



# Provincial Agricultural Land Commission - Staff Report

## Application: 52338

**Applicants:** Crystal Viana, Alexis Murray  
**Agent:** Jason R. Shortt  
**Local Government:** City of Vernon

**Proposal:** To exclude the 1 ha parcel from the ALR for residential development.

### BACKGROUND INFORMATION

No previous applications have been considered on the subject property. The adjoining parcel to the south and west was developed for residential uses as a result of a previous Commission decision to partially exclude the ALR parcel.

### PROPERTY INFORMATION

**PID:** 008-329-168  
**Legal Description:** Lot 1 District Lot 68 Osoyoos Division Yale District Plan 18017  
**Property Area:** 1.0 ha  
**Purchase Date:** March 16, 2007  
**Location:** 5862 Bella Vista Road  
**Owners:** Alexis Murray, Crystal Viana

### LAND USE

**Current Land Use:**

Rural residence

**Surrounding Land Uses:**

North: Bella Vista Road, urban residential beyond  
East: Non ALR urban residential  
South: Non ALR urban residential  
West: Non ALR urban residential

### PROPOSAL DETAILS

**Exclusion Area:** 1.0 ha

**Agricultural Capability:**

The majority of the area under application is rated as: Mixed Prime and Secondary

**Source:** BCLI

**Mapsheet:** 82 L.024

### RELEVANT APPLICATIONS

## RELEVANT APPLICATIONS

**Application ID:** 9392

**Legacy #:** 31857

**Applicant:** Skyview Properties Inc.

**Proposal:** the applicant is seeking permission to exclude approx. 3.3 ha of the property in order to develop a residential subdivision which would be buffered from the parcel remainder which would be developed for agricultural purposes - a swampy section on the wes

**Decision:**

Resolution #	Decision Date	Decision Description
244/1998	April 23, 1998	The Commission refused the proposal to exclude approximately 3.8 ha of the 6.3 ha subject property on the grounds of excessive reduction of agricultural capability. However, the Commission was prepared to allow the exclusion of the northerly 2.6 ha for residential development subject to buffering on the ALR boundary and the agricultural improvement of the remainder within the ALR.

**Note:** This decision excluded the land to the south and west of the subject parcel.

## LOCAL GOVERNMENT INFORMATION

**Official Community Plan:**

**Bylaw Name:** City of Vernon OCP  
**Designation:** Residential low density  
**OCP Compliance:** Yes

**Zoning:**

**Zoning Bylaw Name:** City of Vernon Zoning bylaw #5000  
**Zoning Designation:** A1 - Agricultural  
**Minimum Lot Size:** 4.0 ha  
**Zoning Compliance:** No

**Comments and Recommendations:**

**Board/Council**

Vernon Council forwarded the application with a recommendation of support because the property is surrounded by urban residential development, is bisected by a proposed road, and has marginal soil conditions for growing crops.

## ALC STAFF COMMENTS

Staff recommends that the application be allowed because it is consistent with the Commission endorsed City of Vernon OCP (Res # 599/2001).

In addition the 1 ha parcel is surrounded by urban residential development, and there are topographic challenges to agriculture.

Seven letters have been received from neighbouring landowners who do not support the exclusion of this parcel from the ALR, citing its agricultural capability and wildlife values.

## END OF REPORT

**Prepared by:** Martin Collins, August 15, 2011