



Agricultural Land Commission
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April 5, 2006

Reply to the attention of Brandy Ridout
ALC File #H-36423

0733599 BC Ltd
PO Box 706
Sicamous, BC - V0E2V0

Dear Sir/Madam:

Re: Application to exclude land from the Agriculture Land Reserve

Please find attached the Minutes of Resolution #73/2006 outlining the Commission's decision as it relates to the above noted application.

By way of a copy of this letter the Commission advises the Registrar of Land Titles that the land has been excluded from the Agricultural Land Reserve Plan of the Columbia Shuswap Regional District. As such the ALR notation should be removed from the respective Certificate of Title.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

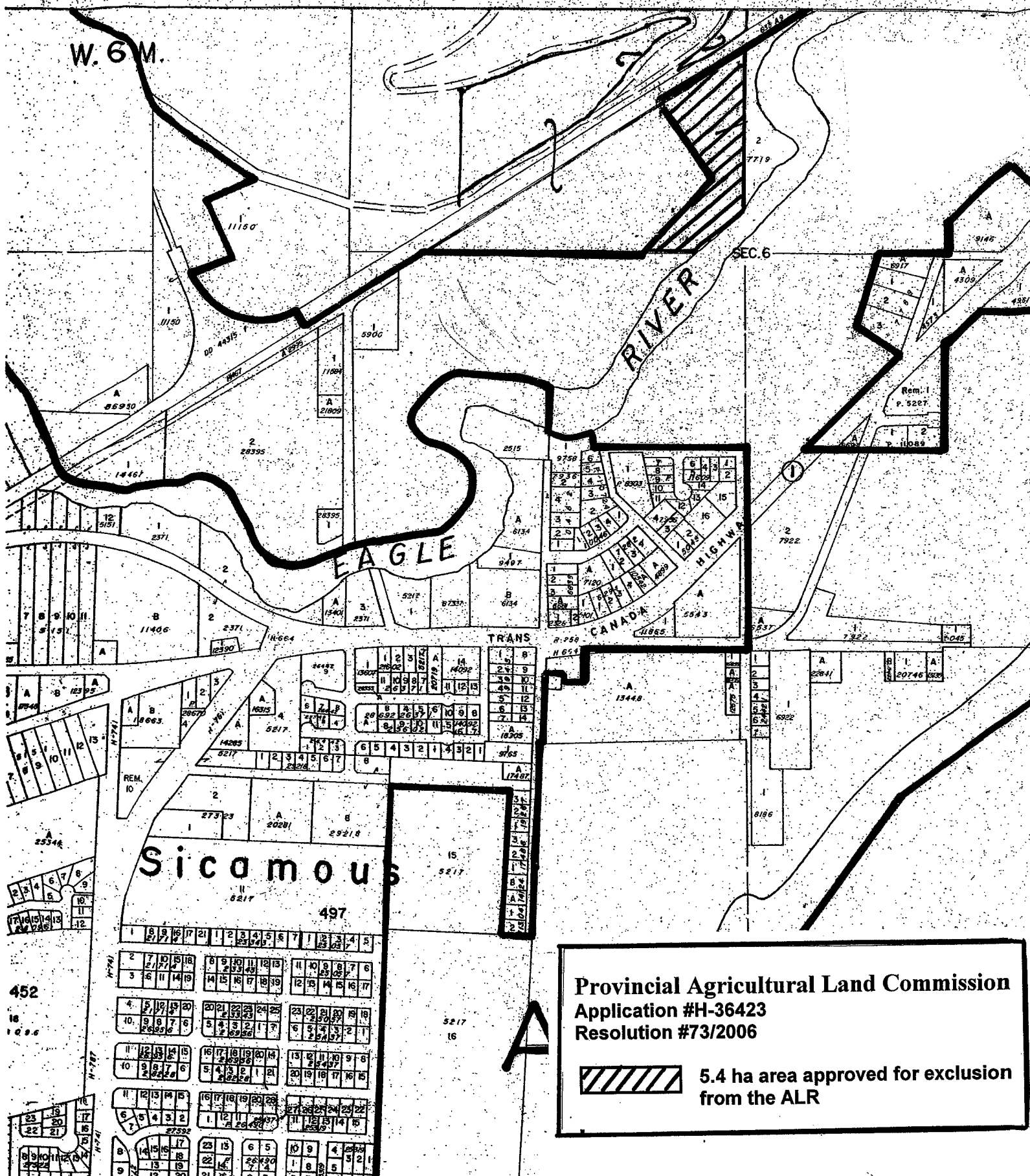
Erik Karlsen, Chair

cc: District of Sicamous - 05-156-ALR


BR/eg/Encl.: Minutes
Sketch Plan

I/36423d1

REGIONAL DISTRICT 1



Provincial Agricultural Land Commission
Application #H-36423
Resolution #73/2006

 **5.4 ha area approved for exclusion from the ALR**

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 2, 2006 at the Ministry of Agriculture and Lands office located at 4607 - 23rd Street, Vernon, BC.

