

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: June 5, 2025

RE: Agricultural Land Commission Referral (Subdivision) – Electoral Area “D” (D2025.011-ALC)

Administrative Recommendation:

THAT the RDOS Board not “authorize” the application to subdivide the parcel located at 3841 Allendale Lake Road (Lot 1, Plan KAP17678, District Lot 2710, SDYD) to proceed to the Agricultural Land Commission.

Purpose: To allow for a two-lot subdivision.

Folio: D-06759.005

Civic: 3841 Allendale Lake Rd Legal: Lot 1, Plan KAP17678, DL 2710, SDYD Zone: Agriculture One (AG1)

Proposed Development:

An application has been submitted to the Agricultural Land Commission (ALC) under Section 21(2) of the *Agricultural Land Commission Act* (the Act), and referred to the Regional District, in order to permit a subdivision to occur within the Agricultural Land Reserve (ALR).

Specifically, the applicant is seeking the Commission’s approval to allow for a two-lot subdivision which would see the existing, approximately 5.2 ha, parcel subdivided into two parcels of 3.5 and 1.75 hectares.

In support of this proposal, the applicant has stated that:

by subdividing one lot from the property to create a new, separate parcel, we hope to contribute to the local housing supply by making a lot available for someone to build a home. This is especially important given the current housing shortage affecting our region.

I understand the significance of maintaining the Agricultural Land Reserve (ALR) designation, and fully support preserving the agricultural potential of both parent and subdivided parcels. This decision will allow the parent property to be better managed while ensuring that it’s use for agricultural purposes is preserved for future owners.

It is important to me that this process aligns with both community values and the responsible stewardship of our farmland. We have chosen the proposed configuration because after consulting with staff and planners at RDOS, this is the most likely configuration to be approved.

Statutory Requirements:

Under Section 34.1(2) of the *Agricultural Land Commission Act*, the Regional District of Okanagan-Similkameen (RDOS) must “review the application, and ... forward to the commission the application together with [its] comments and recommendations”, unless Section 25(3) applies wherein the Board has the ability to refuse to “authorise” an application.

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Under Section 25(3) of the Act, formal “authorization” by the Regional District Board is only required for applications that apply to land that is zoned by bylaw to permit farm use or requires an amendment to an official community plan or a zoning bylaw.

In this instance, Section 25(3) is seen to apply as the property is zoned by bylaw to permit [an] agricultural use and an amendment to the Electoral Area “D” Official Community Plan and Zoning Bylaw will be required in order for the development to proceed.

Site Context:

The subject property is approximately 5.2 ha in area and is situated on the south side of Allendale Lake Road just east of Okanagan Falls, approximately 9.5 km southeast of the boundary with the City of Penticton. It is understood that the parcel is comprised of a single detached dwelling and various accessory structures and agricultural production.

The surrounding pattern of development is generally characterised by similarly sized agricultural parcels that have been developed with single detached dwellings.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on December 12, 1967, while BC Assessment has classified the property as “Residential” (Class 01).

Available Regional District records indicate that a building permit for new roof on a rear deck and roof repairs (2024), repair deck on single family dwelling (2012), single family dwelling (2000), renewal of single family dwelling (1997), move single family dwelling onto foundation (1995), pool (1976), addition (1976), four hay sheds, and a general purpose farm building (unknown) have previously been issued for this property.

Official Community Plan (OCP) Bylaw:

Under the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, the subject property is currently designated Agriculture (AG), an objective of which is “to maintain the integrity of agriculture in the area, by preserving land most suitable for agriculture and preventing fragmentation of large agricultural areas. The property not subjected to any development permit designation areas.

Zoning Bylaw:

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Agriculture One (AG1) which requires a minimum parcel size of 4.0 ha, subject to Section 8.0.

Agricultural Land Reserve:

The property is almost entirely within the Agricultural Land Reserve (ALR) and has not been the subject of any previous ALC decisions.

Analysis:

In considering this proposal, Administration notes that the proposed subdivision would be inconsistent with both the Electoral Area “D” OCP and the Okanagan Valley Zoning Bylaw.

The proposed development is inconsistent with many of the policies and objectives for the Agricultural (AG) designation currently contained in the OCP, including:

- to maintain and preserve agricultural land;
- to prevent the fragmentation of large agricultural areas;
- to support the retention of large contiguous blocks designated Agriculture;
- discouraging subdivisions that fragment farm, vineyard, or orchard units;
- generally support a minimum parcel size in the Agricultural designation of 4.0 ha.

