

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: J. Zaffino, Chief Administrative Officer
DATE: September 18, 2025
RE: Agricultural Land Commission Referral (Subdivision) – Electoral Area “A” (A2025.014-ALC)

Administrative Recommendation:

THAT the RDOS Board “authorize” the application to subdivide the parcel legally described as Part SE1/4, Section 3, Township 65, SDYD, Except lying N&W of highway shown on Plan H415, to proceed to the Agricultural Land Commission.

Purpose: To facilitate a two-lot subdivision. Folio: A-07944.00
Legal: Part SE ¼, Section 3, Township 65, SDYD, EXC PT LYING N & W OF HIGHWAY SHOWN ON PL H415
Civic: N/A Zone: Resource Area Site-Specific (RAs)

Purpose:

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 2-lot subdivision.

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

The purpose of this proposal is to subdivide a 56.6 ha. (139.8 ac.) parcel on Anarchist Mountain, currently located within the Agricultural Land Reserve, to support long-term succession planning for two family owned businesses which require aggregate resource extraction. The property has ownership interests by two family members, each of whom operates a separate business interest on the site. Subdivision is sought to provide each business owner with individual title to their respective portion of the land, enabling independent management, investment, and future planning for each of the independent businesses.

Strategic Priorities: Operational

Background & Analysis:

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.

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 or farm use”.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision that the RDOS does not have record having been deposited with the Land Titles Office, while available Regional District records indicate that no building permits have not previously been issued for this property.

Under the Electoral Area “A” Official Community Plan (OCP) Bylaw No. 2905, 2021, the subject property is currently designated Resource (RA), a policy of which is “to support the use of lands designated Resource Area (RA) ... for grazing or rangelands, forestry, *natural resource extractions...*” The property is also the subject of Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designations.

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Resource Area Site-Specific (RAs) which lists *concrete plant* as a principal use for the subject parcel.

The property is within the Agricultural Land Reserve (ALR) and BC Assessment has classified the property as part “Residential” (Class 01) and part “Light Industry” (Class 05).

On September 2, 2025, the Ministry of Transportation and Transit (MoTT) referred a proposed 2 lot subdivision involving the subject property to the Regional District for compliance with any applicable RDOS land use bylaws.

Analysis:

In considering this proposal, Administration notes that the Area “A” OCP speaks to retaining parcels designated “Resource Area” as large land parcels (i.e., as un-surveyed Crown land, or as District Lots) in recognition that these areas will remain rural, with limited to no community services and infrastructure.

For these reasons, the OCP and zoning bylaw support a minimum parcel size for subdivision of 20.0 ha, as this is seen to be the minimal land area required to support resource uses and preserve an unfragmented, intact land base.

The proposed subdivision contemplates parcels 28.3 ha in size each and for this reason it is consistent with the policies in the Electoral Area “A” OCP.

Alternatively:

Conversely, an objective of the Resource Area designation is to “maintain the renewable natural resource land base and protect it from activities that may diminish the resource value and potential”.

While the proposal satisfies the minimum parcel size for subdivision, the proposed subdivision would divide an established extraction site and for this reason Administration notes that it may diminish the resource value and potential of the land.

Summary:

In summary, the current proposal will result in parcels that are consistent with the Electoral Area “A” OCP and the Okanagan Valley Zoning Bylaw. For this reason, Administration is recommending the Board “authorize” the application to proceed to the ALC.

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.

Site Context:

The subject property is approximately 55.4 ha in area and is situated on the south side of Highway 3, and borders the Canada/U.S.A border to the south. It is understood that the parcel is comprised of a of an aggregate sand and gravel pit with associated equipment and operational structures.

The surrounding pattern of development is generally characterised by large, undeveloped parcels to the east and west.

Alternatives:

1. THAT the RDOS Board not “authorize” the application to subdivide the parcel legally described as Part SE1/4, Section 3, Township 65, SDYD, Except lying N&W of highway shown on Plan H415, to proceed to the Agricultural Land Commission.

