



Staff Report
Application # V – 38076
Applicant: Gordon and Steven Forbes

Agent: Mathew Lewis

DATE RECEIVED: April 01, 2008

DATE PREPARED: May 23, 2008

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To exclude the 5.2 ha subject property from the ALR to develop a mix of low density (small lot) and higher density residential development.

Specifically; 1 ha would be used for conservation
0.8 ha would be used for single family development
3.4 ha would be used for high density residential

This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

No previous applications have been considered on the subject property.

Local Government:

Town of Oliver

Legal Description of Property:

PID: 010-501-177
Lot 1, District Lot 2450s, Similkameen Division of Yale District, Plan 4599, EXCEPT Plan KAP66309

Purchase Date:

2006-08-01 – but the home has been in the family since the mid 1970's

Location of Property:

37052 - 87th Street, Oliver

Size of Property:

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

Present use of the Property:

Operated as commercial a farm, singel farm house, gazebo - covered patio

Surrounding Land Uses:

WEST: Farmland in the ALR
SOUTH: Multi family development not in the ALR
EAST: Multi family and mixed single family development not in the ALR
NORTH: Farmland in the ALR

Agricultural Capability:

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

Official Community Plan and Designation:

Town of Oliver OCP Bylaw No. 1070 Designation: Agricultural

Zoning Bylaw and Designation:

Town of Oliver Zoning Bylaw No. 720 Designation: AG (Agricultural and Open Land) Zone
Minimum Lot Size: Not less than 8000 square metres

RELEVANT APPLICATIONS:

Application #27170-0

Applicant: Oliver
Decision August 18, 1993
Date:
Proposal: The Town of Oliver requested exclusion of 116 ha for urban development
Decision: Partial Approval. Cabinet excluded 13 ha and refused 103 ha.

Application #32491-0

Applicant: Oliver
Decision January 28, 1999
Date:
Proposal: To exclude approximately 20 from the ALR based on the Tucelnuit Neighbourhood Plan
Decision: The Commission allowed the exclusion of about 20 ha conditional upon the development of each specific area to residential densities ranging from 15 to 25 units per hectare

Application #32491-1

Applicant: Oliver
Decision October 25, 2002
Date:
Proposal: The Commission previously allowed the exclusion of approximately 20 ha for urban residential development at specific densities ranging from 15 to 25 units per hectare. The Town has asked that the Commission reconsider the density limitations provided by resolution # 92/99.

A report authored by Urban Systems and provided to the Commission at the July 22, 2002 meeting with Council indicated that the land in Oliver presently zoned for multiple family use was in excess of demand by a significant amount. In contrast the supply of land for single family uses could be in a deficit by 2009 (depending on the growth rate).

Decision: The Commission was prepared to eliminate the residential density provisions stipulated by Resolution #92/99 (as conditional upon the exclusion of 20 ha) subject to the commensurate redesignation of non ALR lands to a higher residential density within the urban area.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Council for the Town of Oliver forwarded the application with a recommendation of support

Currently this ALR parcel and adjoining ALR parcels to the north are designated for urban uses in the draft Oliver Growth Strategy. The Commission has not provided comment on this strategy.

STAFF COMMENTS:

Staff suggests that the Commission consider the following:

- The land has capability for agricultural uses, and is under cultivation
- Exclusion and urban uses of farmland in not consistent with the purposes of the ALC Act
- The Commission has not provided comment on the Oliver Growth Strategy.

ATTACHMENTS:

- 1:20,000 scale ALR map
- 1:5,000 scale orthophoto

END OF REPORT

Signature

Date