

ALR 2-lot Subdivision Proposal

A-23-01

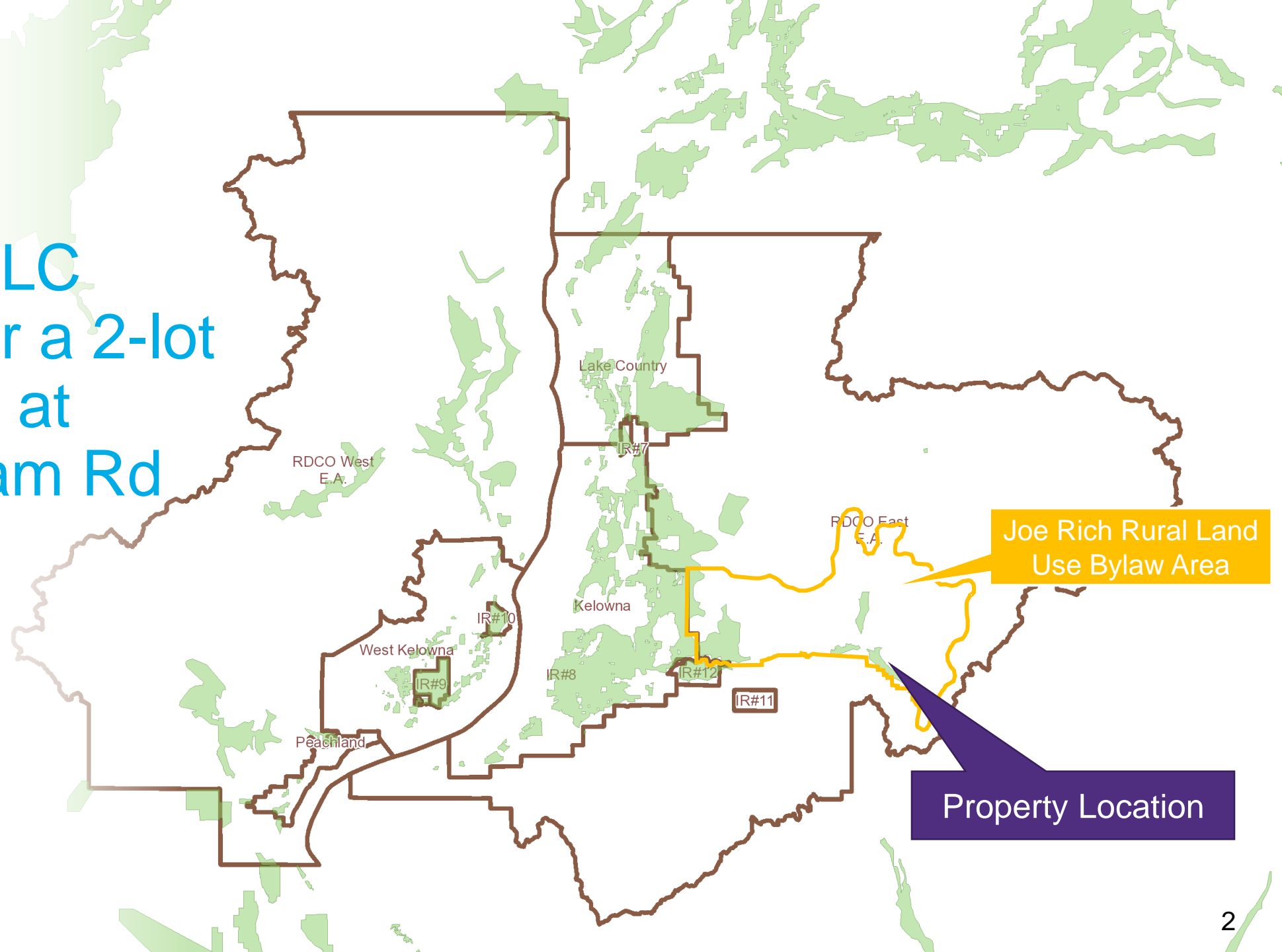
Regional Board Meeting
November 16, 2023

