



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604-660-7000
Fax: 604-660-7033
www.alc.gov.bc.ca

September 26, 2005

Reply to the attention of Simone Magwood

Neil Ramsay
Civic Engineering Ltd.
293 - 1st Avenue
Kamloops, BC - V2C 3J3

Dear Mr. Ramsay:

**Re: Application #36192
The South East ¼ of Section 36, Township 19, Range 17, W6M,
Kamloops Division of Yale District**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to exclude 4.6 ha of the above mentioned lot from the Agricultural Land Reserve. The application was submitted pursuant to section 30(1) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on September 12, 2005.

The Commission writes to advise that it approved your application subject to:

- the preparation of a subdivision plan to delineate the area to be excluded as shown on the attached drawing.
- compliance 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. The Commission suggests you contact City of Kamloops at your earliest convenience.

The decision noted above is recorded as Resolution #490/2005.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable will authorize the Registrar of Land Titles to accept the application for deposit of the plan and confirm the exclusion of the area from the Agricultural Land Reserve Plan of the Thompson-Nicola Regional District.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

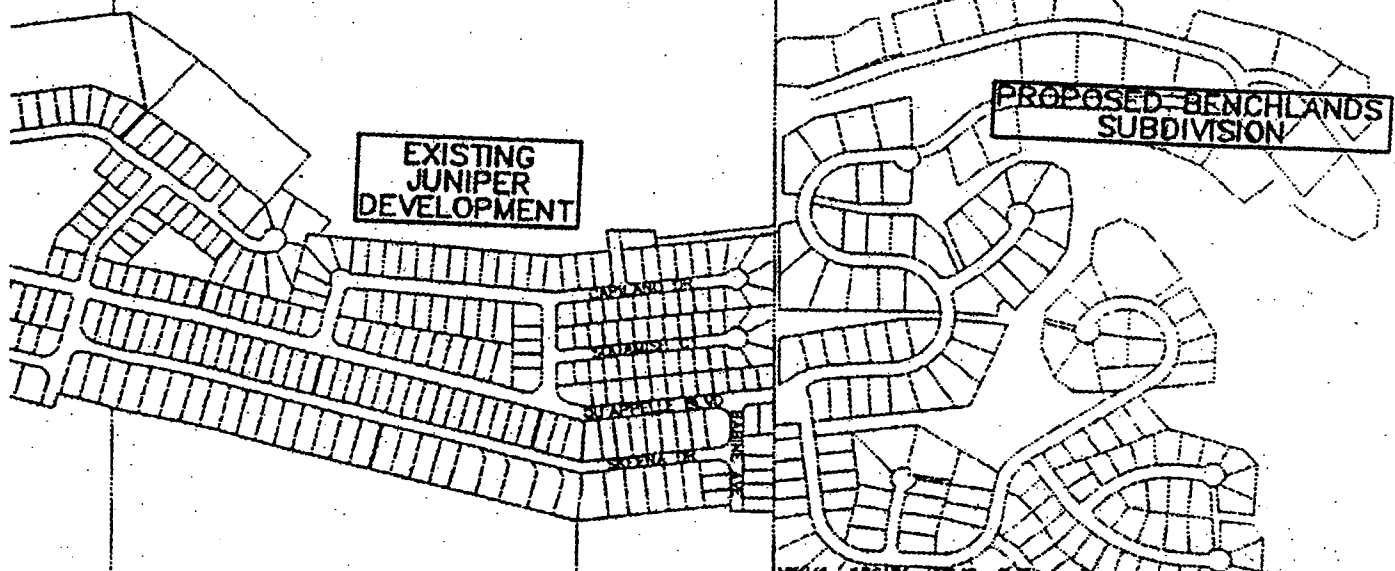
Per:

Erik Karlsen, Chair

cc: City of Kamloops (W1030 Holdings)

SM/lvEncl./36192d1

SE 1/4 SEC 36 T19 R17
NE 1/4 SEC 36 T19 R17



NE 1/4 SEC 36 T19 R17

SE 1/4 SEC 36 T19 R17



SUBJECT
PROPERTY
4.61 Ha
to be excluded

SE 1/4, S 36, T 19, R 17, W6M, KDYD

Provincial Agricultural Land Commission
Application: # ZZ-36192-0
Resolution # 490-05



± 4.6 ha area approved for exclusion from the ALR.

Page 2

IT WAS

MOVED BY: Commissioner Read

SECONDED BY: Commissioner Campbell

THAT the staff report be received and the application to exclude 4.5 ha of the 60 ha parent parcel be approved as recommended on the grounds that the area provided a natural extension of the existing subdivision and was topographically separate from the remainder of the parcel.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # ZZ – 36192 – 0
Applicant: W1030 Holdings Ltd.
Agent: Civic Engineering Services Ltd.

DATE PREPARED: August 25, 2005

TO: Chair and Commissioners – Interior Panel

FROM: Simone Magwood, Regional Research Officer

PROPOSAL: To exclude 4.5 ha of the 60 ha parent parcel to permit the development of 22 single family lots.

This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The applicant is applying to exclude the land in order to rezone this area to single family zoning to permit the development of 22 lots. The remainder of the parcel is to remain as agricultural land. These 22 lots are proposed as a small extension of the 166 unit development currently underway directly north of the subject property. Access will take place through the new development.

The applicant states that the exclusion of this land is supported because the lands are physically separated from other agriculturally viable parcels. They note that the lands have marginal agricultural value for grazing purposes only, but that the physical separation between this area and the rest of the lands make the portion of the parent parcel unsuitable for grazing.

Local Government:

City of Kamloops

Legal Description of Property:

PID: 014-384-795

The South East 1/4 of Section 36, Township 19, Range 17, West of the 6th Meridian, Kamloops
Division of Yale District

Purchase Date:

May 1994

Location of Property:

South-east of the Juniper Heights neighbourhood, Kamloops

Size of Property:

Size of Property:

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

Area Under Application for Exclusion:

4.5 ha

Present use of the Property:

Vacant. No buildings.

Surrounding Land Uses:

WEST: Agricultural (ALR)
SOUTH: Agricultural; grazing lands (ALR)
EAST: Agricultural (non-ALR)
NORTH: Residential (non-ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 921/9
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

KAMPLAN, the Official Community Plan designated the subject property as Agricultural/Resource

Zoning Bylaw and Designation:

The property is zoned A-1 (Agricultural)
Minimum Parcel Size 8 ha.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

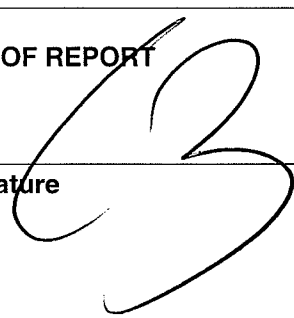
Development and Engineering Services Department: The Development and Engineering Services Department supported the proposal as the OCP amendment is small in nature and is located directly adjacent to a newly created 166-unit residential subdivision. Staff feels that the proposal rounds out the recently approved Juniper East project. Staff also stated that *"there is no potential for further residential development in this area, and this proposal can be considered to be a minor extension of the Juniper East neighbourhood rather than a precedent setting move toward developing areas clearly suitable for agricultural purposes only."*

STAFF COMMENTS:

Staff recommend a site visit in order to determine the impact of the exclusion on the surrounding area and the agricultural capability of the land under application.

END OF REPORT

Signature



Date

August 26/05