



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 67024

Application Status: Under LG Review

Applicant: John Madsen , Joyce Madsen

Agent: SJT Contracting Inc.

Local Government: District of Lake Country

Local Government Date of Receipt: 12/08/2022

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Adhering Residential Use - Additional Residence for Farm Use

Proposal: The homeowners acquired the property in 1994 and prioritized the investment in the agricultural potential of the land before considering building a permanent principal residence. The current principal residence is a 44 year old mobile home built on a wooden foundation which no longer meets the homeowners needs as they age. The homeowners are looking to build a modest principal residence that will allow them to consider their current and future mobility needs as well as take advantage of new building materials that will increase the energy efficiency of the home and reduce the overall operating costs.

The homeowners are well aware of ALC Policy L-26 and are prepared to adhere to any and all requirements specified within that document including:

- a. registration of a restrictive covenant requiring the removal of the original principal residence;
- b. a signed affidavit committing to removal of the original principal residence; and
- c. an ILOC sufficient to ensure removal of the original principal residence within 60 days of completion of the new principal residence.

Agent Information

Agent : SJT Contracting Inc.

Mailing Address :

1410 Oakridge Drive

Kelowna, BC

V1W 3A8

Canada

Primary Phone : [REDACTED]

Email : [REDACTED]

Parcel Information

Parcel(s) Under Application

1. **Ownership Type :** Fee Simple

Parcel Identifier : 002-539-993

Legal Description : LOT 1 SECTION 21 TOWNSHIP 20 OSOYOOS DIVISION YALE DISTRICT
PLAN 6747

Applicant: John Madsen , Joyce Madsen

Parcel Area : 7.32 ha

Civic Address : 12125 Pow Road Lake Country, BC V4V 1G2

Date of Purchase : 04/18/1994

Farm Classification : Yes

Owners

1. **Name :** John Madsen

Address :

12125 Pow Road

Lake Country, BC

V4V 1G2

Canada

Phone : [REDACTED]

2. **Name :** Joyce Madsen

Address :

12125 Pow Road

Lake Country, BC

V4V 1G2

Canada

Phone : [REDACTED]

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

Currently 90% of the land is used to produce 18,000 to 20,000 pounds of blueberries annually. Different varieties of blueberries are grown on the property including dukes, blue crop, blue gold and nelsons. The different varieties extend the growing season and increase the overall productivity of the agricultural land.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

When the property was purchased in 1994, it was an apple orchard. Various uses of the land were attempted since 1994, from cattle to cane berries. The homeowners settled on blueberries in 2006 due to the longevity of the plant, the longer shelf life of the crop and consumer demand for the berry. The homeowners started with 50 plants and now have over 5,000 plants on the acreage. By 2006, the entire parcel of land dedicated to agriculture had been replanted in order to maximize the yield. Additional investments were also made to the property in order to farm the land including full perimeter fencing in 1995 through 1997, as well as an underground drip irrigation system in 2002.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

There are 4 structures currently on the property:

- 1. Property Owners principal residence: Its a 1978 mobile home that was relocated on the property in 1994. It occupies 130 square metres.*
- 2. Secondary Building serves two purposes: The homeowners son lives in about 40% of the building while the other 60% is used for packing supplies related to the crop. It occupies 120 square metres.*
- 3. Tertiary Building is a non-enclosed structure which is used as a storage shed for the farm equipment. It occupies 110 square metres.*
- 4. The fourth building is also a non-enclosed structure used as a storage shed for the farm equipment. It occupies 92 square metres.*

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Adjacent Land Uses

North

Land Use Type: Transportation/Utilities
Specify Activity : Okanagan Centre Road East

East

Land Use Type: Agricultural/Farm
Specify Activity : Cherry Orchard

South

Land Use Type: Agricultural/Farm
Specify Activity : Unknown

West

Land Use Type: Transportation/Utilities
Specify Activity : Pow Road

Proposal

1. What is the purpose of the proposal?

The homeowners acquired the property in 1994 and prioritized the investment in the agricultural potential of the land before considering building a permanent principal residence. The current principal residence is a 44 year old mobile home built on a wooden foundation which no longer meets the homeowners needs as they age. The homeowners are looking to build a modest principal residence that will allow them to consider their current and future mobility needs as well as take advantage of new building materials that will increase the energy efficiency of the home and reduce the overall operating costs.

The homeowners are well aware of ALC Policy L-26 and are prepared to adhere to any and all requirements specified within that document including:

- a. registration of a restrictive covenant requiring the removal of the original principal residence;*
- b. a signed affidavit committing to removal of the original principal residence; and*
- c. an ILOC sufficient to ensure removal of the original principal residence within 60 days of completion of the new principal residence.*

2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.

The homeowners would like to replace their current principal residence, which is a 44 year old mobile home that is dated, unsuited to their future mobility needs and extremely inefficient when it comes to energy use, with a modest energy efficient home build to be compatible with their future needs and less costly to operate. Given that the homeowners farm the land personally, the proximity to the land is essential. So this proposal will allow a productive use of the agricultural land to continue

3. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.

There are 4 structures currently on the property:

- 1. Property Owners principal residence: Its a 1978 mobile home that was relocated on the property in 1994.*

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It occupies 130 square metres.

2. Secondary Building serves two purposes: The homeowners son lives in about 40% of the building while the other 60% is used for packing supplies related to the crop. It occupies 120 square metres.

3. Tertiary Building is a non-enclosed structure which is used as a storage shed for the farm equipment. It occupies 110 square metres.

4. The fourth building is also a non-enclosed structure used as a storage shed for the farm equipment. It occupies 92 square metres.

4. What is the total floor area of the proposed additional residence in square metres?

325 m²

5. Describe the rationale for the proposed location of the additional residence.

The current grouping of the 3 structures maximizes the agricultural use of the acreage by ensuring a continuous parcel of land. We propose to place the new principal residence on the south end of the property that is currently not being used for agricultural purposes, just west of the current principal residence as indicated in the Land Use Photos Attachment in Section 8. Therefore, maintaining the current size, continuity and integrity of the agricultural land.

The proposed location for the new principal residence will allow direct access to Pow Road, thereby eliminating the need for additional infrastructure like parking or sewage storage and reducing the impact to the agricultural land.

6. What is the total area of infrastructure necessary to support the additional residence?

No additional square footage will be needed

7. Do you need to import any fill to construct the additional residence or infrastructure?

No

Applicant Attachments

- Agent Agreement - SJT Contracting Inc.
- Other correspondence or file information - Google satellite image
- Other correspondence or file information - Google satellite image
- Other correspondence or file information - Google satellite image
- Proposal Sketch - 67024
- Certificate of Title - 002-539-993

ALC Attachments

None.

Decisions

None.