby
Local Government: North Okanagan

Proposal: The Village of Lumby is proposing to enlarge the water treatment plant property by adding a 0.05 ha portion of the adjacent property which is located on the east side of the Village owned property. This would increase the current size of the 0.15 ha pant property to 0.2 ha and decrease the size of the adjacent property from 11.53 ha to 11.48 ha. The realigned Village property woud continue to be land-locked, with no frontage on a public road.

The easement agreement for the current access to the Village owned property through the adjacent property is proposed to be discharged. New access to the Village property is proposed to be gained by an easement through the adjacent property to the east where existing driveways connect to Maple Street. No newly constructed driveways are proposed.

The Village proposes the boundary adjustment as an 'exchange' of the current access driveway for the 'inclusion' of the currently cultivated 0.05 ha portion. The Village proposes that the portion of the current driveway no longer being used as access, could be reverted back into agricultural use by the property owner.

BACKGROUND INFORMATION

The ALC approved the 0.15 ha lot and statutory rights of way from the subject property for the existing water treatment plant in June 2004 on the grounds that it is a community need, the non-agricultural use is already established and the potential impacts on agriculture are minimal.

PROPERTY INFORMATION

PID: 005-321-077
Legal Description: Lot 1, District Lot 308, Osoyoos Division of Yale District, Plan 25793, EXCEPT Plan 35201 and KAP80493
Property Area: 10.9 ha
ALR Area: 10.9 ha
Purchase Date: March 7, 2006
Location: North of the Village of Lumby
Owner: Garry Best

PID: 026-608-316
Legal Description: Lot A District Lot 308 Osoyoos Division Yale District Plan KAP90493
Property Area: 0.1 ha
ALR Area: 0.1 ha

Location:
Owner:

Total Land Area: 11.0 ha
Total ALR Area: 11.0 ha

LAND USE

Current Land Use:

The 0.05 ha area proposed for expansion of the facility is farmed.

Surrounding Land Uses:

North: Agriculture
East: Agriculture
South: Agriculture
West: Agriculture

PROPOSAL DETAILS

Subdivision - ALR Area: 11.0 ha

Number of Lots	ALR Area of Lot (ha)
1	0.1

Agricultural Capability:

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

Source: CLI

Mapsheet: 82L.026

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: OCP Bylaw No. 1690, 2001
Designation: Agricultural / Major Road
OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: RDNO Bylaw No. 1888, 2003
Zoning Designation: Non-Urban
Minimum Lot Size: 7.2 ha
Zoning Compliance: Yes

Comments and Recommendations:

Advisory Planning Committee

That it be recommended to the Board of Directors that the application of the Village of Lumby be authorized for submission to the ALC.

Board/Council

That the application be authorized for submission to the ALC.

Planning Staff

It is recommended that the application be supported as the proposed expansion of the property would not have a negative impact on the agricultural use of the subject and surrounding properties and would therefore be consistent with the policies of the Electoral Areas "D" and "E" OCP.

ALC STAFF COMMENTS

As the existing use of the property for a water treatment plant was previously approved by the ALC in 2004, and the proposed boundary line adjustment would have minimal impact on the agricultural potential of the site, staff recommends support for the application.

ATTACHMENTS

52533_ContextMap20k.pdf
52533_AgCapabilityMap.pdf
52533_AirphotoMap20k.pdf
52533localgovrpt.pdf

END OF REPORT

Prepared by: Ron Wallace, February 22, 2012