



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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Fax: 604-660-7033
www.alc.gov.bc.ca

October 19, 2005

Reply to the attention of BRANDY RIDOUT

Martin Heinrich Rothe
12397-334 Avenue
Oliver, BC - V0H 1T0

Dear Sir/Madam:

Re: Application #V-36153

PID: 011-371-412

Lot 160, District Lot 2450S, Similkameen Division Yale District, Plan 1728

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide an approximately 1.7 ha lot from the 5.7 ha property to encompass a fruit drying/processing facility that processes and distributes culled produce for local and worldwide distribution. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*.

The Commission found the October 12, 2005 site visit and meeting with your agent to be very informative. It was noted that the approximately 1.7 ha portion of land under application has limited agricultural capability based on climate, topography and existing uses. The Commission also noted that the proposal would provide an increased benefit to the agricultural community and the community at large.

The Commission writes to advise that it approved your application subject to:

- the subdivision being in substantial compliance with the attached plan
- compliance with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment. The Commission suggests you contact the Regional District of Okanagan-Similkameen at your earliest convenience.

The decision noted above is recorded as Resolution **#534/2005**.

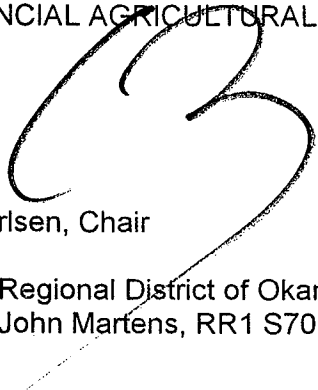
Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

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Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

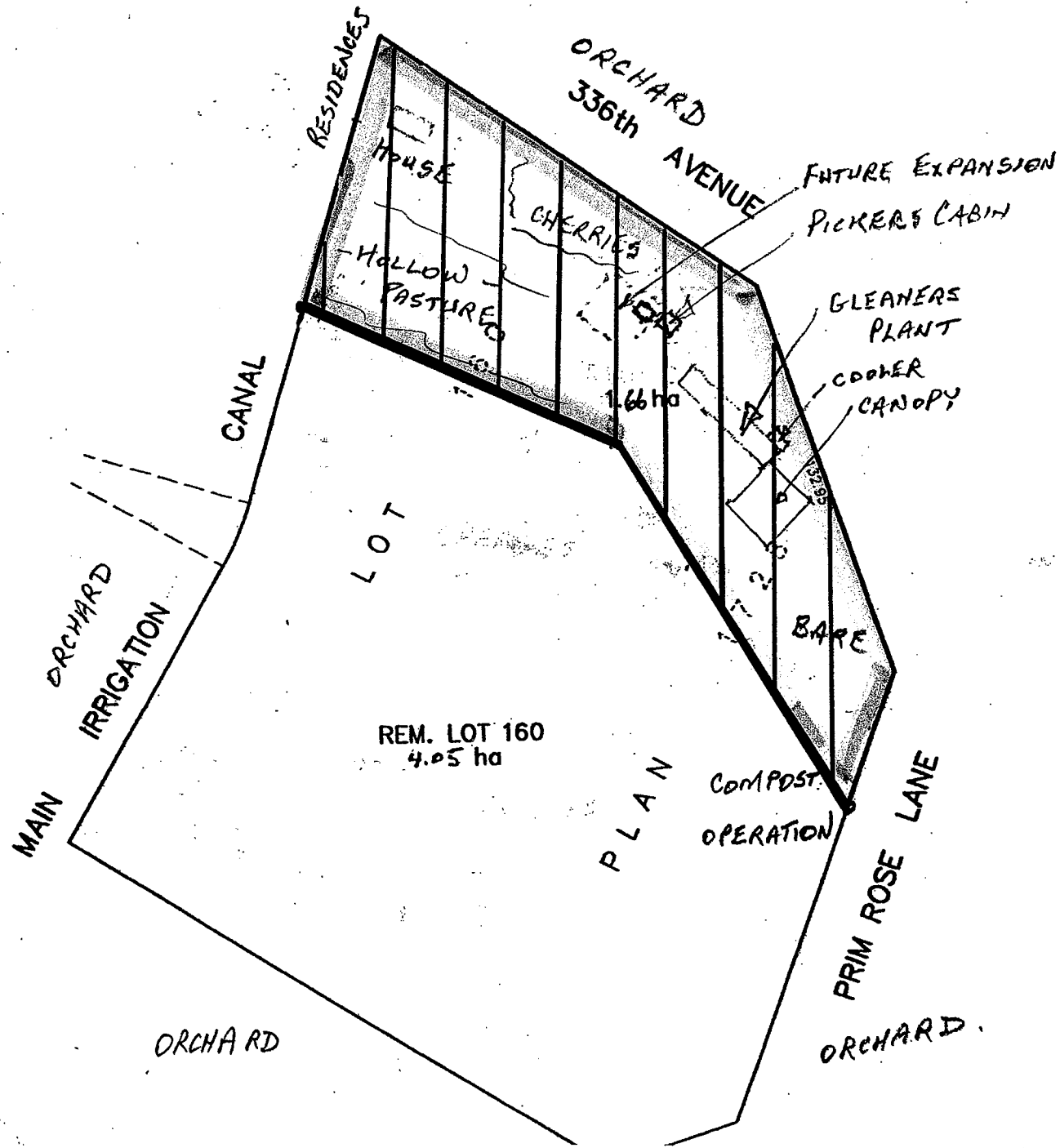
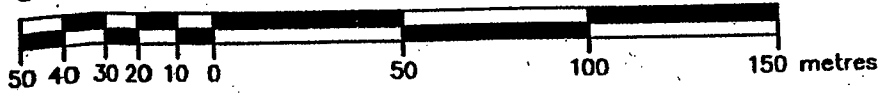

