



Agricultural Land Commission Staff Report

DATE: May 13, 2010
TO: Vice Chair and Commissioners - Okanagan Panel
FROM: Martin Collins

RE: Application # 51694

PROPOSAL: To dedicate a total of 0.8 ha for road right of way in three locations to improve two intersection alignments and a pullout for a Highway #97 business. The two intersection improvements do not affect cultivated ALR land. The business loop access road will occupy 0.23 ha of cultivated land.

PROPOSAL INFORMATION

Background: These right of way expansions under application are in three locations on Highway #97 between the north end of Osoyoos Lake and Deadman Lake. They will help improve intersection safety by providing appropriate deceleration lanes, better geometry, and a pullout for a roadside business.

Received Date: April 15, 2010

Applicant: Ministry of Transportation & Infrastructure

Agent: Rampaul Dulay

Local Government: Regional District of Okanagan-Similkameen

DESCRIPTION OF LAND

PID: 025-139-479

Legal Description: Lot 405 District Lot 2450S Similkameen Division Yale District Plan 1957 Except Plans A1057, A18641 and KAP81188

Civic Address:

Area: 5.2 ha

ALR Area: 5.2 ha

Purchase Date: June 13, 2006

Owner: Province of British Columbia (Crown Land)/c/o Ministry of Agriculture and La

PID: 011-383-186

Legal Description: Lot 403 District Lot 2450S Similkameen Division Yale District Plan 1957

Civic Address:

Area: 6.4 ha

ALR Area: 6.4 ha

Purchase Date: November 29, 1994

Owner: Gian Dhaliwal

PID: 016-335-066
Legal Description: Lot 408 DL 2450S Similkameen Division Yale District Plan 1957 Except Plan 43589
Civic Address:
Area: .2 ha
ALR Area: .2 ha
Purchase Date: May 23, 1946
Owner: Province of British Columbia (Crown Land)/c/o Ministry of Agriculture and La

PID: 017-060-524
Legal Description: Lot 399, District Lot 2450S, Similkameen Division Yale District Plan 1957
Civic Address:
Area: 1.7 ha
ALR Area: 1.7 ha
Purchase Date:
Owner:

Total Land Area: 13.5 ha
Total ALR Area: 13.5 ha
Current Land Use: Depleted gravel pit, Environmentall sensitive properties owned by Ducks Unlimited, productive agricultural land

PROPOSAL DETAILS

Non Farm Use

Area	Agricultural Capability	Agricultural Capability Source
0.8	Prime Dominant	BCLI

Surrounding Land Uses:

North Gravel Pit, farmland in the ALR
East Okanagan River Valley bottomland, mostly outside the ALR
South ALR cultivated farmland
West Undeveloped hillsides outside the ALR

Official Community Plan

Bylaw Name:
Designation:
OCP Compliance:

Zoning

Zoning Bylaw Name:

Zoning Designation:

Minimum Lot Size:

Zoning Compliance:

STAFF COMMENTS

Staff suggests that the Commission consider the following:

- 1) Most of the proposed right of way areas do not affect cultivated land. Three of the subject properties are owned by the crown. One of the properties is privately owned.
- 2) The 0.23 ha pullout proposed for Lot 403 affects very good capability cultivated land. However, the application indicates that Orchard Hill Estate Cidery and other nearby fruit stand businesses believe that the pullout is crucial to their retail sales operations.
- 3) In light of the very limited agricultural impacts of the right of way expansion, and the safety and access benefits that will accrue to an existing cidery and nearby fruit stands, it is recommended that the application be allowed as proposed.

ATTACHMENTS

- 51694_ContextMap20k.pdf
- 51694 detail sketch #1.pdf
- 51694 detail sketch #2.pdf
- 51694 detail sketch #3.pdf

END OF REPORT

Signature

Date