Despite the above, the Plan does speak to considering subdivisions that create parcels less than 4.0 ha in area for “Homesite Severances” or boundary adjustments, though neither of these apply, as the proposal is to create a new parcel.

Accordingly, Administration considers this proposal to fragment viable farmland which reduces options for farming and increases the likelihood of parcels to be used for farming in the future and that the ALR is not an appropriate location to be providing additional residential housing.

Alternative:

Conversely, Administration recognises that housing supply and affordability is a challenge for many people, and increased supply may be beneficial.

Summary:

In summary, the proposed development is inconsistent with the Electoral Area “D” OCP and Administration is recommending that the application not proceed to the ALC.

As an aside, should the Board “authorize” this proposal and *if* it is subsequently approved by the ALC, an amendment to the OCP and Zoning bylaws will be required.

Financial Implications:

Financial implications have been considered and none were found.

Communication Strategy:

No communication strategy is proposed as the Regional District has been referred this application by the Agricultural Land Commission (ALC), and the Commission is seeking the Regional District’s input on compliance with applicable land use bylaws. Administration considers any communication required in relation to this proposal to be within the purview and responsibility of the ALC.

Alternatives:

1. THAT the RDOS Board “authorize” the application to facilitate a two-lot subdivision on the parcel located at 3841 Allendale Lake Road (Lot 1, Plan KAP17678, District Lot 2710, SDYD) to proceed to the Agricultural Land Commission.

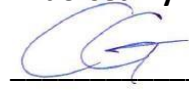
Will a PowerPoint presentation be presented at the meeting? No

Respectfully submitted:

Colin Martin

Colin Martin
Planner I

Endorsed By:



C. Garrish
Senior Manager of Planning

Endorsed By:



