



**Agricultural Land Commission**

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Burnaby, British Columbia V5G 4K6  
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February 1, 2006

Reply to the attention of Brandy Ridout  
ALC File #V-36399

Lisa Fraser  
New Town Planning Services Inc.  
1450 Pandosy Street  
Kelowna, BC V1Y 1P3

Dear Ms. Fraser:

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

Please find attached the Minutes of Resolution #24/2006 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client accordingly.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that the plans are acceptable, it will authorize the Registrar of Land Titles to accept them for registration.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair


cc: Regional District of Okanagan-Similkameen

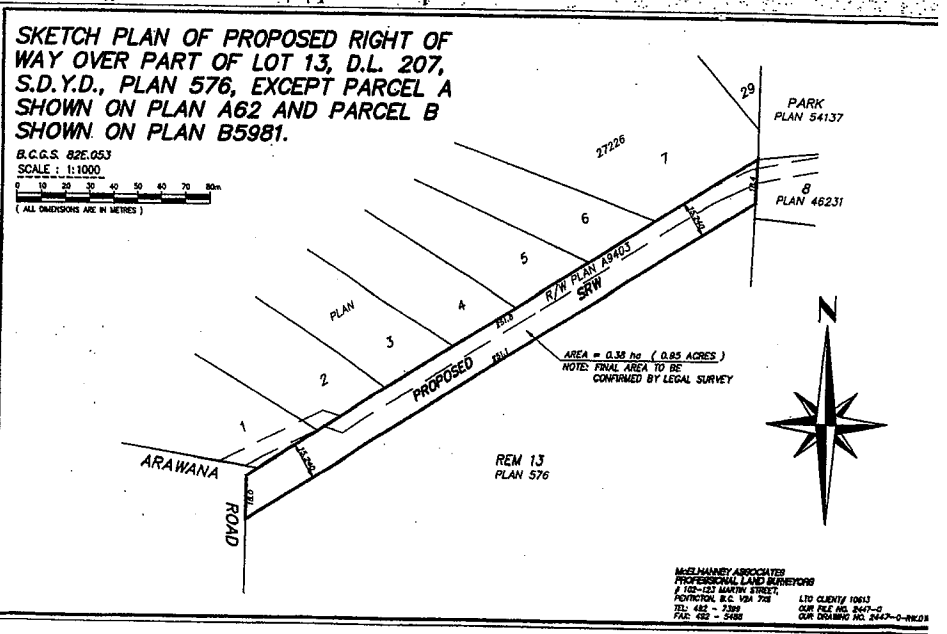
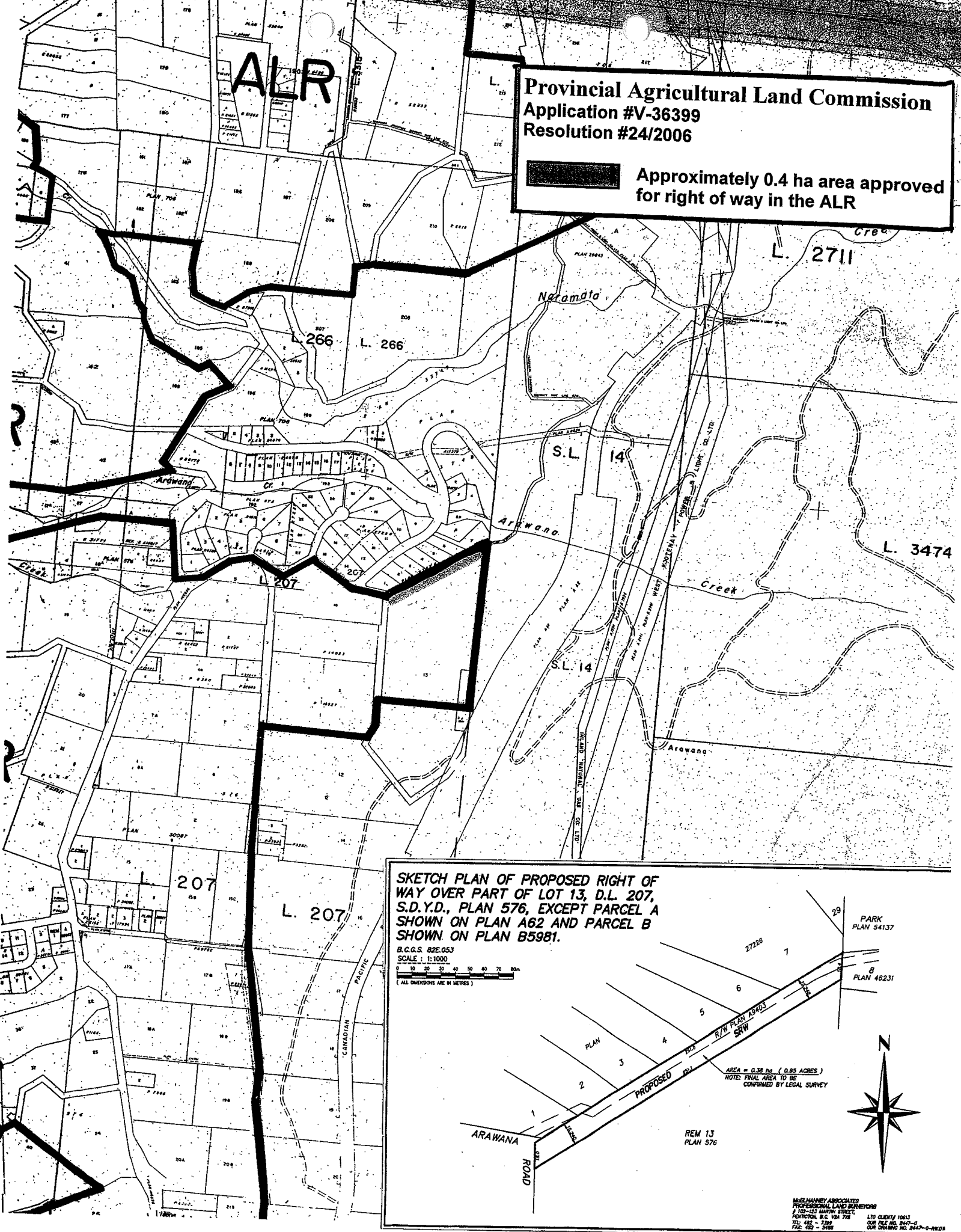
BR/lv/Encl.: Minutes  
Skech Plan