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com

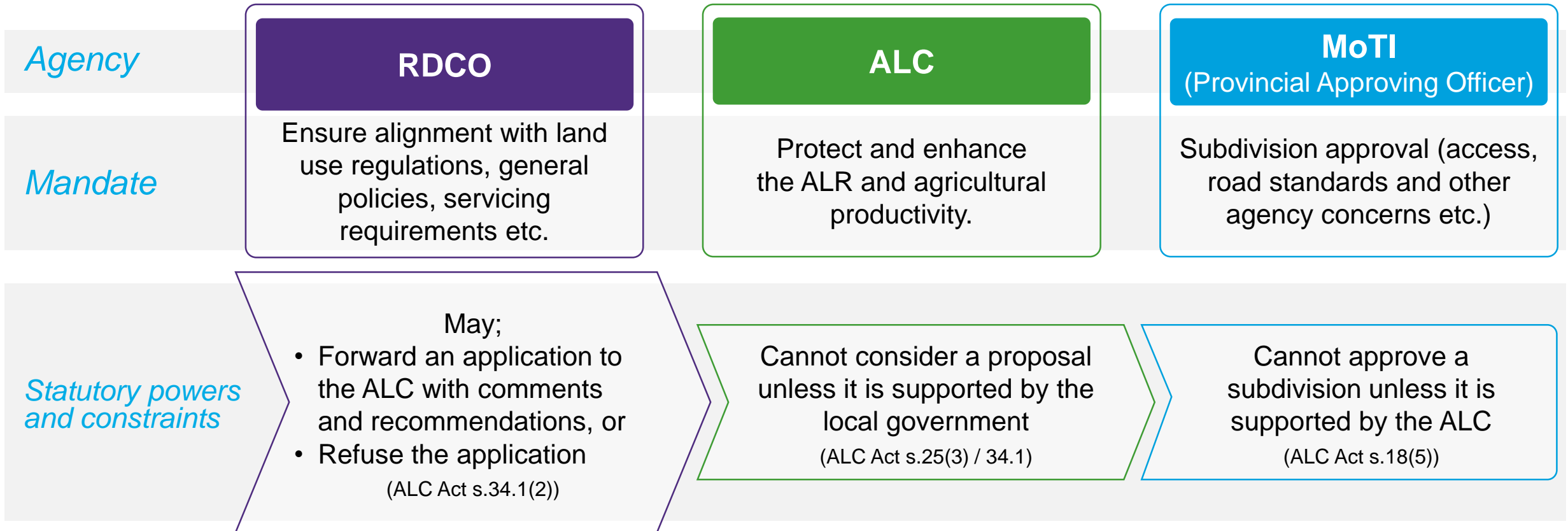


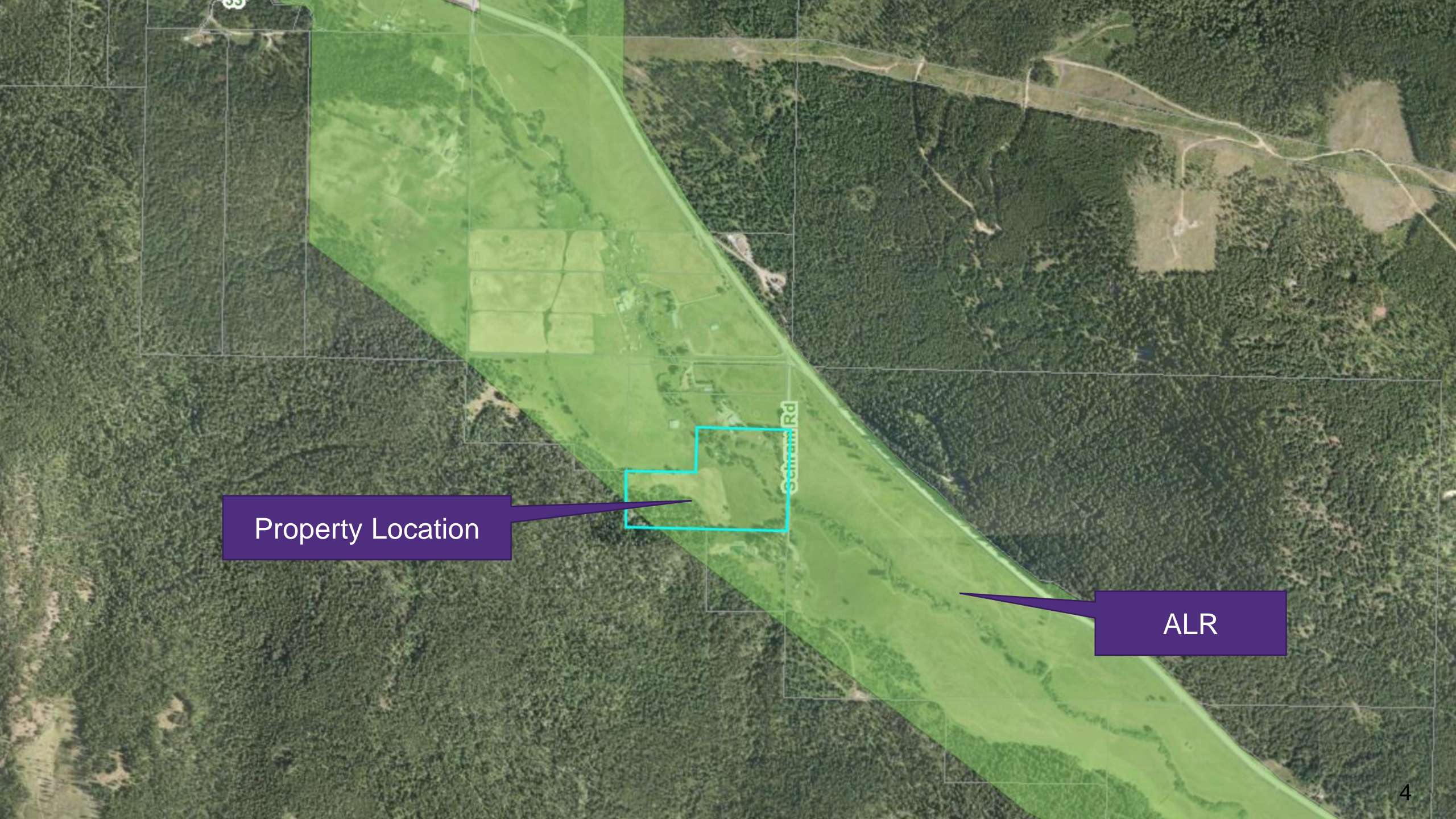
Purpose

To obtain ALC approval for a 2-lot subdivision at 2900 Schram Rd



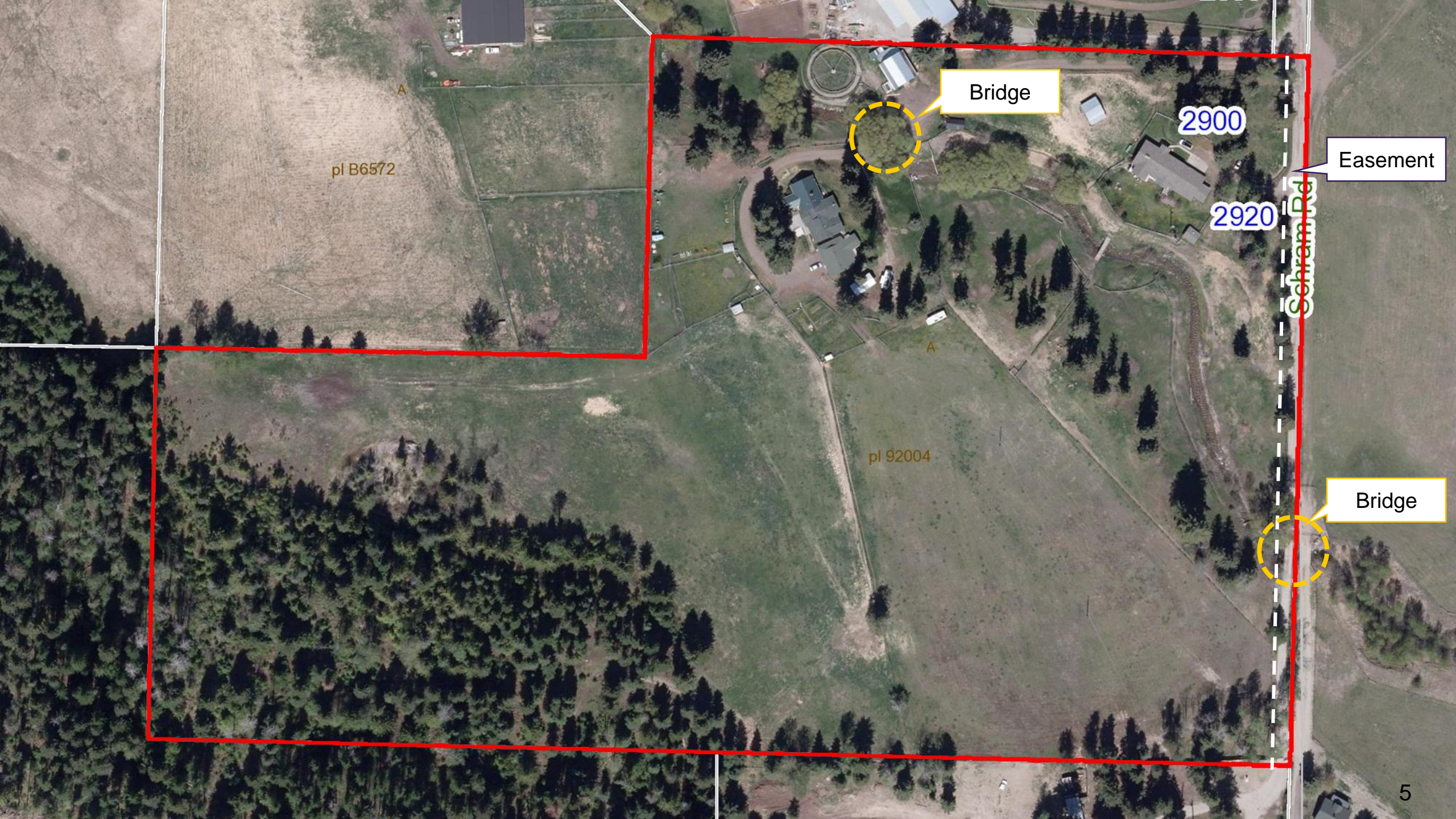
ALR Subdivisions – Governance Agency Roles





