



Agricultural Land Commission
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May 5, 2006

Reply to the attention of Brandy Ridout
ALC File #G-36561

Grant Maddock
Protech Consultants
200 – 1461 St. Paul Street
Kelowna, BC V1Y 2E4

Dear Mr. Maddock:

Re: Application to include land into the Agriculture Land Reserve

Please find attached the Minutes of Resolution #192/2006 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

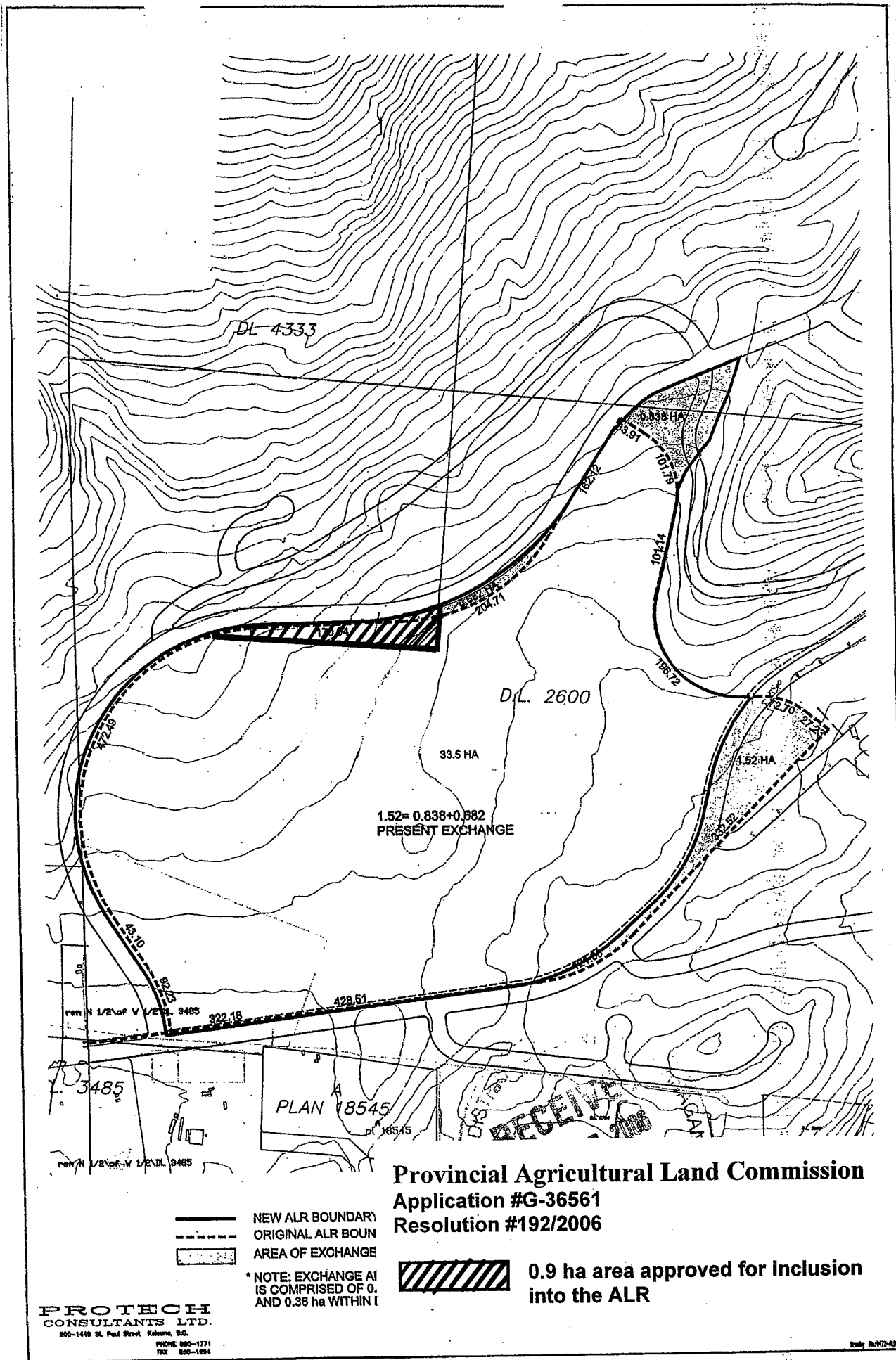
Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

