



Provincial Agricultural Land Commission - Staff Report

Application: 52654

Applicant: District of West Kelowna
Agent: Sharon Boyles
Local Government: District of West Kelowna

Proposal: To dedicate a sewer line right of way 4.5 meters wide 186 meters long along the south boundary of Lot B, Plan 81953 (4.4 ha) ; and a right of way 4.5 meters wide, 47.5 meters long along the south boundary of Lot A Plan 81953 (0.4 ha). A 200 mm sewer pipe would also be installed within the R/W.

BACKGROUND INFORMATION

The Commission considered a previous application on the subject properties. See below for details

PROPERTY INFORMATION

PID: 026-812-835
Legal Description: Lot B District Lot 2189 Osoyoos Division Yale District Plan KAP81953
Property Area: 4.4 ha
ALR Area: 4.4 ha
Purchase Date: September 29, 2006
Location: Boucherie Road, West Kelowna
Owner: United Properties Inc

PID: 026-812-827
Legal Description: Lot A District Lot 2189 Osoyoos Division Yale District Plan KAP81953
Property Area: 0.4 ha
ALR Area: 0.4 ha
Purchase Date: March 10, 2011
Location: Boucherie Road, West Kelowna
Owner: David & Meaghan Alton

Total Land Area: 4.8 ha
Total ALR Area: 4.8 ha

LAND USE

Current Land Use:

Lot A, residence. Lot B, vacant, fallow grass field.

Surrounding Land Uses:

North: 4 ha ALR parcel
East: 4 ha ALR parcels
South: Non ALR residential subdivision
West: 2 ha ALR parcel

PROPOSAL DETAILS

Non- Farm Use Area: 0.1 ha

Non- Farm Use Type: Transportation/Utilities: Sewer Distribution Systems

Agricultural Capability:

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

Source: BCLI

Mapsheet: 82E.083

PREVIOUS APPLICATIONS

Application ID: 41810

Legacy #: 35852

Applicant: John & Doreen Roberts

Proposal: To subdivide off a 0.4 ha homesite lot from the 5.0 ha property.

The applicants qualify for consideration under the Homesite Severance Policy, having owned the property since 1955 and resided on the property since 1968.

Decision:

Resolution #	Decision Date	Decision Description
197/2005	April 27, 2005	The Commission allowed the subdivision of a 0.4 ha lot from the 5.0 ha property pursuant to the Homesite Severance Policy. The approval is subject to fencing around the homesite lot and the registration of a covenant restricting the placement of a homesite on the agricultural remnant to along Boucherie Road or at the end of Collingwood Road.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Not provided

Designation: Agriculture

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Not provided

Zoning Designation: Agriculture

Zoning Compliance: Yes

Comments and Recommendations:

Board/Council

The District of West Kelowna is making the application and therefore supports the proposal.

ALC STAFF COMMENTS

Staff recommends that the application be allowed on the grounds a minimal amount of ALR is affected, and because most agricultural activities can be undertaken on the right of way. In addition the right of way occupies the covenant area on the property within which a residence may be constructed (as per the previous Commission decision). As such the impact on the productive capacity of the property is minimal.

The landowners have provided authorization for the application and voice no agricultural objections.

ATTACHMENTS

52654 sketch plan.pdf

52654_ContextMap10k.pdf

52654_AirphotoMap10k.pdf

END OF REPORT

Prepared by: Martin Collins, Regional Planner