Property Location

ALR



Bridge

2900

Easement

2920

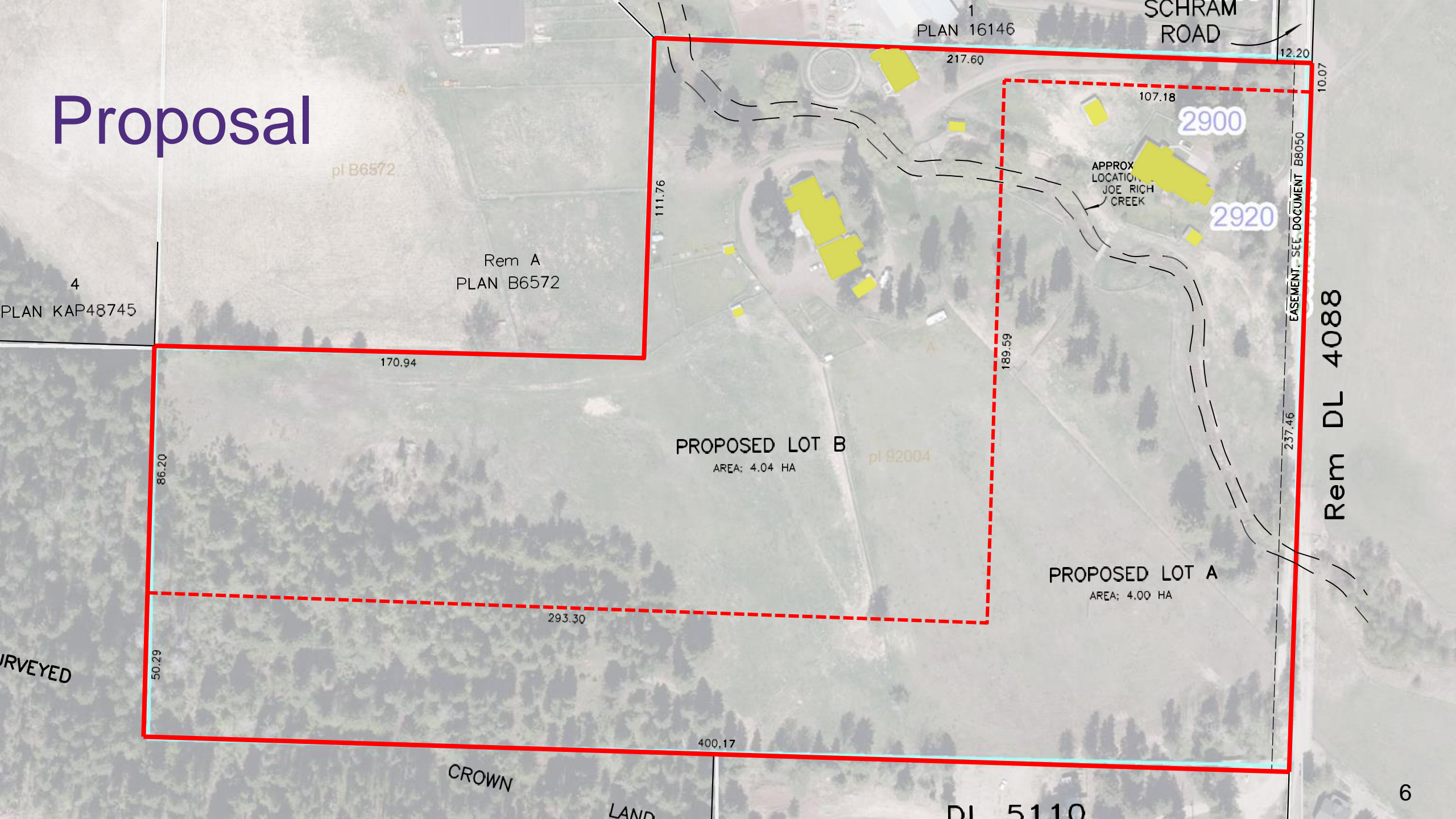
Schram Rd

Bridge

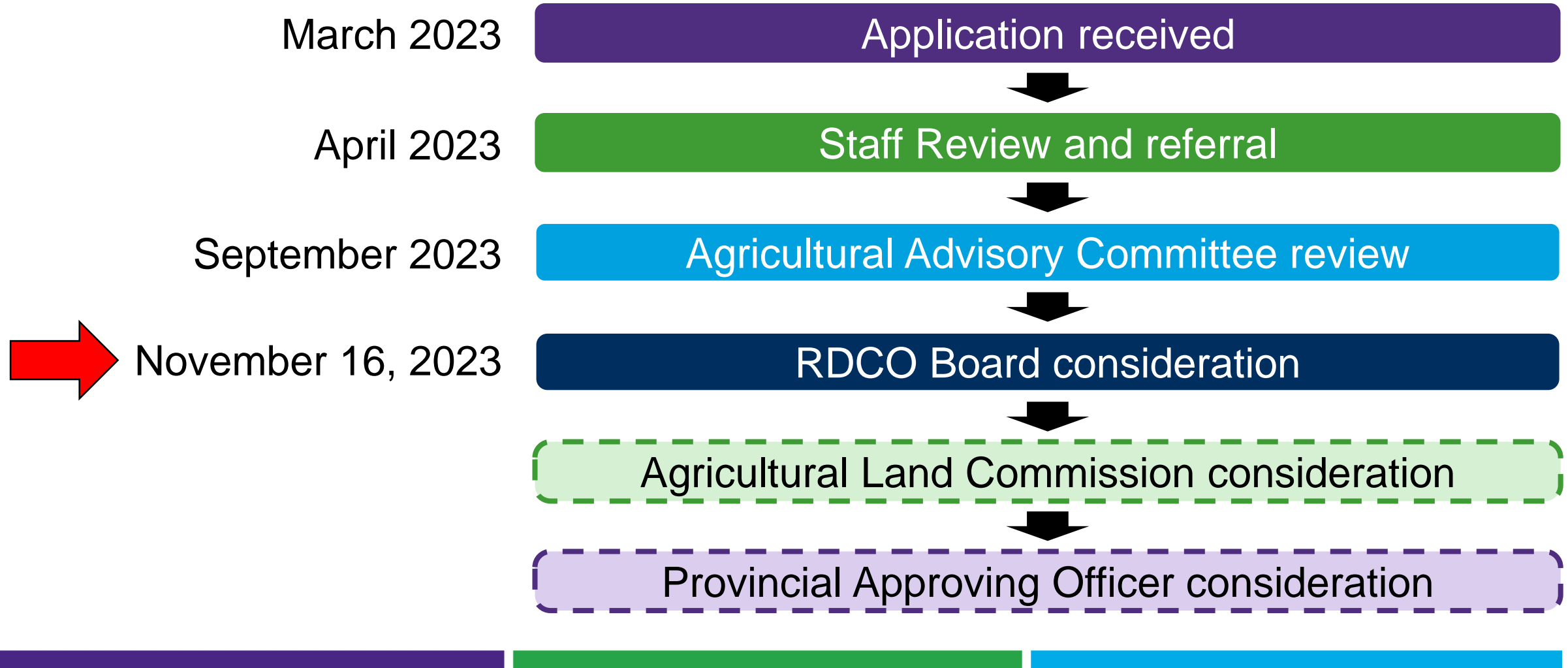
pl B6572

pl 92004

Proposal



Process Overview



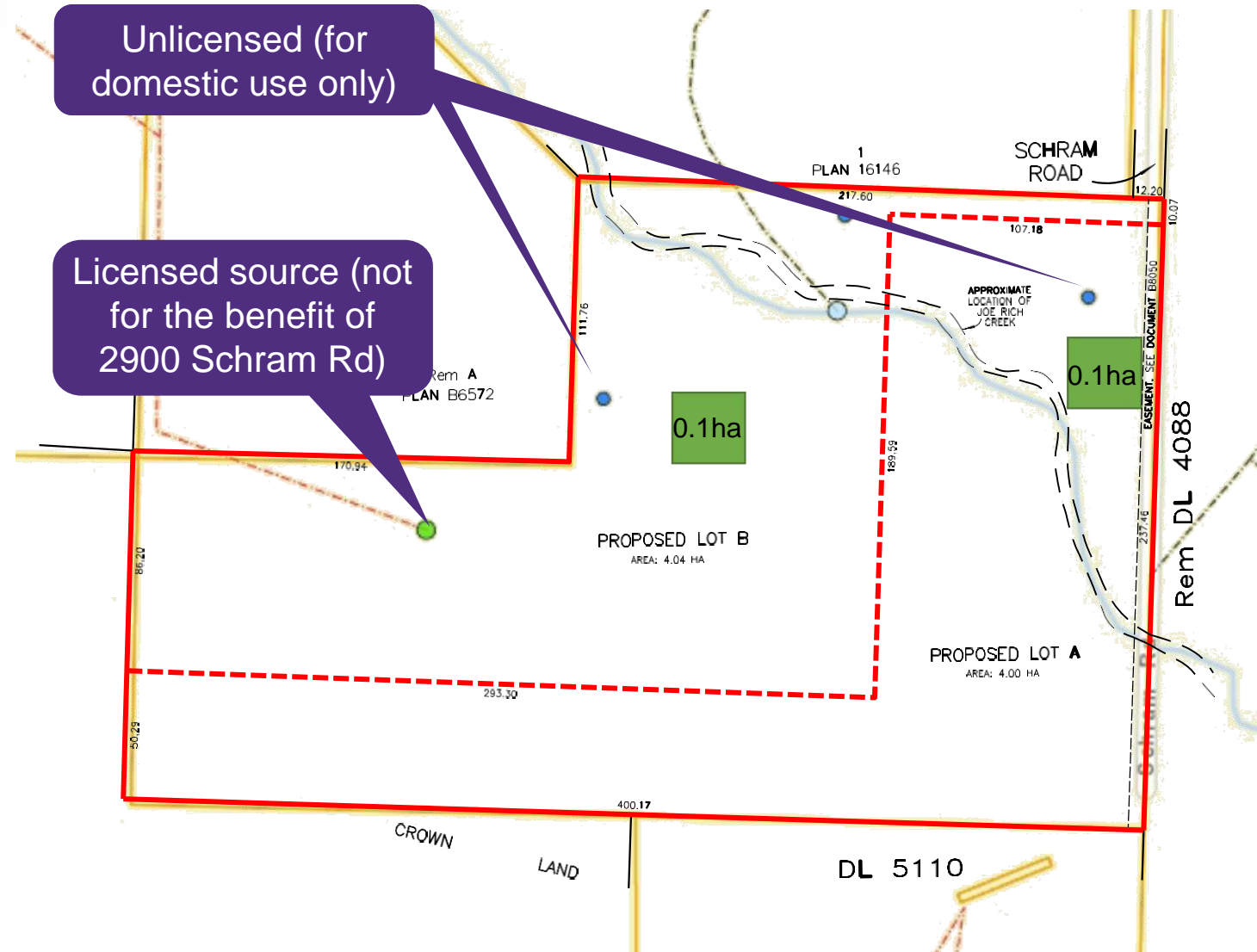
Rationale - Water

- No licensable water is available for irrigation

