



Provincial Agricultural Land Commission - Staff Report

Application: 52583

Applicant:

Agent:

Gerry Popoff

Local Government:

Township of Spallumcheen

Proposal:

To subdivide three contiguous properties located at 1665, 1600 and 1695 Whitaker Road to facilitate a road connection from Lockhart Crescent to Reservoir Road and to create eleven (11) new lots approximately 1.0 ha plus three (3) remainder lots.

The current zoning of the subject properties is Agricultural (A-2) which requires a minimum lot area of 30.5 ha; therefore if subdivision is to proceed, both OCP amendment and rezoning would be required.

BACKGROUND INFORMATION

This application is being made by three land owners for approval to subdivide their three contiguous properties.

The breakdown per lot is as follows:

- two (2) new lots to be created from the Seed property;
- eight (8) new lots to be created from the Popoff property;
- one (1) new lot from the Whitaker property.

The subdivision concept includes a proposed 20 m wide, north/south road that would extend from Lockhart Crescent to Reservoir Road bisecting the Seed and Popoff properties. The Whitaker property is not directly impacted by this proposed road except that the subdivision concept indicates potential widening of Reservoir Road where it flanks the Whitaker property. The applicant suggests the proposed road connection to the west, between Powerhouse Road and Whitaker Road, could be pursued at a future date.

PROPERTY INFORMATION

PID: 010-727-931
Legal Description: Lot 3, District Lot 821, Township 17, Range 9, West of the 6th Meridian, Kamloops Division of Yale District, Plan 1605
Property Area: 13.4 ha
ALR Area: 13.4 ha
Purchase Date: April 21, 1988
Location: 1665 Whitaker Road
Owner: Gerald and Sandra Popoff

PID: 005-331-765
Legal Description: Parcel A (DDK56987F), of Pre-Emption Record Number 821; Township 17, Range 9, West of the 6th Meridian Kamloops Division of Yale District
Property Area: 4.0 ha
ALR Area: 4.0 ha
Purchase Date: July 10, 2009
Location: 1600 Whitaker Road
Owners: Barrie Seed, Karen Johanson

PID: 005-822-751
Legal Description: Lot 1 Section 33 Township 4 Osoyoos Division Yale District Plan 9424 Except Plans M17440 and 35779
Property Area: 1.9 ha
ALR Area: 1.9 ha
Purchase Date: October 13, 2004
Location: 1695 Whitaker Road
Owner: Charles & Colleen Whitaker

Total Land Area: 19.3 ha
Total ALR Area: 19.3 ha

LAND USE

Current Land Use:

The Seed property (Parcel A) has one dwelling, one shop, one barn, and some small sheds. The applicant describes the property as treed and rocky. Two road ends, Springview Place and an un-named road off Lockhart Crescent, dead-end at the north property line of Parcel A. The Popoff property is adjacent to the south.

The Popoff property (Lot 3) is developed with two residential dwellings, three shops, two barns, a hay growing/pasture area, and an outside storage area used for the keeping of vehicles used in the owner's auto repair and vehicle recycling business. Fortune Creek flows in an east/west direction near the north property boundary. Reservoir Road flanks the south side of Lot 3 and the Whitaker property is to the southwest.

Surrounding Land Uses:

North: McLeod Subdivision (Springview Place) residential lots, outside of the ALR
East: Rural residential lots, within the ALR
South: Rural residential lot, treed hillside outside of the ALR
West: Agricultural uses

PROPOSAL DETAILS

Subdivision - ALR Area: 19.3 ha

Number of Lots	ALR Area of Lot (ha)
2	3.0
11	1.0
1	2.3

Agricultural Capability:

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

Source: CLI

Mapsheet: 82L/6

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Township of Spallumcheen OCP Bylaw No. 1794

Designation: Agricultural

OCP Compliance: No

Zoning:

Zoning Bylaw Name: Township of Spallumcheen Zoning Bylaw No. 1700

Zoning Designation: Agricultural (A.2)

Minimum Lot Size: 30.5 ha

Zoning Compliance: No

Comments and Recommendations:

Agricultural Advisory Committee

The AAC comments are summarized as follows:

- Proposed subdivision splits up farmland that has been farmed/pastured in the past;
- Doubtful that connection to Highway 97A at Rosedale East Road will be safer as there is no light and southbound traffic would have to cross four lanes;
- The north Powerhouse Road intersection with Highway 97A is dangerous as it is just before 4 lanes merge into 2 lanes;
- Subdividing marginal grazing land into smaller parcels is a bad idea, larger parcels are more viable;
- Appears to be basically a plan to develop a number of residential lots but there may be some merit to suggested alternate access from McLeod subdivision;
- Would be worthwhile to visit the properties in question.

Board/Council

The application be authorized for submission to the ALC and recommend support due to the safety issues with Highway 97A access. Further that the letter from Valerie and Glen Johnstone received November 16, 2011 - Re: Proposed Subdivision by Gerry Popoff on Whitaker Reservoir Roads be received.

Planning Staff

The Planning Department recommends that this application not be authorized for submission to the ALC as subdivision of land within the ALR is not supported by the OCP which cautions against residential development in rural areas.

ALC STAFF COMMENTS

Staff has the following comments:

- The three subject properties are located adjacent to a residential development to the north with two road ends, Springview Place and an un-named road off Lockhart Crescent, dead-end at the north property line of Parcel A.
- The proposal to create 11 new lots and 3 remainder lots includes a proposed public road through the subdivision that would link Lockhart Crescent to Reservoir Road. The applicant's subdivision concept also depicts a proposed road connection to the west through ALR lands intended to provide a future link to Highway 97A via Rosedale East Road.
- The Ministry of Transportation and Infrastructure noted that because the subject proposal is more than 800 m to a Controlled Access Highway, the Ministry had no objections or comments.
- The AAC indicated that the proposed subdivision would limit agriculture but believed a site visit would be worthwhile.
- A number of letters have been received from the public regarding this application, which are attached for review.

ATTACHMENTS

52583_ContextMap20k.pdf
52583_AirphotoMap10k.pdf
52583_AgCapabilityMap.pdf
52583LocGov.pdf
52583letters.pdf
52583SketchProposal.pdf

END OF REPORT

Prepared by: Ron Wallace, April 30, 2012