



Provincial Agricultural Land Commission - Staff Report

Application: 52592

Applicant: Gary & Linda Venables
Agent: Urban Connections
Local Government: Okanagan-Similkameen EA

Proposal: To subdivide a 1 ha lot (which contains the existing dwelling) from the 5.6 ha property and consolidate the 4.6 ha remnant with the adjoining 36.4 ha vineyard property (Hester Creek Winery).

BACKGROUND INFORMATION

The subject property was purchased by the applicant in 1978. Previous applications made by the owner are noted below. Hester Creek Winery wishes to expand their holdings, but does not want to acquire the applicant's residence.

PROPERTY INFORMATION

PID: 024-551-465
Legal Description: Lot B District Lot 2450S Similkameen Division Yale District Plan KAP64769
Property Area: 5.5 ha
ALR Area: 5.5 ha
Purchase Date: January 20, 2005
Location: 32231 - 123rd Street, Oliver
Owner: Gary & Linda Venables

Total ALR Area:

LAND USE

Current Land Use:

The subject property is situated on the west side of 123rd Street, 3.6 km south of the Town of Oliver. The property is planted with grapes and contains one single family home. The applicant states that the property has three distinct areas separated by relatively steep slopes. Vineyards are planted on the lower and mid elevation plateau with the single family home and horse barn located on the upper bench.

Surrounding Land Uses:

North: ~5 ha property used for vineyard purposes
East: Irrigation canal then two ~3 ha parcels used for tree fruits.
South: Hester Creek - undeveloped land
West: Hester Creek Vineyard - 36 ha

PROPOSAL DETAILS

Subdivision - ALR Area: 42.0 ha

Number of Lots	ALR Area of Lot (ha)
1	41.0
1	1.0

Agricultural Capability:

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

Source: BCL

Mapsheet: 82 E.13

PREVIOUS APPLICATIONS

Application ID: 3266 Legacy #: 02472

Applicant: V. LINE CONSTRUCTION 1992 LTD

Proposal: Extract gravel and sand from a 27 acre property.

Decision:

Resolution #	Decision Date	Decision Description
3515/1976	March 17, 1976	Not in ATS

Note: Gravel extraction was located on the northerly parcel which was subdivided in 1991.

Application ID: 3258 Legacy #: 25691

Applicant: Gary & Linda Venables

Proposal: To subdivide the 11.6 ha property into two lots of 5.8 ha in size.

Decision:

Resolution #	Decision Date	Decision Description
971/1991	December 17, 1991	Not in ATS

Note: The Commission reconsidered and approved the subdivision; which created the subject 5.6 ha property.

RELEVANT APPLICATIONS

Application ID: 2983 Legacy #: 29646

Applicant: Ronald Venables

Proposal: Subdivide the 5.8 ha property into approximately 7 lots of 0.8 ha in size for residential development.

Decision:

Resolution #	Decision Date	Decision Description
645/1995	May 12, 1995	The Commission refused the request to subdivide the 5.8 ha property into seven lots of 0.8 ha on the grounds that residential owners would conflict with adjoining farm operations.

Note: Refused subdivision as proposed.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: EAC Bylaw # 2452, 2008
Designation: Agricultural
OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: EAC Bylaw #2453, 2008
Zoning Designation: Agriculture 1 Zone (AG1)
Minimum Lot Size: 5.6 ha
Zoning Compliance: No

Comments and Recommendations:

Board/Council

The Regional District of Okanagan Similkameen Board forwarded the application to the ALC without comment.

ALC STAFF COMMENTS

Staff suggests that the application be allowed on the grounds there is a substantial benefit to expanding the Hester Creek Winery property. Larger parcels permit a wider range of agricultural options. The negative impacts of the 1 ha residential lot are minimal.

END OF REPORT

Prepared by: Martin Collins, Regional Planner