A 1968 Order In Council reserves all unrecorded waters of Mission Creek and tributaries (aquifers that are connected to the hydraulic system)

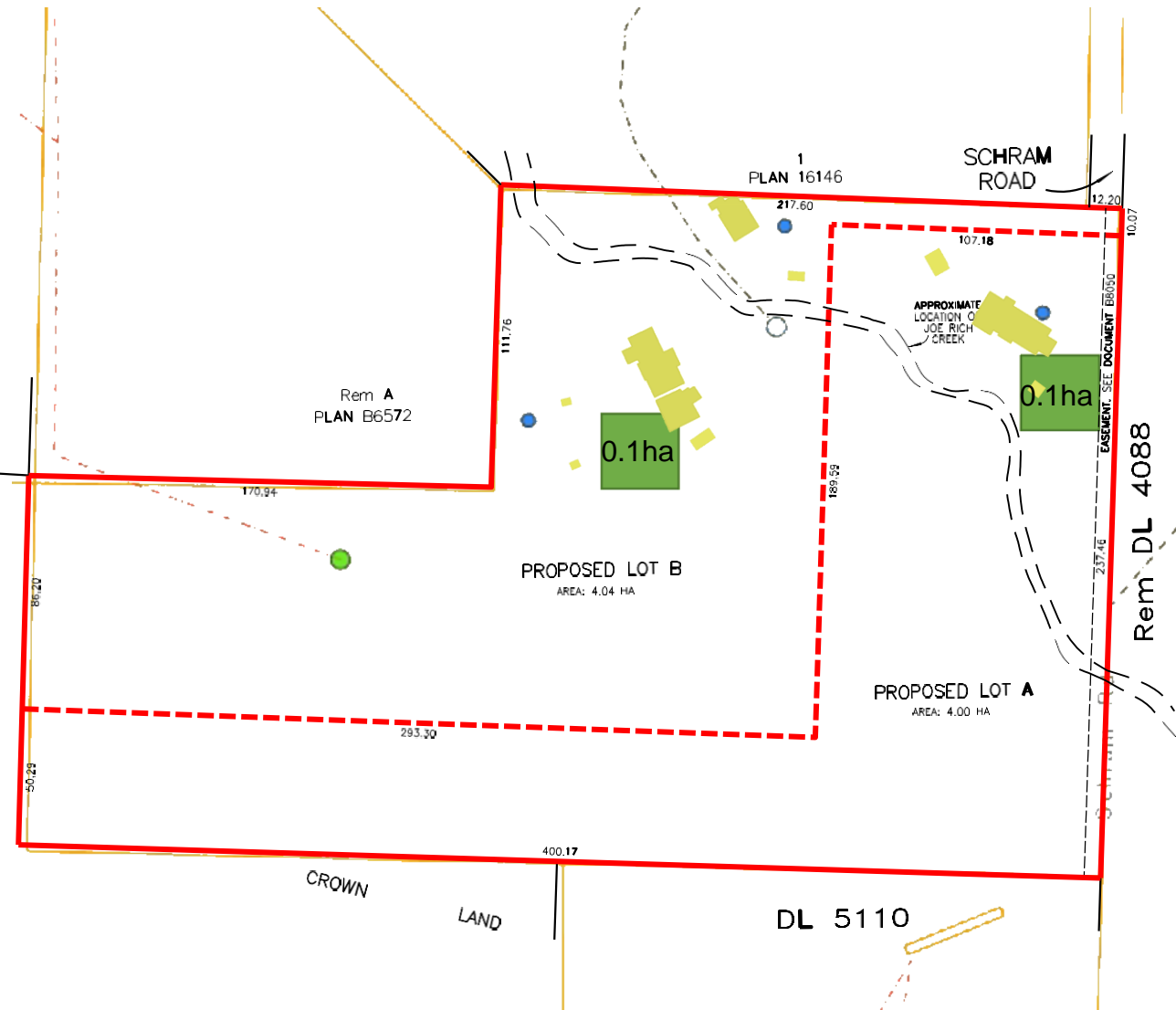
- Domestic wells for household use only

Irrigation of a garden <1,000 m² (adjoining a dwelling)



