



Provincial Agricultural Land Commission - Staff Report

Application: 52256

Applicant: Lorman Developments Ltd
Agent: Urban Connections
Local Government: Town of Osoyoos

Proposal: EXCLUSION - Proposal to exclude 0.8 ha from the ALR with the intent to subdivide the property into two lots. The resulting subdivision would create a legal parcel line that would separate the Westridge Inn and the Ridge Pub and Restaurant.

BACKGROUND INFORMATION

An application has previously been made to exclude the property from the ALR in order to construct a pub on the eastern portion. The Commission refused the proposal for exclusion but allowed the construction of the pub subject to buffering, and retained the land in the ALR to better manage potential agricultural/non-agricultural conflict.

PROPERTY INFORMATION

PID: 017-453-640
Legal Description: Lot 1 District Lot 2450S Similkameen Division Yale District Plan KAP45672
Property Area: 0.8 ha
ALR Area: 0.8 ha
Purchase Date: February 1, 2011
Location: 9913 Highway 3
Owner: MP Hospitality Ltd

LAND USE

Current Land Use:

Westridge Inn
Ridge Pub and Restaurant

Surrounding Land Uses:

North: ALR - Gas Station, truck stop
East: Non-ALR - Residential, highway commercial
South: ALR - Agricultural, extended care facility
West: ALR - Agricultural

PROPOSAL DETAILS

Exclusion Area: 0.8 ha

Agricultural Capability:

The majority of the area under application is rated as: Prime

Source: CLI

Mapsheet: 82E/03

PREVIOUS APPLICATIONS

PREVIOUS APPLICATIONS

Application ID: 8321

Legacy #: 31384

Applicant: NKM Enterprises Ltd

Proposal: exclude the subject property and construct a pub at the east portion of the property

Decision:

Resolution #	Decision Date	Decision Description
347/1997	May 30, 1997	refused due to impact but allow pub use subject to buffering

RELEVANT APPLICATIONS

Application ID: 19722

Legacy #: 23770

Applicant: F. R. and S. A. Stariha

Proposal: To exclude a 1.5 ha property from the ALR to develop for commercial purposes.

Decision:

Resolution #	Decision Date	Decision Description
404/1990	April 12, 1990	Refused on the grounds that the property is composed of high agricultural capability land as evidenced by the existing orchard on this and adjacent properties.

Application ID: 16653

Legacy #: 33624

Applicant: Urban Connections

Proposal: To exclude 16 properties totalling 20 ha on the grounds the lands have limited agricultural capability.

Decision:

Resolution #	Decision Date	Decision Description
13/2001	April 17, 2001	The Commission allowed the exclusion of approximately 20 ha on the grounds the lands are used for non farm uses or have limited agricultural potential due to soil/and or locational circumstances. As a condition of approval, several properties must establish a 6 meter wide covenant area where there properties abut the ALR, and plant a vegetative buffer within that area.

Application ID: 14043

Legacy #: 32673

Applicant: Tony & Irene Laranjo

Proposal: the request is for permission to use the subject property as an alternate site for the M.T.H and I.C.B.C. weigh scale and vehicle inspection station

Decision:

Resolution #	Decision Date	Decision Description
237/1999	April 20, 1999	allow subject to installation of fencing and vegetative buffering to stop trespass and wind blown litter

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Designation: General Commercial

Zoning:

Zoning Designation: Highway Commercial

Zoning Compliance: Yes

Comments and Recommendations:

Board/Council

The Town of Osoyoos authorize and support the ALR exclusion application to proceed to the ALC

ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

- 1) The improved CLI rating of the subject property is 3MT. The property is used for commercial purposes and as such, has no current agricultural capability.
- 2) There is a 2 m high fence with mature cedars between the subject property and adjacent farm parcel to prevent trespassing and spray drift from the agricultural property. The buffer was constructed as a covenant from a previous application (See File #08321)
- 3) The Commission refused a previous application for the same purpose as the current application. The Commission refused the proposal for exclusion but allowed the construction of the pub but retained the land in the ALR to better manage potential agricultural/non-agricultural conflict. The applicant claims that since new ownership of the property, there has been no conflict between the Inn and Pub with the adjacent agricultural parcel.
- 3) The applicant states that the proposed exclusion and subdivision will not result in any land use changes or intensity of land use.
- 4) The Town of Osoyoos OCP designates the subject property as General Commercial. The minimum lot size for Highway Commercial Zoning is 600m²

ATTACHMENTS

52256 Proposal Sketch.pdf
52256_ContextMap10k.pdf
52256_AirphotoMap5k.pdf

END OF REPORT

Prepared by: Liz Sutton, April 2011