BR/lv/Encl.: Minutes
Sketch Plan

36561d1



DL 4333

DL 2600

DL 3485

PLAN 18545

RECEIVED

33.6 HA

1.52 = 0.838 + 0.682
PRESENT EXCHANGE

1.52 HA

- NEW ALR BOUNDARY
- - - ORIGINAL ALR BOUNDARY
- ▨ AREA OF EXCHANGE

* NOTE: EXCHANGE AREA IS COMPRISED OF 0.9 HA AND 0.36 HA WITHIN

Provincial Agricultural Land Commission
Application #G-36561
Resolution #192/2006



0.9 ha area approved for inclusion into the ALR

PROTECH CONSULTANTS LTD.
 200-1448 St. Paul Street, Kelowna, B.C.
 PHONE 800-1771
 FAX 800-1894



Staff Report
Application # G – 36561
Applicant: Protech Consultants (1989) Ltd
Location: Westbank

DATE RECEIVED: March 13, 2006

DATE PREPARED: March 28, 2006

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To include 0.9 ha into the ALR to satisfy one of the conditions of Resolution #254/1997 (application #G-26186).

This application is made pursuant to section 17(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The conditional exclusion of approximately 69 ha the subject property has been allowed under Resolutions #610/1992 and #254/1997. One of the conditions of approval was the inclusion of this 0.9 ha area into the ALR.

Local Government:

Regional District of Central Okanagan

Legal Description of Property:

PID: 011-343-664

District Lot 2600, Osoyoos Division Yale District, except Plans 5781, H17317, and 18545, Shown on Plan KAP44535, Plan KAP59806

Purchase Date:

Not provided

Location of Property:

Westbank, Shannon Lake area

Size of inclusion area:

0.9 ha

BACKGROUND INFORMATION (continued):

Present use of the Property:

Vacant

Surrounding Land Uses:

WEST: Residential, recreation, Crown land
SOUTH: Residential, landfill
EAST: Residential
NORTH: Non-ALR, vacant, proposed residential

Agricultural Capability:

Data Source: Agricultural Capability Map # 82E.082
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

Official Community Plan Bylaw No. 1050
Designation: Agricultural

Zoning Bylaw and Designation:

Zoning Bylaw No. 871
Designation: Agricultural (A1)

PREVIOUS APPLICATIONS:

Application #26186-0

Applicant: Mr. & Mrs. A. C. Hoyer
Decision Date: May 27, 1992
Proposal: To exclude 107 ha of land from the ALR.
Decision: Refused - but would allow the exclusion of approximately 50 ha subject to receipt of a satisfactory development plan for the non-ALR and excluded areas, buffering plan, and water provision plan.

Application #26186-1

Applicant: Mr. & Mrs. A. C. Hoyer
Decision Date: April 21, 1997
Proposal: To exclude an additional 19 ha (approximately) in addition to the 50 hectares conditionally approved by Resolution #610/92 in conjunction with:

1. developing a road network which will direct traffic away from productive agricultural lands elsewhere in the Westbank area;
2. the provision of substantial buffering to reduce impacts on the higher capability area proposed to remain in the Agricultural Land Reserve;
3. phased provision of water to service residential development planned for the conditionally approved and subject areas of exclusion and non-ALR.;
4. inclusion of an area approximately 0.9 hectare in size.

Decision: Approved in principle in view of the benefit gained to agriculture through the development of the proposed road network, and the provision of irrigation and buffering when the proposed residential development frees up moneys to accommodate this condition, and that the proposed road be located as close to the property line as possible to maximize the area available for agriculture.

PREVIOUS APPLICATIONS (continued):

Application #26186-2

Applicant: Mr. & Mrs. A. C. Hoyer

Decision Date: June 26, 2001

Proposal: Request exclusion of DL3793 as all terms of conditional approval for exclusion are associated with DL2600 that will be retained by the applicant. The sale of DL3793 will provide funding to complete the conditional requirements for exclusion of DL2600.

Decision: Allowed on the grounds that all the conditions for exclusion are associated with DL2600.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional District of Central Okanagan: No comment.

Advisory Planning Commission: Supported.

Agricultural Advisory Committee: Supported.

Planning Staff: Supported.

OTHER COMMENTS:

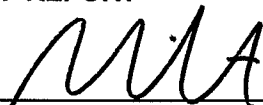
Ministry of Agriculture and Lands: Supported.

STAFF COMMENTS:

Staff suggests approval of the application as it was a requirement of a previous approval.

END OF REPORT

Signature



Date

