



Provincial Agricultural Land Commission - Staff Report

Application: 52586

Applicants: Daryl Watts, Arlene Wiffen
Local Government: North Okanagan EA

Proposal: Soil Change - Non-farm Use to Place Fill for Specified Farm Use - see ALC Inquiry Issue # 47054. The applicant is seeking to place ~10,000 cubic meters of fill to a depth of up to 2 meters over an 16,000 sq meter area (80 meters by 200 meters) of a 4 ha property. Approximately 2.4 ha of the property is already filled to a depth of between 1-2 meters. No approval for any filling has been provided by the Commission to date.

BACKGROUND INFORMATION

Commission staff visited the property in October 2010 and noted that the property was half covered in fill to a depth of approximately 1-2 meters. A cease and desist order was issued to the trucking company. The landowner was contacted and requested to make an application.

Two previous applications for subdivision of the property have been refused. See below for details.

PROPERTY INFORMATION

PID: 002-002-914
Legal Description: Lot 16 Section 36 Township 9 ODYD (Osoyoos Div of Yale) Plan 411
Property Area: 4.0 ha
ALR Area: 4.0 ha
Purchase Date: May 16, 2011
Location: 1788 Francis Street, Vernon
Owners: Arlene Wiffen, Daryl Watts

Total ALR Area:

LAND USE

Current Land Use:

Residence, farm, filled and non filled pasture areas, a small pond.

Surrounding Land Uses:

North: School, not in the ALR (3 ha)
East: 4 ha ALR lot, no residence, pasture uses.
South: Golf course and large, unimproved ALR property.
West: 4 ha ALR lot with residence and pasture.

PROPOSAL DETAILS

PREVIOUS APPLICATIONS

Application ID: 12401

Legacy #: 08281

Applicant: James & Linda Hatten

Proposal: To subdivide the 3.9 ha property into two equal size lots.

Decision:

Resolution #	Decision Date	Decision Description
11071/1979	April 20, 1979	refused due to agricultural capability and impact

Application ID: 11734

Legacy #: 32183

Applicant: Elaine Gudeit

Proposal: the applicant is seeking permission to subdivide a 0.25 ha lot from the property for a family member - the proposed lot contains an existing mobile home which is the only residential structure on site

Decision:

Resolution #	Decision Date	Decision Description
693/1998	October 22, 1998	refused due to reasons of agricultural capability and impact

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Rural Vernon OCP Bylaw # 1708, 2003

Designation: Agricultural

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Bylaw #1888

Zoning Designation: Country Residential

Minimum Lot Size: 2.0 ha

Zoning Compliance: Yes

Comments and Recommendations:

Board/Council

The Regional District of North Okanagan Board forwarded the application without a recommendation.

ALC STAFF COMMENTS

Staff suggests that the Commission consider the following:

- 1) Approximately 2.5 ha of the property has already been filled to a depth of between 1 and 2 meters. The fill came from a single reservoir project in the region and the topsoil was stripped prior to filling and then re-applied.
- 2) The applicant indicates that prior to filling the cattle grazing on the property suffered from foot rot due to excessive wetness. In addition the grass quality of the pasture also suffered from a high water table, in terms of nutrition and species. The purpose of the filling is to make the property more usable for grazing.
- 3) The adjoining properties to the west and east now lie lower than the subject property and may suffer from negative effects from upland drainage. In addition other hydrological issues on adjoining properties may be exacerbated by the filling.
- 4) One possible approach to the application is to request that a hydrological assessment be undertaken to ascertain what, if any impacts of filling are anticipated on adjoining parcels, and if so, what mitigation can be undertaken.

END OF REPORT

Prepared by: Martin Collins, Regional Planner