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**ALR**

**Provincial Agricultural Land Commission**  
**Application #V-36399**  
**Resolution #24/2006**

 **Approximately 0.4 ha area approved for right of way in the ALR**



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on January 19, 2006 at the Ministry of Agriculture and Lands office located at 4607 - 23<sup>rd</sup> Street, Vernon, BC.

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

### For Consideration

Application # V-36399  
Applicant(s) Fortis BC Inc  
Proposal To dedicate a 0.4 ha statutory right-of-way to provide electrical services to the local irrigation district for their pump centre.  
Legal PID: 012-220-752  
Lot 13, District Lot 207, Similkameen Division Yale District, Plan 576, Except Parcel a shown on Plan A62 and Parcel B shown on Plan B5981  
Location 2860 Arawana Road, Naramata

### Site Inspection

No site inspection was conducted.

### Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

The Act provides processes for landowners, local governments and First Nation governments to apply to the Commission to include land into the ALR, remove land from the ALR, subdivide land in the ALR and use land in the ALR for non-farm purposes. The Commission decides applications with the objective of ensuring that lands suitable for agriculture are retained in the ALR and that non-farm development of ALR land is restricted.

**Discussion**

The Commission assessed the impact of the proposal against the long-term goal of preserving agricultural land. In this analysis, the Commission considered the impact the proposal would have on agriculture both on the subject property and on the surrounding area.

The Commission considered that Fortis BC is currently using an existing utility right-of-way corridor, which has been in place for approximately 25 years, to provide electrical services to the local irrigation district for their pump centre. It noted that this application has been submitted to request that a statutory right-of-way be dedicated in order to give this use formal approval.

The Commission did not believe the proposal would impact existing or potential agricultural use of the subject property or surrounding lands.

**Conclusions**

1. That the proposal will not impact agriculture.

**IT WAS**

**MOVED BY:** Commissioner Sidhu

**SECONDED BY:** Commissioner McCoubrey

THAT the application be approved

AND THAT the approval is subject to the following conditions:

- the statutory right of way be in substantial compliance with the plan submitted with the application

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 #24/2006**



**Staff Report**  
**Application # V – 36399**  
**Applicant: Fortis BC Inc**  
**Agent: New Town Planning Services Inc.**

**DATE RECEIVED:** November 22, 2005

**DATE PREPARED:** December 30, 2005

**TO:** Chair and Commissioners – Okanagan Panel

**FROM:** Brandy Ridout, Regional Research Officer

**PROPOSAL:** To dedicate a 0.4 ha statutory right-of-way to provide electrical services to the local irrigation district for their pump centre.

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

**BACKGROUND INFORMATION:**

Fortis BC is currently using an existing utility right-of-way corridor, which has been in place for approximately 25 years, to provide electrical services to the local irrigation district for their pump centre. This application has been submitted to request that a statutory right-of-way be dedicated in order to give this use formal approval. In addition, the new right-of-way would have a slightly different configuration and area (see attached sketch plan).

Fortis BC is an integrated, regulated electric utility, which generates, transmits and distributes electricity in a 90,000 square kilometre service territory in the southern interior of British Columbia.

**Local Government:**

Regional District of Okanagan-Similkameen

**Legal Description of Property:**

PID: 012-220-752

Lot 13, District Lot 207, Similkameen Division Yale District, Plan 576, EXCEPT Parcel a shown on Plan A62 and Parcel B shown on Plan B5981

**Purchase Date:**

Title provided with application indicates application for registration March 5, 1997.

**Location of Property:**

2860 Arawana Road, Naramata

**BACKGROUND INFORMATION (continued):**

**Size of Property:**

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

**Present use of the Property:**

Information not provided.

**Surrounding Land Uses:**

**WEST:** ALR, large lots  
**SOUTH:** Non-ALR  
**EAST:** Non-ALR, railway  
**NORTH:** Non-ALR residential lots

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82E.053  
The majority of the property is identified as having Mixed Prime and Secondary ratings.

**Official Community Plan and Designation:**

Information not provided.

**Zoning Bylaw and Designation:**

Information not provided.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Regional District of Okanagan-Similkameen:** No reply received by creation of Staff Report.


**STAFF COMMENTS:**

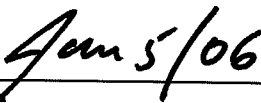
Staff recommends the Commission consider the following:

- An existing utility corridor is on the property and has been in place for 25 years.
- Fortis BC is currently using the corridor to provide electrical services to the local irrigation district for their pump centre and there are no plans to change the use.

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**END OF REPORT**

  
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Signature

  
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Date