



Provincial Agricultural Land Commission - Staff Report

Application: 52616

Applicant: Sherry Price
Local Government: North Okanagan EA

Proposal: To subdivide a 2.8 ha lot from a 13.8 ha property. The proposed lot will accommodate the existing barn, three out-buildings, a pond, a riparian set-back, a gas pipeline right of way and a waterline easement.

BACKGROUND INFORMATION

In 2003 the ALC refused the same owner of the subject property a six lot subdivision ranging in size from 2.0 ha to 3.0 ha. The ALC denied the request to subdivide the property because subdivision would effectively eliminate the agricultural potential of the property, and because the proliferation of rural residential lots in a ranching area will increase the potential level of conflict experienced by local farmers and affect their ability to farm.

The applicant's justification for the current proposal is that the proposed 2.8 ha lot (Lot A) is fully-serviced self-contained parcel with its own postal address for utility billing and servicing purposes and is physically separated from the remaining property by a 18 m wide right of way natural gas pipeline.

PROPERTY INFORMATION

PID: 023-171-740
Legal Description: Lot 1, Section 6, Township 9, Osoyoos Division of Yale District, Plan KAP55268
Property Area: 13.8 ha
ALR Area: 13.8 ha
Purchase Date: January 27, 2011
Location: Bailey Rd, south of Vernon - in the Commonage
Owner: Sherry Price

Total ALR Area:

LAND USE

Current Land Use:

Rural residential use (410 Bailey Road) with associated buildings. There is a pond, ravine and creek on the property.

Surrounding Land Uses:

North: Rural residential use
 East: Bailey Road
 South: Crown land
 West: Ranch land

PROPOSAL DETAILS

Subdivision - ALR Area: 14.1 ha

Number of Lots	ALR Area of Lot (ha)
1	11.3
1	2.8

Agricultural Capability:

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

Source: CLI

Mapsheet: 82L/3

PREVIOUS APPLICATIONS

Application ID: 40836

Legacy #: 35129

Applicant: David & Sherry Price

Proposal: To subdivide the 13.8 ha property into six lots, ranging in size from 2 ha to 3 ha.

Decision:

Resolution #	Decision Date	Decision Description
25/2004	January 22, 2004	Refuse the application to subdivide the 13.8 ha property into 6 lots ranging in size from 2.0 to 3.0 ha.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Rural Vernon OCP Bylaw No. 1708, 2003

Designation: Agricultural

OCP Compliance: No

Zoning:

Zoning Bylaw Name: RDNO Zoning Bylaw No. 1888, 2003

Zoning Designation: Large Holding (LH)

Minimum Lot Size: 30.5 ha

Zoning Compliance: No

Comments and Recommendations:

Advisory Planning Committee

Moved that the application be authorized for submission to the ALC.

Board/Council

Moved that the application be authorized for submission to the ALC.

Planning Staff

Recommend that the application not be authorized for submission to the ALC as it does not comply with the Agricultural Policies outlined in the Rural Vernon Electoral Areas "B" & "C" OCP.

ALC STAFF COMMENTS

Staff has the following comments:

- The proposed subdivision is not consistent with the Agricultural Policies of the Rural Vernon OCP as lands designated as Agricultural are intended to be used for agricultural purposes.
- While the proposed subdivision can be accommodated under Section 21(2) of the ALC Act and Section 946 of the Local Government Act, the proposal would result in the parcelization of land within the ALR.
- The applicant's justification for the proposal is attached.

ATTACHMENTS

52616_AgCapabilityMap_HR.pdf

52616_ContextMap20k.pdf

52616_AirphotoMap10k_HR.pdf

52616Proposal.pdf

52616sr.pdf

END OF REPORT

Prepared by: Ron Wallace, August 10, 2012