A. Fillion
Managing Director, Dev. & Infrastructure

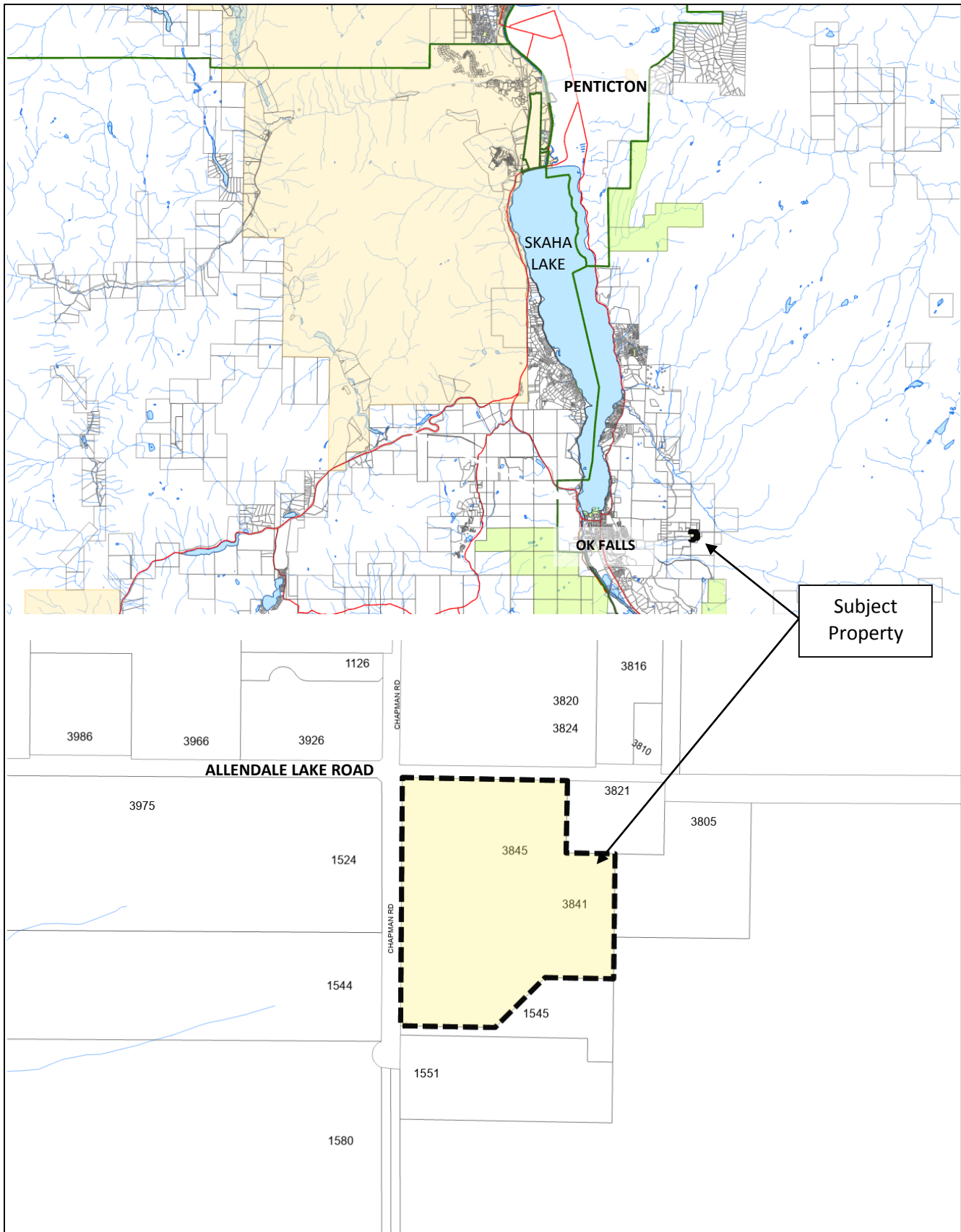
Attachments: No. 1 – Context Maps

No. 2 – Applicant's Site Plan

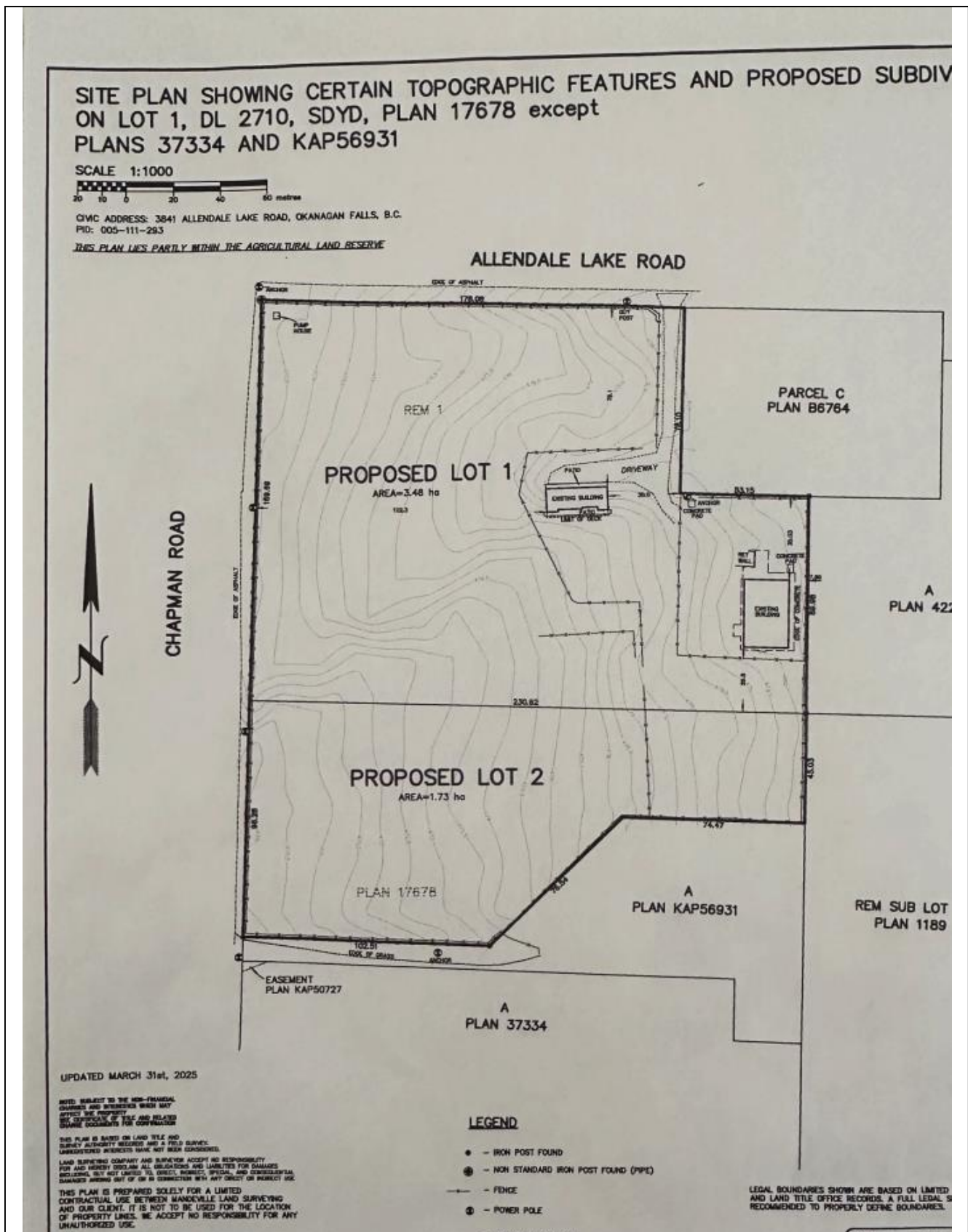
