



Agricultural Land Commission Staff Report

DATE: November 2, 2009
TO: Vice Chair and Commissioners - Okanagan Panel
FROM: Brandy Ridout

RE: Application # 50712
PROPOSAL: To include a 0.3 ha portion of Lot A (12.4 ha) into the ALR required by Resolution #53/2006

PROPOSAL INFORMATION

Background: See previous application #V-36273 (App ID: 42401)
Received Date: October 8, 2009
Applicant: Desert Hills Developments Inc.
Agent: Brent Chysyk
Local Government: Town of Oliver

DESCRIPTION OF LAND

PID: 010-707-379
Legal Description: Lot A, Section 7, Township 50, Similkameen Division of Yale District, Plan 39518
Civic Address: 35045 119th Street, Oliver
Area: 12.4 ha
ALR Area: 6.9 ha
Purchase Date: July 9, 2005
Owner: Desert Hills Developments Inc.

Total Land Area: 12.4 ha
Total ALR Area: 6.9 ha
Current Land Use: Agricultural - existing orchard. 2 picker cabins and cold storage

PROPOSAL DETAILS

Inclusion

Area	Agricultural Capability	Agricultural Capability Source
0.3	Mixed Prime and Secondary	BCLI

Surrounding Land Uses:

North Non-ALR, Crown Lands hillside
East Non-ALR single-family home subdivision, cemetery
South ALR, orchards
West Non-ALR, Crown Land, hillside

Official Community Plan

Bylaw Name: 'Oliver Rural' OCP

Designation: Agricultural

OCP Compliance: Yes

Zoning

Zoning Bylaw Name: Town of Oliver Zoning Bylaw No. 720

Zoning Designation: Agriculture and Open Land (AG)

Minimum Lot Size: 0.8 ha

Zoning Compliance: Yes

PREVIOUS APPLICATIONS

Application #: 42401

Applicant: Sukhdarshan Singh Dhaliwal

Proposal: To widen an existing easement from 6 to 18 metres as an extension of 119th Street in order to service and develop non-ALR lands both on and to the north of the subject properties. The widened easement would run west 220 metres and then northwest 90 metres for an approximate area of 0.6 ha.

Decisions:

Resolution Number	Decision Date	Decision Description
53	March 2, 2006	Allow

Note: Legacy application #V-36273

Committee Recommendations

Type	Recommendation	Description
Planning Staff	No Comment	Town of Oliver Planning Staff: Along with the inclusion application, the applicant submitted a subdivision application proposing to remove the existing property line between Lot A Plan 39518 and Lot A, Plan 25996. Staff proposes that all servicing matters be addressed in conjunction with development of Lot 1 and that a restrictive covenant be required outlining that the Town will not maintain the proposed road dedication until such time that Lot 1 is developed.
Board/Council	No Comment	Town of Oliver Council: Even though Council is not commenting on this inclusion application it is not Council' s intent to take this as a form of approval for any development on this site.

STAFF COMMENTS

Under Resolution #53/2006, the Commission allowed the application to widen the existing 6 m access to 18 m to extend 119th Street through the subject properties to access the non-ALR portion of Lot A, Plan 39518 subject to the inclusion of a 0.3 ha linear section of non-ALR orchard.

ATTACHMENTS

50712_ContextMap20k.pdf
50712_AirphotoMap.pdf
50712 proposal sketch.pdf
36273 decision.pdf

END OF REPORT

Signature

Date