Rationale - Water

- Agricultural capability constrained
- Owner invested in farm equipment
- Cannot farm as originally intended and hopes to subdivide and recoup costs (would prefer to farm the whole 20 acres)



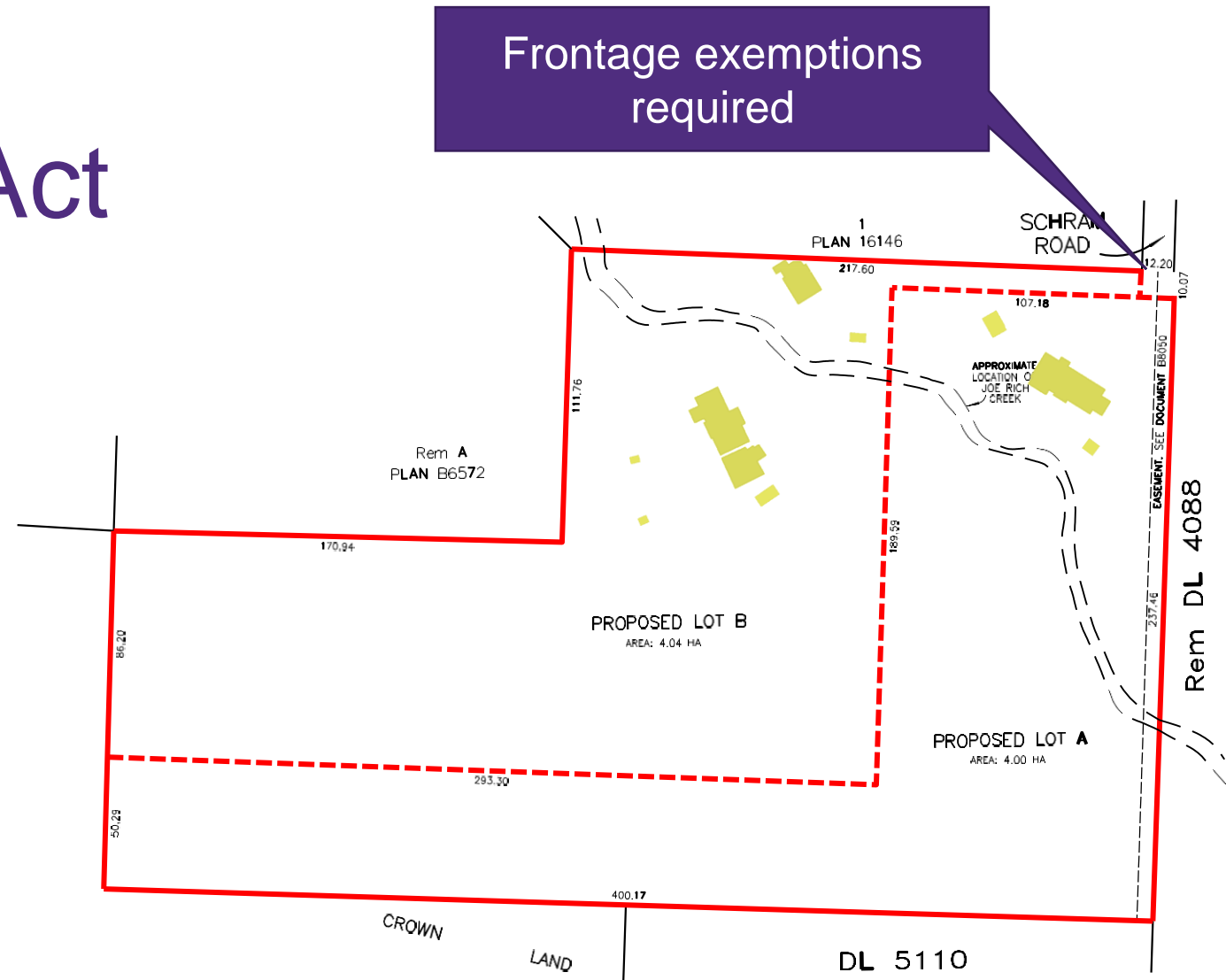
Policy Review: Land Title Act

- S.75 – sufficient highway access required



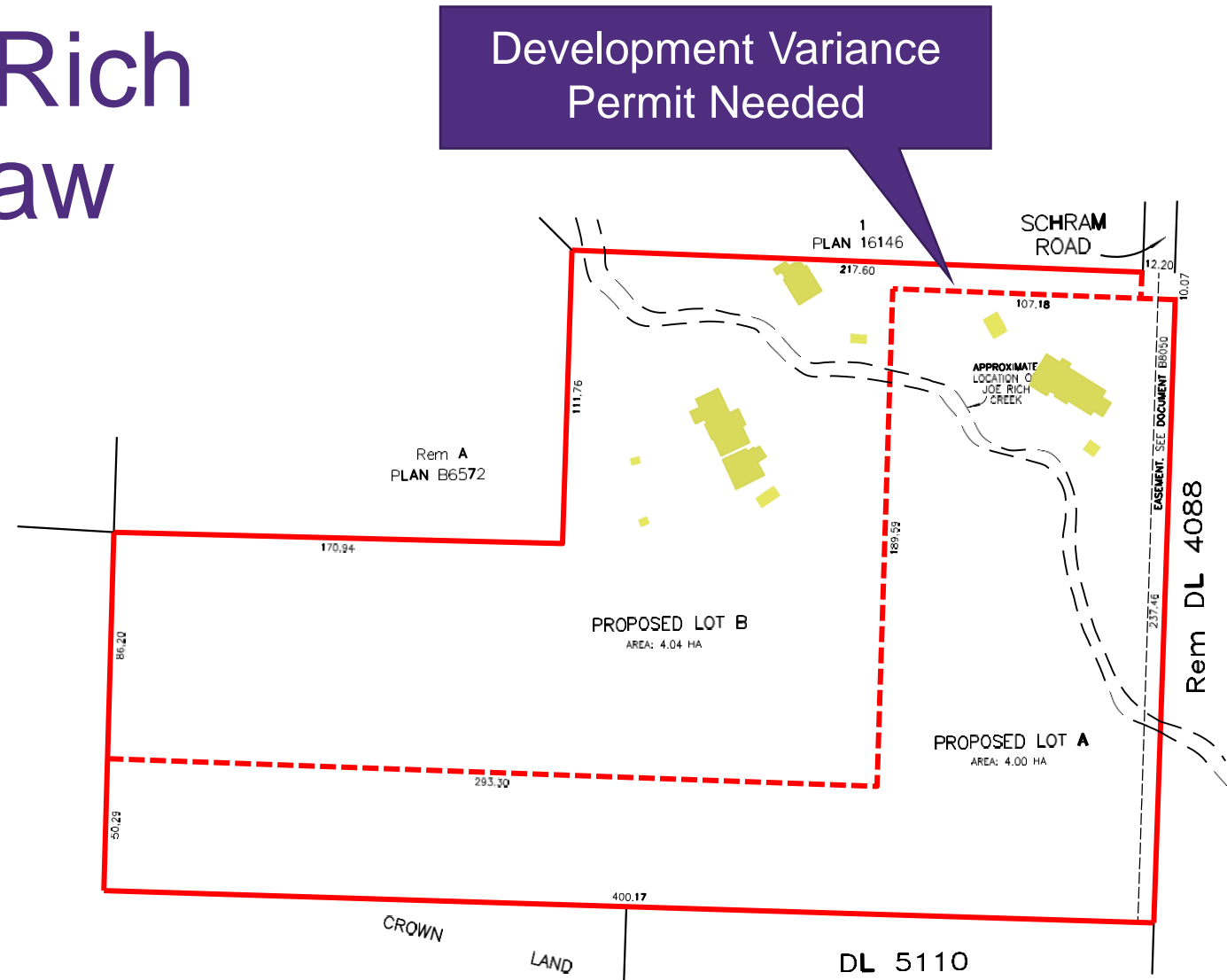
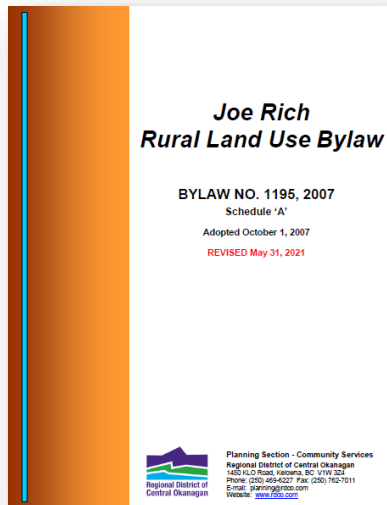
Policy Review: Local Government Act