No. 3 – Aerial Photo

No. 4 – Site Photo

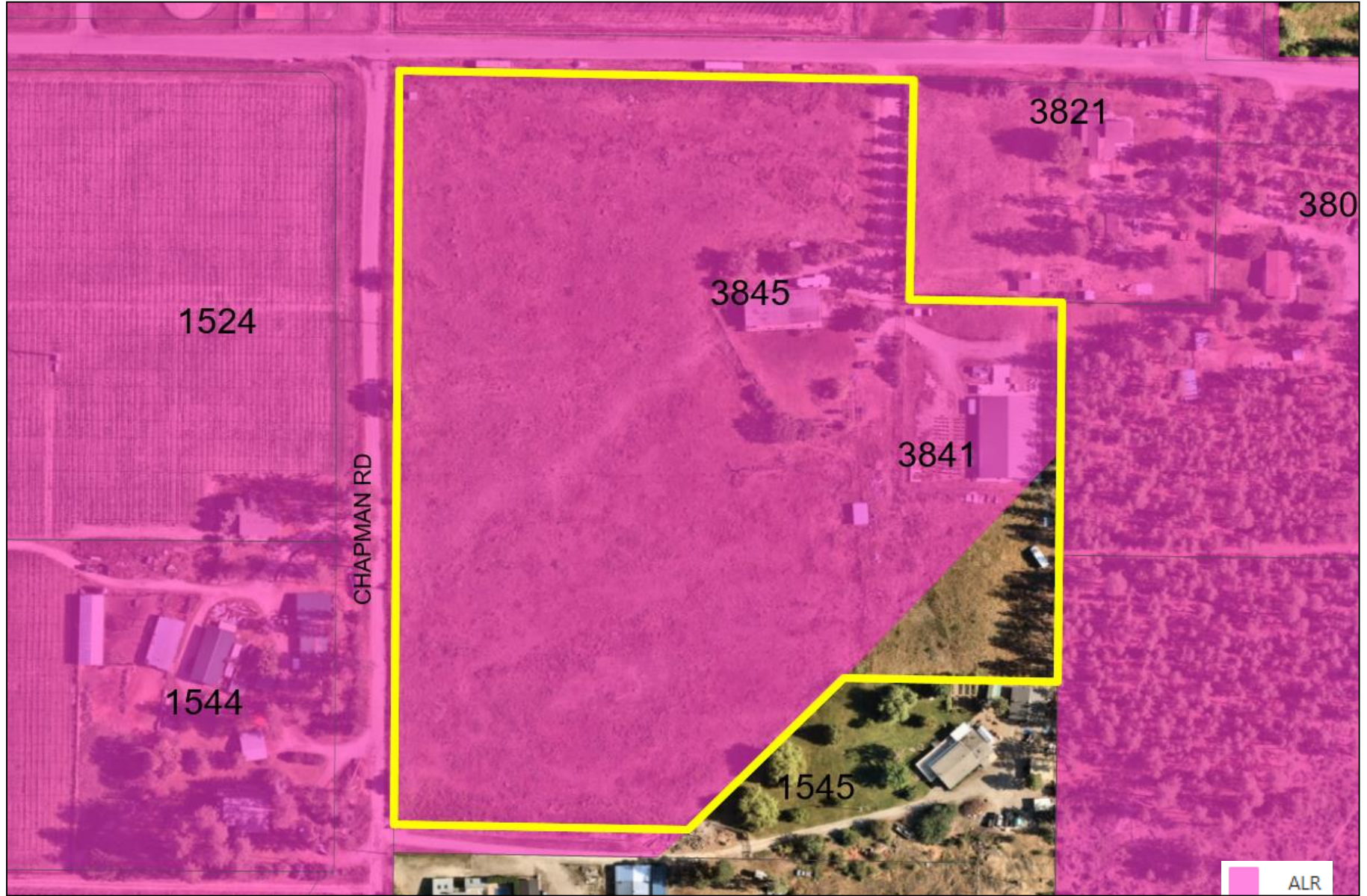
Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Aerial Photo



Attachment No. 4 – Site Photo (Google Earth)