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

For Consideration

Application # H-36423
Applicant(s) 0733599 BC Ltd.
Proposal To exclude the 5.4 ha ALR portion of the 18.7 ha subject property from the ALR to develop a modular home community (28 lots) and river shore park.
Legal PID: 014-827-298
Parcel A (SeeT13214), Section 6, Township 22, Range 7, West of the 6th Meridian, Kamloops Division Yale District, Except Plan NEP60545
Location 1721 Solsqua Road, north of the Eagle River, Sicamous

Site Inspection

A site inspection was conducted on March 1, 2006. Those in attendance were:

- Commissioners: Sue Irvine, Sharon McCoubrey, and Sid Sidhu
- Staff: Brandy Ridout and Martin Collins
- Agent: Howard Vinje

Mr. Vinje confirmed that he had received the staff report dated February 21, 2006 and did not identify any errors.

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.

Discussion

During the site inspection, the Commission noted that the site was of limited agricultural suitability in that it had been debilitated by filling on the adjacent industrial property. In addition, it was limited by its location adjacent to an old industrial area, the highway and the river. As such, the Commission believed that the exclusion of the property would not negatively impact agriculture.

The Commission noted that if the property is developed for residential use, it will consider this development in reference to the District of Sicamous' expressed needs for housing.

IT WAS

MOVED BY: Commissioner Irvine

SECONDED BY: Commissioner Sidhu

THAT the application be approved

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 #73/2006



Staff Report
Application # H – 36423
Applicant: 0733599 BC Ltd.
Location: Sicamous

DATE RECEIVED: December 20, 2005

DATE PREPARED: February 21, 2006

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To exclude the 5.4 ha ALR portion of the 18.7 ha subject property from the ALR to develop a modular home community (28 lots) and river shore park. The 13.3 ha non-ALR component of the property was excluded for "industrial" purposes in 1979 by a block application.

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

BACKGROUND INFORMATION:

This application is one of three exclusion applications currently before the Commission in Sicamous. The purpose of each application is to exclude land for affordable housing as it has been claimed that there is a shortage of land for affordable housing. The Commission viewed two of the exclusion applications in December 2005, which lie adjacent to existing residential subdivision south of Highway #1 and east of Highway #97. Decisions have not been made on these two applications because the Commission requires further information from the District about growth pressure and residential land supply and also needs to view the improved farmland in the Deep Creek Road area that has been proposed for inclusion into the ALR.

Two letters have been received from citizens concerned about the application. Richard Fritz expresses concern that the mobile home park would eventually be flooded given its location on the floodplain. Brent Graf, the owner of the property to the east, writes that the proposal would have adverse effects on his property due to the loss of a buffer zone between himself and the industrial area. He indicates that the land can easily be converted to farm use with brush clearing, that housing should not be located so close to the railway line and industrial area, and concern regarding stream bank protection on the Eagle River.

Local Government:

District of Sicamous

Location of Property:

1721 Solsqua Road, north of the Eagle River, Sicamous

BACKGROUND INFORMATION (continued):

Legal Description of Property:

PID: 014-827-298
Parcel A (See T13214), Section 6, Township 22, Range 7, West of the 6th Meridian, Kamloops
Division Yale District, Except Plan NEP60545

Purchase Date:

Not provided, title included with application is dated August 2005

Size of Property:

18.7 ha (approximately 5.4 ha are in the ALR)

Present use of the Property:

The non-ALR portion of the property is used for heavy equipment storage and contains an office building, a secondary office building, a vehicle repair shop, and non-operational wood processing facilities including two sawmill burners and a log peeler building). The ALR portion of the property is forested and not in use.

Surrounding Land Uses:

WEST: Non-ALR land occupied by a mix of Industrial uses
SOUTH: Hayfield in the ALR
EAST: 2 ha rural residence in the ALR, Eagle River beyond
NORTH: Forested non-ALR hillside, CPR railway tracks

Agricultural Capability:

Data Source: Agricultural Capability Map #82 L/15
The majority of the ALR portion of the property is identified as having prime dominant ratings.

Official Community Plan and Designation:

OCP Bylaw No. 410 (2000)
Designation: Large Holdings and General Industrial

Zoning Bylaw and Designation:

Zoning Bylaw No. 101 (1993)
Designation: The property is dual zoned - Large Holdings (6 ha) north of the road and General Industrial (12.7 ha) south of the road.

PREVIOUS APPLICATIONS:

Application #08595-0

Applicant: Regional District-Sicamous
Decision Date: April 10, 1980
Proposal: To exclude 43.85 ha from the ALR
Decision: Allowed by Cabinet

The non-ALR portion of the property was excluded by this application.

RELEVANT APPLICATIONS:

Application #34926-0

Applicant: Randy Lotto
Decision Date: September 19, 2003
Proposal: Requested a 60-site public campground facility on 4 ha of the 8 ha property with recreational and service facilities on the remainder (i.e. baseball diamond, caretakers residence, common building).
Decision: Refused on the grounds the land had good agricultural capability.

Application #34926-1

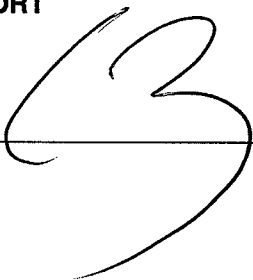
Applicant: Randy Lotto
Decision Date: No decision
Proposal: The applicant has indicated a willingness to work with the Commission to obtain approval for the amended 75-unit campsite proposal. The Commission has suggested it is prepared to review its decision upon receipt of a more detailed proposal showing how the 4 ha remainder of the property could be developed for agriculture and how impacts on the adjoining farm property could be mitigated.
Decision: No decision

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

The **District of Sicamous** forwarded the application with a recommendation of support.

END OF REPORT

Signature



Date

Feb 21/06