- S.512 – parcel frontage must be at least 10% of the perimeter of the lot
- Local governments may grant exemptions



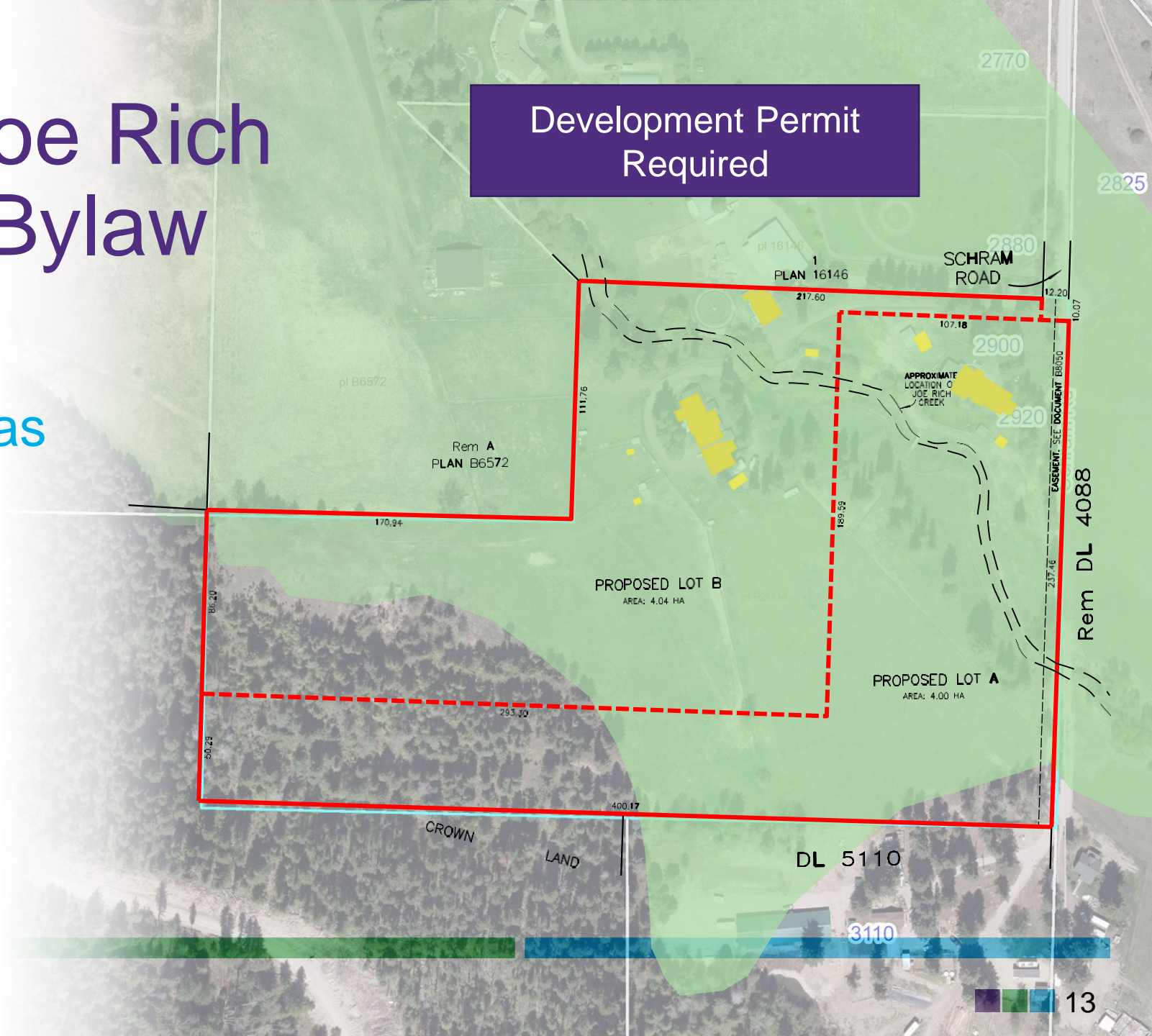
Policy Review: Joe Rich Rural Land Use Bylaw

