



Staff Report
Application # V – 37771
Applicant: Don and Rita Cameron
Location: Highway 97, Summerland

DATE RECEIVED: October 26, 2007

DATE PREPARED: November 22, 2007

TO: Chair and Commissioners – Okanagan Panel

FROM: Martin Collins, Land Use Planner

PROPOSAL: To use the 0.73 ha parcel for marketing local fruit which is not grown on the property. The applicant originally developed the fruit stand on the property when he had larger farm holdings. Presently less than 50% of the fruit sold from the retail facility is grown on the subject property.

This application is made pursuant to section 22(1) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The property, though less than 0.8 ha in size, is subject to the provision of the ALC Act and regulation because it was created in 1982.

Local Government:

The Corporation of the District of Summerland

Legal Description of Property:

PID: 003-309-410

Lot A, District Lot 473, Osoyoos Division of Yale District, Plan 32840, EXCEPT Plan 41443

Purchase Date:

1979-03-01

Location of Property:

13810 Highway 97

Size of Property:

0.7 ha (The entire property is in the ALR).

Present use of the Property:

Granny's Fruit Stand, and a single family dwelling.

Surrounding Land Uses:

WEST: Applies and Kettle Valley Dried Fruit Co. – permitted use in the ALR
SOUTH: Highway 97
EAST: Cherry Orchard, Bottle Wash Co., Gas Station, Car Sales
NORTH: Apple Orchard in the ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 82E.062
The majority of the property is identified as having prime dominant ratings.

Official Community Plan and Designation:

OCP: Bylaw No. 96 (2001) Designation: F- Farmland

Zoning Bylaw and Designation:

Zoning: Bylaw No. 99 (2001) Designation: A1-Agriculture Minimum Lot Size: 2 ha

PREVIOUS APPLICATIONS:

Application #07940-0

Applicant: Barkwill, R & H
Decision Date: Feb. 8th 1979
Proposal: To subdivide the 3.8 acre parcel into two lots 2.3 acres and 1.5 acres as divided by Highway #97
Decision: Allow as proposed – **This created the subject 1.5 ac (1.7 ha) parcel**

Application #21903-0

Applicant: Cameron, D.C.
Decision Date: Feb. 25th, 1988
Proposal: To construct a 800 sq ft office/storage building, and sell nursery products from the 0.9 ha property
Decision: Allow as proposed.

RELEVANT APPLICATIONS:

Application #05521-0

Applicant: Pleasant View Enterprises Ltd
Decision Date: Dec. 7, 1977
Proposal: To exclude the 1.6 ha lot from the ALR that is used for motel uses
Decision: Allow as proposed

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Council for the District of Summerland forwarded the application with a recommendation of support.

STAFF COMMENTS:

Staff suggests that the Commission consider the following:

- The property is largely occupied by a home and buildings for the market. A very small area still produces fruit, but not in sufficient quantities to meet the 50% requirement outlined in B.C. Regulation #171/2002.
- The District of Summerland supports the continued operation of the fruit stand subject to at least 50% of the products sold from the property come from the District of Summerland.
- The Commission might consider additional restrictions on the building size so as to ensure that the enterprise remains seasonal and focused on local agricultural products.

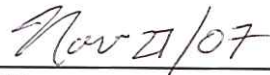
ATTACHMENTS:

- 1:10,000 scale airphoto
- 1:20,000 scale ALR map

END OF REPORT



Signature



Date