



Agricultural Land Commission
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March 28, 2006

Reply to the attention of Brandy Ridout
ALC File #T-36501

Ed Stranks
City of Vernon
3400 - 30th Street
Vernon, BC V1T 5E6

Dear Mr. Stranks:

Re: Application for Transportation, Utility & Recreational Trail Uses in the
Agriculture Land Reserve

Please find attached the Minutes of Resolution #126/2006 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

BR/lv/Encl. Minutes
Sketch Plan

36501d1

ALL DISTANCES ARE IN METRES.

BELLA VISTA ROAD

R=270.7 A=71.16

21.70

42.36

R=155.0

A=27.97 A=20.13

00.03

5.89

38.50

1

2

3

84.92

PROPOSED ROAD

18.5m WIDE

41.24

39.22

48.58

25.80

R=87.00 A=127.50

62.00

6m SRW FOR SAN SEWER

41.06

50.54

34.70

36.12

15.00

31.38

22.63

136.55

17

18

19

PLAN

KAP54269

31

RICHFIELD ROAD

SRW PLAN KAP54265

32

9

50.54

41.06

34.70

36.12

15.00

31.38

22.63

136.55

17

18

19

PLAN

KAP54269

31

RICHFIELD ROAD

SRW PLAN KAP54265

32

9

50.54

41.06

34.70

36.12

15.00

31.38

22.63

136.55

SKETCH PLAN TO ACCOMPANY PHOTOGRAPHS OF PARTS OF LOT 19, PLAN 1689, D.L. 68, O.D.Y.D. EXCEPT PLANS 11498, 18017 AND 42105



LOT 1 PLAN 11498

PART LOT 1 0.795 ha (1.00 ha TOTAL) R5 ZONE

LOT 2 PLAN 42105

LOT 2 ±1.9 ha R5A ZONE

PART LOT 1 0.207 ha

FUTURE STRATA ACCESS ROUTE 10m WIDE

ALR REM LOT 19 PLAN 1689

Provincial Agricultural Land Commission Application #T-36501 Resolution #126/2006

Approved 6-metre wide right of way in the ALR

LEGEND

⊗ denotes stake set

○ denotes photo # and direction

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 2, 2006 at the Ministry of Agriculture and Lands office located at 4607 - 23rd Street, Vernon, BC.

PRESENT:	Sue Irvine	Chair, Okanagan Panel
	Sharon McCoubrey	Commissioner
	Sid Sidhu	Commissioner
	Brandy Ridout	Staff
	Martin Collins	Staff

For Consideration

Application # T – 36501

Applicant(s) West Pines Villas Ltd

Proposal To dedicate a 6-metre wide right of way and install a sewer line along the northerly boundary of the 6.3 ha property. The affected area is 1,580 square metres (6 meters wide, by 260 meters long).

Legal PID: 011-379-791

Lot 19, District Lot 68, Osoyoos Division Yale District, Plan 1689, Except Plans 11498, 18017, and 42105

Location Vernon, Okanagan Landing, south of Bella Vista Rd.

Site Inspection

A site inspection was conducted on February 28, 2006. Those in attendance were:

- Commissioners: Sue Irvine, Sharon McCoubrey, and Sid Sidhu
- Staff: Brandy Ridout
- Property owner: Kerry Goulard
- John Jacobsen, Project Manager, Aldebaran Enterprises Inc.

Discussion

The Commission was concerned that a 6-metre wide right of way would be overly intrusive into the ALR portion of the property. However, the City of Vernon maintains that they require a 6-metre easement in order to be able to access the sanitary line in case of future problems or maintenance. The sanitary pipe running in this easement would be approximately 20 centimetres in diameter and located approximately 2 metres below the surface.

IT WAS

MOVED BY: Commissioner Irvine

SECONDED BY: Commissioner McCoubrey

THAT the application be approved

This decision does not relieve the owner or occupier of the responsibility to comply 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.

CARRIED

RESOLUTION #126/2006



Staff Report
Application # T – 36501
Applicant: West Pines Villas Ltd
Agent: City of Vernon

Location: Skyview Rd. Okanagan Landing, Vernon

DATE PREPARED: February 23, 2006

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To dedicate a 6 meter wide right of way and install a sewer line along the northerly boundary of the 6.3 ha property. The affected area is 1,580 sq meters (6 meters wide, by 260 meters long).

This application is made pursuant to Part 4 Section 6 of BC Regulation 171/2002 (Agricultural Land Reserve Use, Subdivision and Procedure Regulation).

BACKGROUND INFORMATION:

The Commission conditionally excluded about 3.1 ha of the 6.2 ha property because of poor agricultural capability due to shallow soils and rock outcroppings. The exclusion is not finalized because the proposed subdivision design is not consistent with the subdivision design upon which the decision was made. Originally the exclusion buffer was the access road right of way (20 meters) including a 6 meter wide vegetated buffer. The proposed new buffer is only comprised of the rear 6 meters of strata lots up against the ALR.

Local Government:

The City of Vernon

Legal Description of Property:

PID: 011-379-791
Lot 19, District Lot 68, Osoyoos Division of Yale District, Plan 1689, EXCEPT Plans 11498, 18017, and 42105;

Location of Property:

Vernon, Okanagan Landing, south of Bella Vista Rd.

Size of Property:

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

Present use of the Property:

Undeveloped ALR in native grasses.

Surrounding Land Uses:

WEST: Two rural residential 2 ha lots in the ALR
SOUTH: Undeveloped ALR parcel
EAST: Suburban residential outside the ALR
NORTH: Land proposed for urban residential development (conditionally excluded from the ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 82L.024
The majority of the area proposed for the sewer right of way is identified as having prime dominant ratings.

PREVIOUS APPLICATIONS:

Application #31857-0

Applicant: Skyview Properties Inc.
Decision Date: April 23, 1998
Proposal: To exclude approx. 3.3 ha of the property in order to develop a residential subdivision. The area proposed for exclusion has poor agricultural capability because of rocky outcroppings
Decision: The Commission allowed the exclusion of the northerly 3 ha for residential development subject to buffering on the ALR boundary and the agricultural improvement of the remainder within the ALR.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

The City of Vernon is making the application for the sewer right of way.

STAFF COMMENTS:

It is recommended that the Commission make a site visit and ascertain what, if any, agricultural impacts arise from this proposal.

END OF REPORT


Signature _____ Date Feb 23/06