- S.3.2 – panhandles should be >20m wide



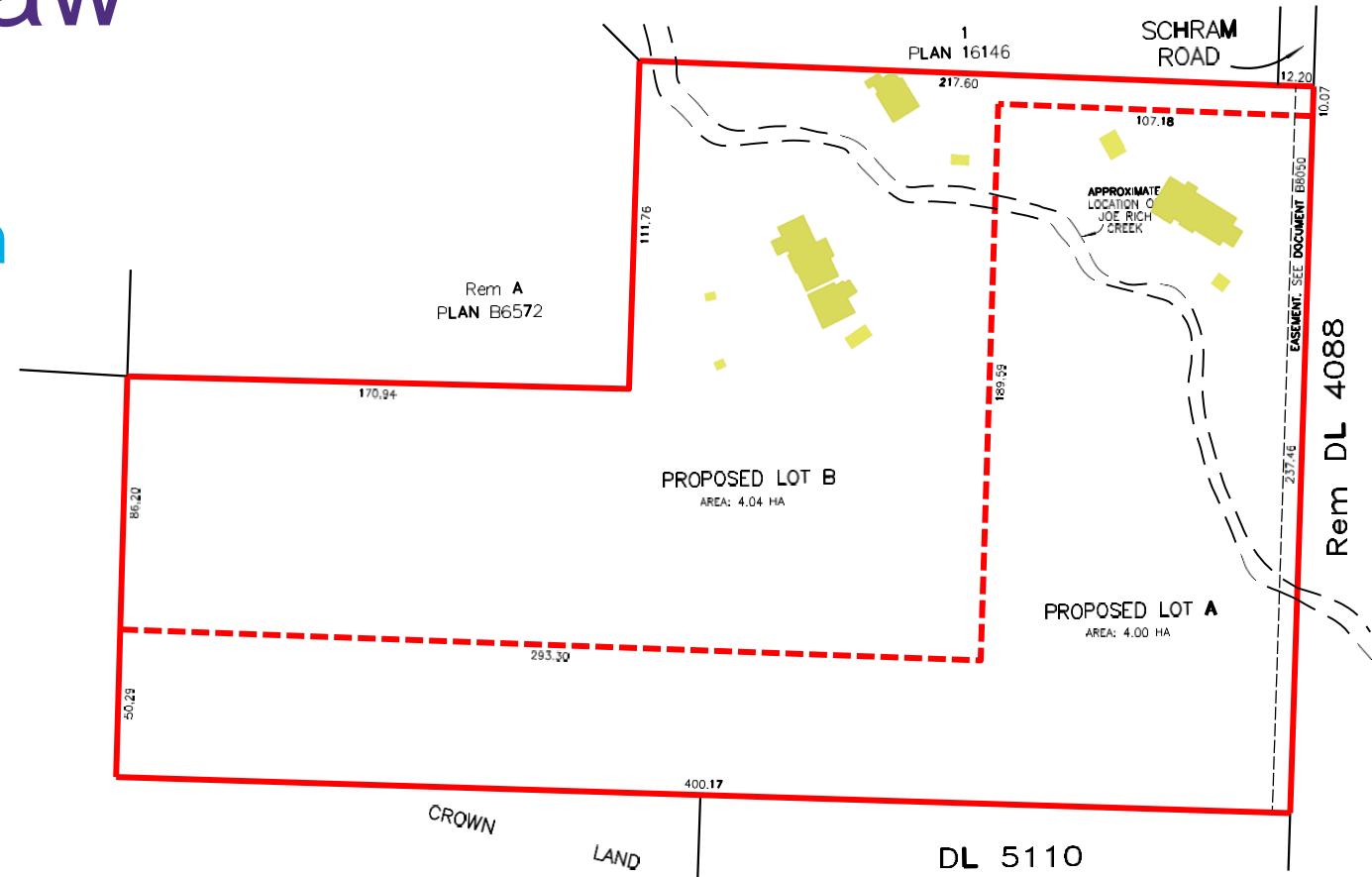
Policy Review: Joe Rich Rural Land Use Bylaw

- S.6.19 Property is within Development Permit Areas
 - Slope Stability and Rural Hillsides
 - Wildfire Interface
 - Aquatic Ecosystems



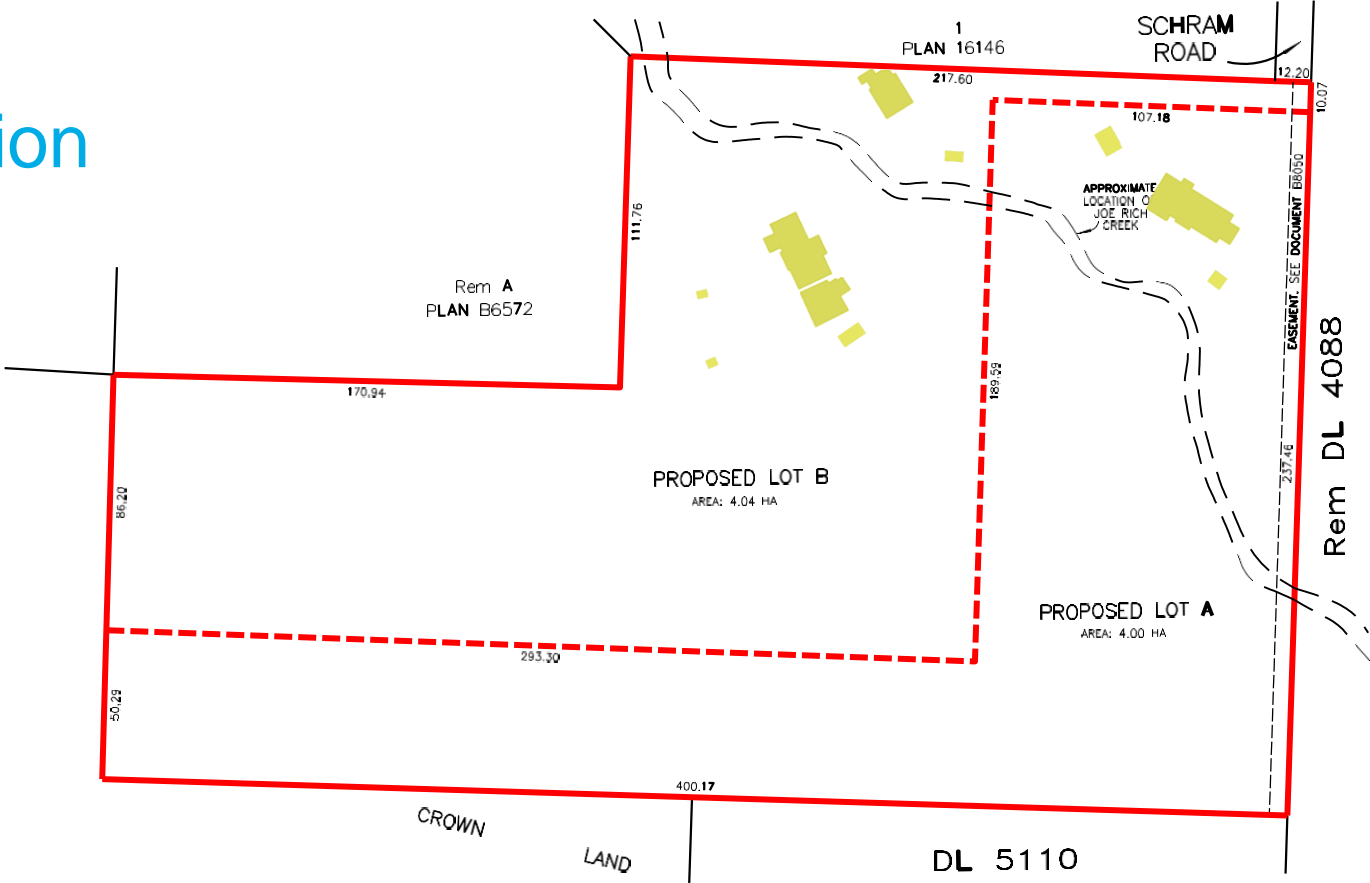
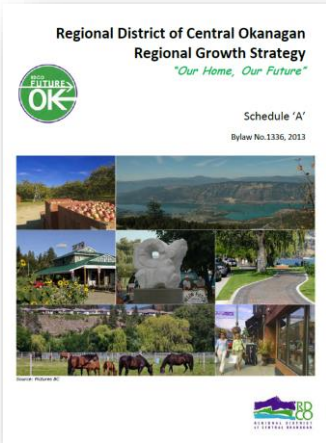
Policy Review: Joe Rich Rural Land Use Bylaw

- Policy 4.2.5 - Support the Agricultural Land Commission in maintaining the integrity of suitable agricultural land.