Will a PowerPoint presentation be presented at the meeting? No

Respectfully submitted:

Jerritt Cloney _____

Jerritt Cloney
Planner I

Endorsed By:

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C. Garrish
Senior Manager of Planning

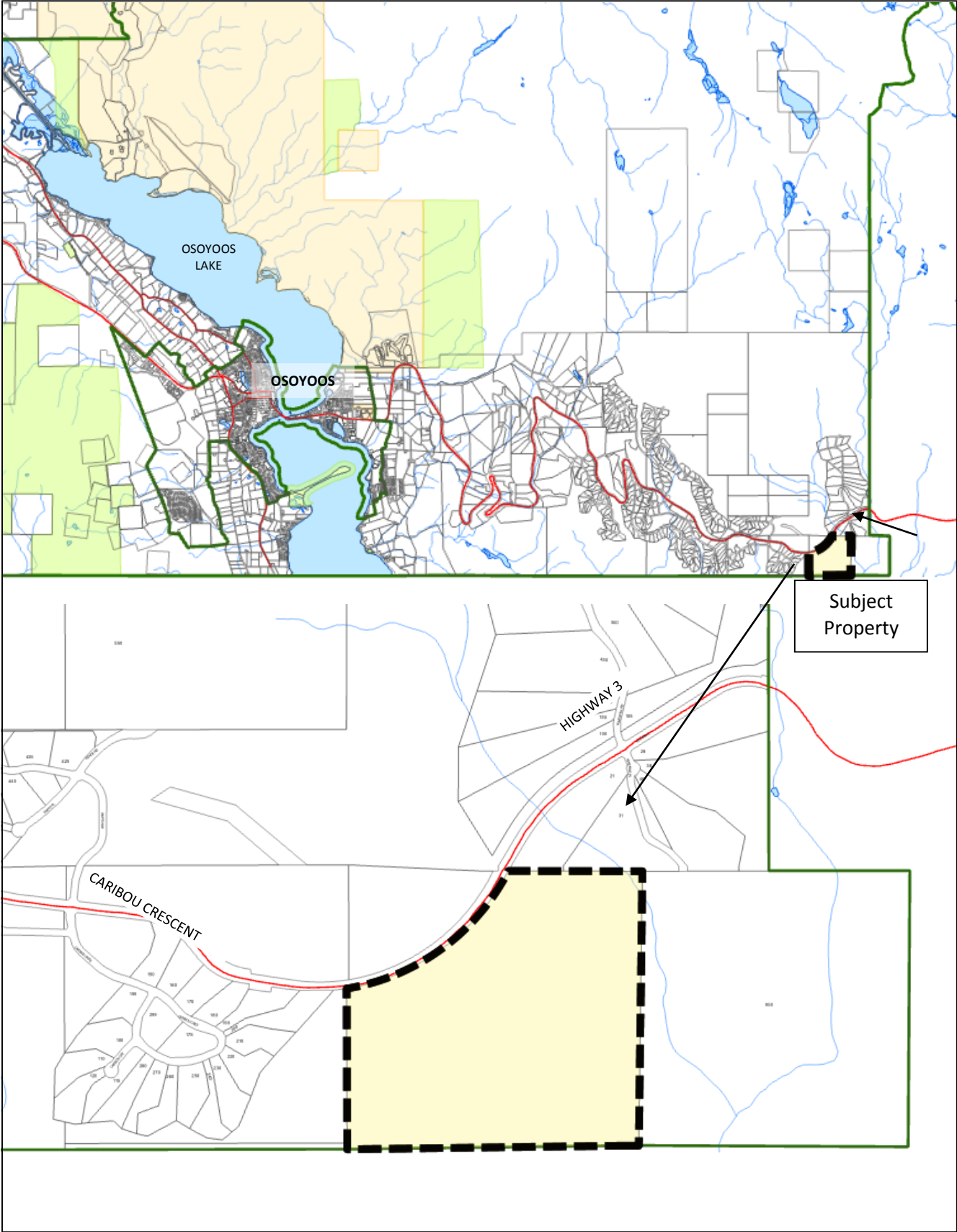
Endorsed By:

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A. Fillion
Managing Director, Dev. & Infrastructure

Attachments: No. 1 – Context Maps
No. 2 – Applicant’s Site Plan
No. 3 – Site Photo

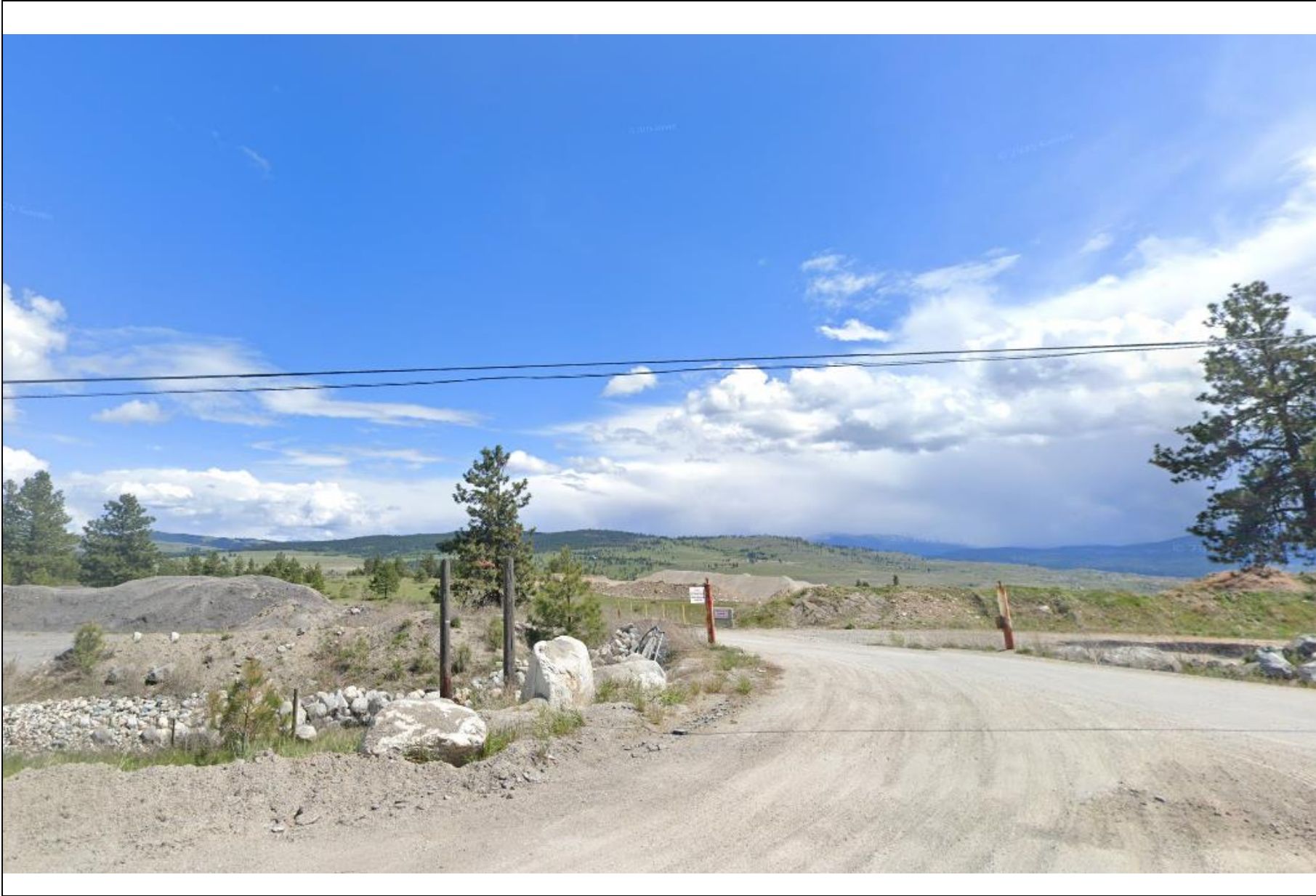
Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant’s Site Plan



Attachment No. 3 – Site Photo



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