



Agricultural Land Commission Staff Report

DATE: November 19, 2009
TO: Vice Chair and Commissioners - Okanagan Panel
FROM: Martin Collins

RE: Application # 50622
PROPOSAL: To dedicate 1.7 ha of ALR for road right of way and to construct an arterial Road within the right of way.

PROPOSAL INFORMATION

Background: The District of Coldstream is proposing to construct a new connector road between the District of Coldstream and Highway 97. The Commission has anticipated this road proposal and by Resolution #130/1999 agreed in principle to the exclusion of the land lying south of the proposed right of way from the ALR (see file T-32389).
Received Date:
Applicant:
Agent:
Local Government: September 8, 2009
District of Coldstream
N/A
District of Coldstream

DESCRIPTION OF LAND

PID: 012-314-145
Legal Description: Parcel C (Plan B4829) of Lot 20 Section 22 Township 9 Osoyoos Division Yale District Plan 455 Except Plans 9664 and 29449

Civic Address:

Area: .1 ha
ALR Area: 0 ha
Purchase Date: April 5, 1979
Owner: Province of British Columbia

PID: 012-314-633
Legal Description: Part 37.75 Acres More or Less of Lot 21 Shown as Parcel A on Plan B5457 of Section 22 Township 9 Osoyoos Division Yale District Plan 455 Except Plan 29449

Civic Address:

Area: .3 ha
ALR Area: 0 ha
Purchase Date: April 5, 1979
Owner: Province of British Columbia

PID: 012-316-211

Legal Description: That Part of Lot 22 Lying to the North and West of the Right of Way of the Canadian Northern Pacific Railway as shown on Plan A308; Section 22 Township 9 Osoyoos Division Yale District Plan 455 Except Plans A1271, 18732 and 29449

Civic Address:

Area: .2 ha

ALR Area: 0 ha

Purchase Date: April 5, 1979

Owner:

PID: 012-316-644

Legal Description: That Part of Lot 23 Lying to the North and West of the Right of Way of the Canadian Northern Pacific Railway as Shown on Plan A308; Section 22 Township 9 Osoyoos Division Yale District Plan 455 Except Plans A1271 and 29449

Civic Address:

Area: 1.2 ha

ALR Area: 0 ha

Purchase Date: April 5, 1979

Owner: Province of British Columbia

Total Land Area: 1.8 ha

Total ALR Area: 0 ha

Current Land Use: Kalamalka Seed Orchard administered by Ministry of Forests and Range

PROPOSAL DETAILS

Non Farm Use

Area	Agricultural Capability	Agricultural Capability Source
1.7	Prime	BCLI

Surrounding Land Uses:

North	Kalamalka Seed Orchard in the ALR
East	Railway Right of way, ravine
South	Lakeshore residential, Kalamalka Lake.
West	Okanagan College.

Official Community Plan

Bylaw Name: Not provided

Designation:

OCP Compliance: Yes

Zoning

Zoning Bylaw Name: Not provided

Zoning Designation:

Minimum Lot Size: ha

Zoning Compliance: Yes

PREVIOUS APPLICATIONS

Application #: 12394

Applicant: Provincial Agricultural Land Commission

Proposal: Block Application - To exclude approximately 170 ha from the ALR to reflect non agricultural OCP designations supported by the Commission as per Resolution # 475/97.

Decisions:

**Resolution
Number**

Decision Date

Decision Description

130

February 8, 1999

The Commission amended the original exclusion proposal. It retained 40 ha in the ALR because the land was used for agricultural purposes. Also it conditionally excluded lands adjacent to the Spicer Block and the public works yard because of further planning work that needed to be completed.

Note: Lands lying to the south of the right of way are approved for exclusion upon final confirmation of the right of way and the construction of the road.

Committee Recommendations

Type

Recommendation

Description

Board/Council

Approve

The District of Coldstream is making the application and also intends to construct the new road.

STAFF COMMENTS

Staff suggest that the Commission allow the proposed road as proposed on the grounds the affected land is steep hillside with limited agricultural capability.

Also the Commission has agreed in principle to the construction of the road in previous planning excercises.

ATTACHMENTS

50622_ContextMap10k.pdf

50622_ContextMap20k.pdf

50622_AirphotoMap.pdf

END OF REPORT

Signature

Date