Erik Karlsen, Chair

cc: Regional District of Okanagan-Similkameen - C-05-05468.000
John Martens, RR1 S70 C21, Oliver, BC - V0H1T0

BR/lv/Encl.
36153d1

SKETCH SHOWING PROPOSED LOTS AND AREAS WITHIN LOT 160,
DISTRICT LOT 2450S, PLAN 1728, SDYD

SCALE 1:2000



DRAWN FOR: OKANAGAN GLEANERS

Provincial Agricultural Land Commission
Application #V-36153-0
Resolution #534/2005



Approximately 1.7 ha area approved
for subdivision within the ALR

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on October 14, 2005 at the Ministry of Agriculture and Lands office located at 4607 - 23rd Street, Vernon, BC.

PRESENT: Sue Irvine Chair
Sid Sidhu Commissioner
Sharon McCoubrey Commissioner

STAFF: Brandy Ridout, Regional Research Officer
Martin Collins, Planner

For Consideration

Brandy Ridout presented the October 4, 2005 staff report regarding application #V-36153-0.

Site Inspection

A site inspection was conducted on October 12, 2005 from 3:15 – 4:15 pm. Those in attendance were:

- Commissioners Sidhu and Irvine
- Agricultural Land Commission Staff: Brandy Ridout and Martin Collins
- John Martens, agent

At the meeting, John Martens provided a list of items and quantities received in September by the operation.

Commission Discussion

The Commission discussed details of the current operation, including agricultural capability and the forecasted longevity of the operation. It was noted that the land under application has limited agricultural capability based on climate, topography and existing uses. The Commission also noted that the proposal would provide an increased benefit to the agricultural community and the community at large.

IT WAS

MOVED BY: Commissioner Irvine
SECONDED BY: Commissioner Sidhu

THAT the staff report be received

AND THAT the application to subdivide a 1.7 ha lot from the 5.7 ha property to encompass a fruit drying/processing facility that processes and distributes culled produce for local and worldwide distribution be approved

AND FINALLY THAT this approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # V – 36153-0
Applicant: Martin Heinrich Rothe
Agent: John Martens
Location: south of Oliver

DATE RECEIVED: July 12, 2005

DATE PREPARED: October 4, 2005

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To subdivide a 1.7 ha lot from the 5.7 ha property. The 1.7 ha lot would encompass a fruit drying/processing facility operated by the Okanagan Gleaners, a non-profit, interdenominational Christian Society that processes and distributes culled produce for local and worldwide distribution.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

No previous applications have been considered on the property.

Local Government:

Regional District of Okanagan-Similkameen

Legal Description of Property:

PID: 011-371-412
Lot 160, District Lot 2450S, SDYD, Plan 1728

Purchase Date:

December 1991

Location of Property:

12397-334 Ave, Oliver

Size of Property:

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

Present use of the Property:

New Cherry orchard, plum orchard, compost operation and pasture

BACKGROUND INFORMATION (continued):

Surrounding Land Uses:

WEST: Orchard (ALR)
SOUTH: Orchard (ALR)
EAST: Ground crops and orchards (ALR)
NORTH: Orchards (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 82E.013
The majority of the property is identified as having prime ratings.

Official Community Plan and Designation:

Oliver Rural Official Community Plan Bylaw No. 2122
Designation: Agriculture
The OCP does provide the Regional Board with discretion to subdivide parcels smaller than 4.0 ha where the community interests in favor of subdivision are compelling.

Zoning Bylaw and Designation:

Oliver Rural Zoning Bylaw No. 2123
Designation: Agriculture One Zone (AG1)
Minimum Parcel Size: 4.0 ha

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

The Regional Board forwarded the application without comment, as per policy.

Diana Covert, president of Covert farms, has written in support of the application, indicating that her farm operation has donated produce to the Gleaners.

STAFF COMMENTS:

Staff suggests that the Commission consider the following;

- The proposed subdivision would not set a negative precedent, as this type of use is very rare.
- The existing facility provides an agricultural benefit to surrounding farmers by taking excess produce that might otherwise go to waste or result in disease outbreaks.
- The facility is also a community and regional benefit to the poor.
- The Commission could potentially explore options about restricting housing on the remnant 4.0 ha as it is part of a larger farm operation. Limiting housing could provide an agricultural benefit that balances the loss of arable land from the 5.7 ha lot. Alternately a smaller lot might be considered.

END OF REPORT



Signature

04 October 2005
Date