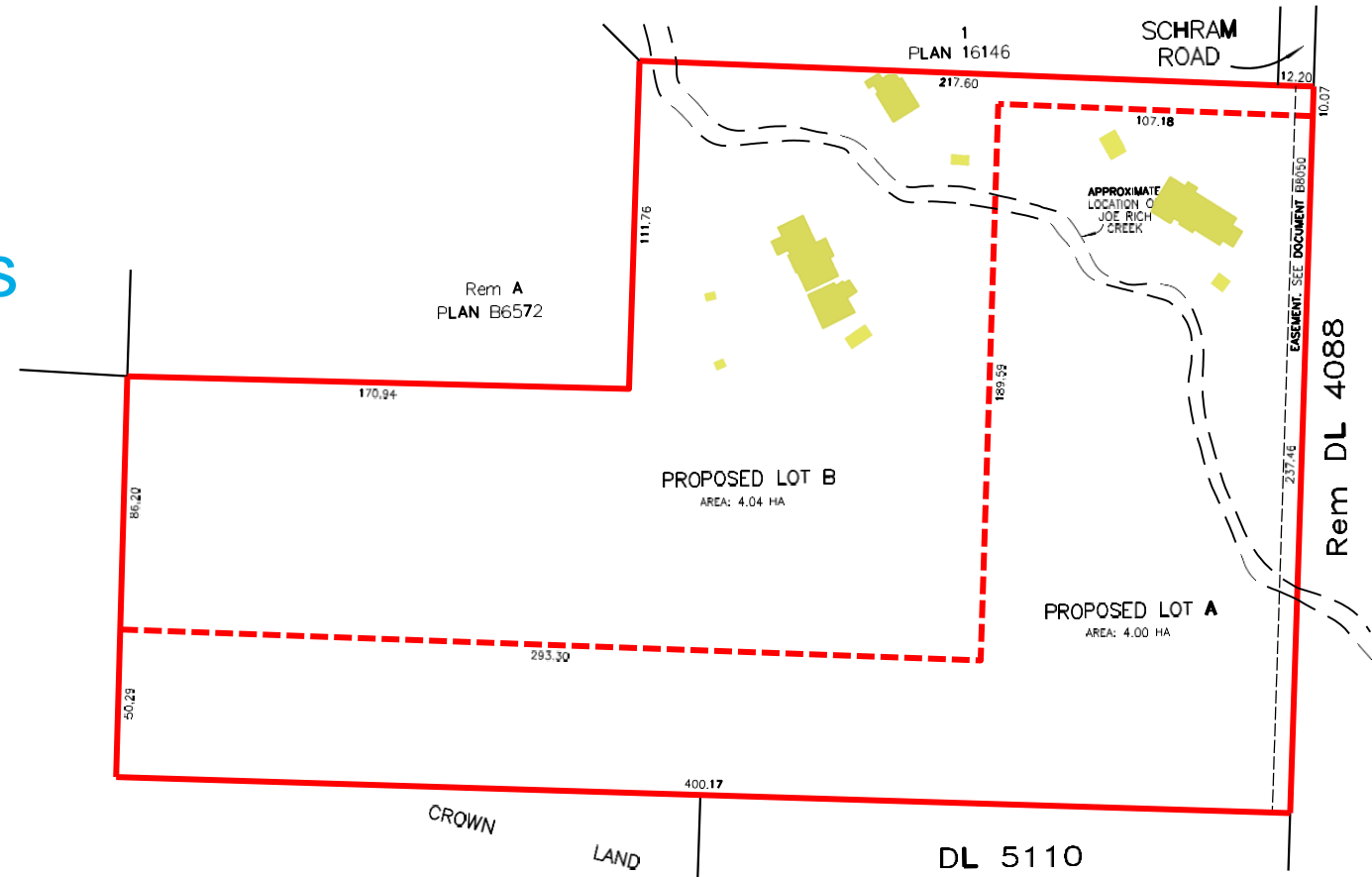
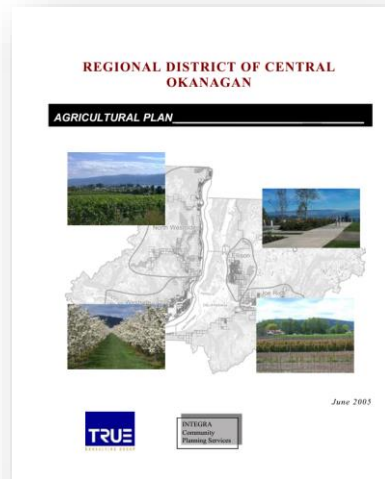
Policy Review: Regional Growth Strategy

- Our Land; Support the protection of ALR lands and land uses which are supportive and/or complimentary to agricultural use;



Policy Review: Agricultural Plan

- Supports the protection of farmland and agricultural uses



Referral Comments

RDCO Engineering Services

- Would not support the proposal without frontage.
- Is concerned that the proposal does not benefit agriculture.

Fortis BC

- No specific concerns provided suitable arrangements can be made for land rights associated with distribution system design.

Referral Comments

Ministry of Agriculture

- Has not provided a parcel-specific review, but advises;
 - 80% of ALC subdivisions assessed by Ministry staff as “not beneficial to agriculture”.
 - Subdivision in the ALR frequently results in each parcel having diminished agricultural potential and an increase in land cost per hectare.
 - Ministry data consistently shows that smaller agricultural lots are less likely to be farmed.
 - 30% of parcels created through subdivision ceased to have a farm status.

Referral Comments

Agricultural Advisory Committee

- Does not support the application to subdivide
 - Not aligned with the AAC's mandate to protect and enhance agriculture.
 - The subdivided parcels are not likely to enhance agricultural values.
- Acknowledged that water access limits agricultural potential

Summary

- 2-lot subdivision proposal, irregular lot layout
- Concurrent authority (RDCO, ALC, MoTI)
- Multiple permits required before a subdivision could be registered;
 - Highway access (ALR exclusion and highway dedication)
 - Parcel frontage (Board approved LGA s.512 exemption)
 - Panhandle width (Board approved Development Variance Permit)
 - Development Permit requirements

Summary

- Fragmentation typically reduces agricultural outcomes
- Owner Rationale; Productivity currently limited due to water rights
- Agricultural Advisory Committee recommends non-support

Recommendations

THAT the Regional Board does not support application A-23-01 for the property located at 2900 Schram Road legally described as Lot A, District Lot 4182, ODYD, Plan KAP92004 (“the Subject Property”);

AND THAT the Regional Board non-support of the application be forwarded to the Agricultural Land Commission with the following comments:

1. The Regional Board does not support Application A-23-01 at 2900 Schram Road based on RDCO policies which aim to:
 - Minimize urban encroachments into rural areas; and,
 - Protect the supply of agricultural land and promote agricultural viability.
2. The Regional Board acknowledges the Subject Property’s restricted access to licensed water sources limits the agricultural capability of the land.