



Agricultural Land Commission
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June 13, 2006

Reply to the attention of Brandy Ridout
ALC File #G-36572

Dan Huang
Urban Systems Ltd.
Suite 500, 1708 Dolphin Ave
Kelowna, B.C. V1Y 9S4

Dear Sir:

Re: Application to subdivide in the Agriculture Land Reserve

Please find attached the Minutes of Resolution #273/2006 outlining the Commission's decision as it relates to the above noted application. As agent it is your responsibility to notify the landowners accordingly.

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:

Erik Karlsen, Chair

cc: Regional District of Central Okanagan (#A-06-01)

BR/lv/Encl.: Minutes
36572d1



Staff Report
Application # G – 36572
Applicant: BC Transportation Financing Authority
Agent: Urban Systems Ltd.
Location: Trepanier Valley, north of Peachland

DATE RECEIVED: March 24, 2006

DATE PREPARED: May 15, 2006

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To subdivide the four subject properties (5.7 ha, 5.8 ha, 6.9 ha and 11.4 ha) into five lots (four approximately 4 ha lots and two approximately 6 ha lots).

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

One of the proposed 6 ha lots will be completely outside the ALR and the other lots will be partially in the ALR. The properties are to be sold to help recuperate the expenses associated with the recently completed Trepanier on/off ramp.

Local Government:

Regional District of Central Okanagan

Legal Description of Property:

1. PID: 005-563-135 (11.4 ha)
District Lot 4488, Osoyoos Division Yale District, Except Plan KAP45900
2. PID: 005-376-220 (6.9 ha)
Block A, District Lot 483, Osoyoos Division Yale District, Except Plan KAP45900
3. PID: 005-376-203 (5.7 ha)
Block B, District Lot 483, Osoyoos Division Yale District, Except Plan KAP45900
4. PID: 005-563-062 (5.8 ha)
North ½ of the North West ¼ of the South ½ of District Lot 483, Osoyoos Division Yale District, Except Plan KAP45900

Purchase Date:

Crown ownership

Location of Property:

Trepanier Valley, north of Peachland, adjacent to Highway 97

BACKGROUND INFORMATION (continued):

ALR Area of Properties:

A total of about 12 ha of the four subject properties is in the ALR

Present use of the Properties:

Vacant, forested

Surrounding Land Uses:

WEST: Forested non-ALR

SOUTH: Forested non-ALR

EAST: 2 ha rural residence in the ALR, cleared pasture beyond

NORTH: Highway #97C, Coquihalla Connector

Agricultural Capability:

Data Source: Agricultural Capability Map # 82E0.82

The majority of the property is identified as having mixed prime and secondary ratings, with secondary ratings being a substantial majority.

Official Community Plan and Designation:

No OCP or zoning bylaw exists for this area.

PREVIOUS APPLICATIONS:

There have been no previous applications on the subject properties. Lands to the north were removed from the ALR in 1996 as a result of the Trepanier Valley review.

RELEVANT APPLICATIONS:

Application #30445-0

Applicant: Agricultural Land Commission

Decision Date: January 31, 1996

Proposal: To exclude the entire valley north of Highway 97C.

Decision: Table Applications #G-29727, #G-29728 and #G-29863 and initiate a block exclusion application for these parcels and all other ALR lands in the Trepanier Valley within and to the north of the Coquihalla Connector freeway right-of-way. Subsequent clarification was provided by the Commissioners that it was also intended that the application would exclude all parts of privately owned parcels (one of which extends south of the highway right-of-way) but that no Crown land south of the highway right-of-way was to form part of the exclusion application.

Application #30445-1

Applicant: Provincial Agricultural Land Commission

Decision Date: June 27, 1996

Proposal: Consider application to exclude entire valley north of Highway 97C.

Decision: Allowed – except the two owners who requested to have their land remain in the ALR

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional District of Central Okanagan: Forwarded with a recommendation of support (with conditions).

Advisory Planning Commission: Supports.

Agricultural Advisory Committee: Supports.

OTHER COMMENTS:

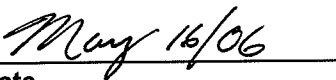
Ministry of Agriculture and Lands: Has no objection to the subdivision provided the proposed new lots be fenced and gated to prevent cattle trespass. In addition, the Ministry questions whether there is value in retaining a sliver of ALR through proposed Lots 1 and 2.

STAFF COMMENTS:

Staff recommends that the application be allowed on the grounds the proposed parcel sizes are typical of other agricultural parcels in this area of the Okanagan Valley. As recommended by the Ministry of Agriculture and Lands, staff recommends that the new lots be fenced.

END OF REPORT


Signature


Date