



Agricultural Land Commission
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November 13, 2007

Reply to the attention of Martin Collins

Pat Frewer, Seniorhome
4850 44B Avenue
Delta, B.C. V4K 1H8

Re: Application # V-33624

Thank you for your e-mail dated Nov. 2, 2007 which requested the Agricultural Land Commission's views on the attached site plan, as per the Commission's conditions of exclusion (regarding fencing, vegetative buffering and setbacks) stipulated by Resolution #13/2001 pertaining to Lot 2, DL 2450s, Plan 28953 SDYD.

Be advised the Commission, by Resolution #568/2007, has the following comments on the site plan:

- The Commission finds the location of the three storey condominium structure to be unsuitable from an agricultural perspective. The Commission prefers that lower density buildings (i.e. the townhouses) be located adjacent to active farmlands lying to the east.
- The Commission has no objection to varying the location of the buffering and type of fencing on the north boundary of the development. Specifically the Commission endorses the setback provided by the access road and the construction of a fence and planting of vegetative screening on the south side of the access road. Additionally, the fence need not be the six foot high wooden fence as required by Resolution #13/2001.
- The Commission continues to require the construction of a fence and vegetative buffering as specified by Resolution #13/2001 around the perimeter of the property, with the exception of the access road area noted above. Although the Commission has endorsed, in principle, the urbanization of the lands to the north and south, the lands remain in the ALR and are suitable for (or in) agricultural production. The fencing, setbacks and buffering remain in effect to protect those landowners who may wish to continue farming these lands.

If you have any further questions about the exclusion process, please contact Martin Collins at 604-660-7021.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

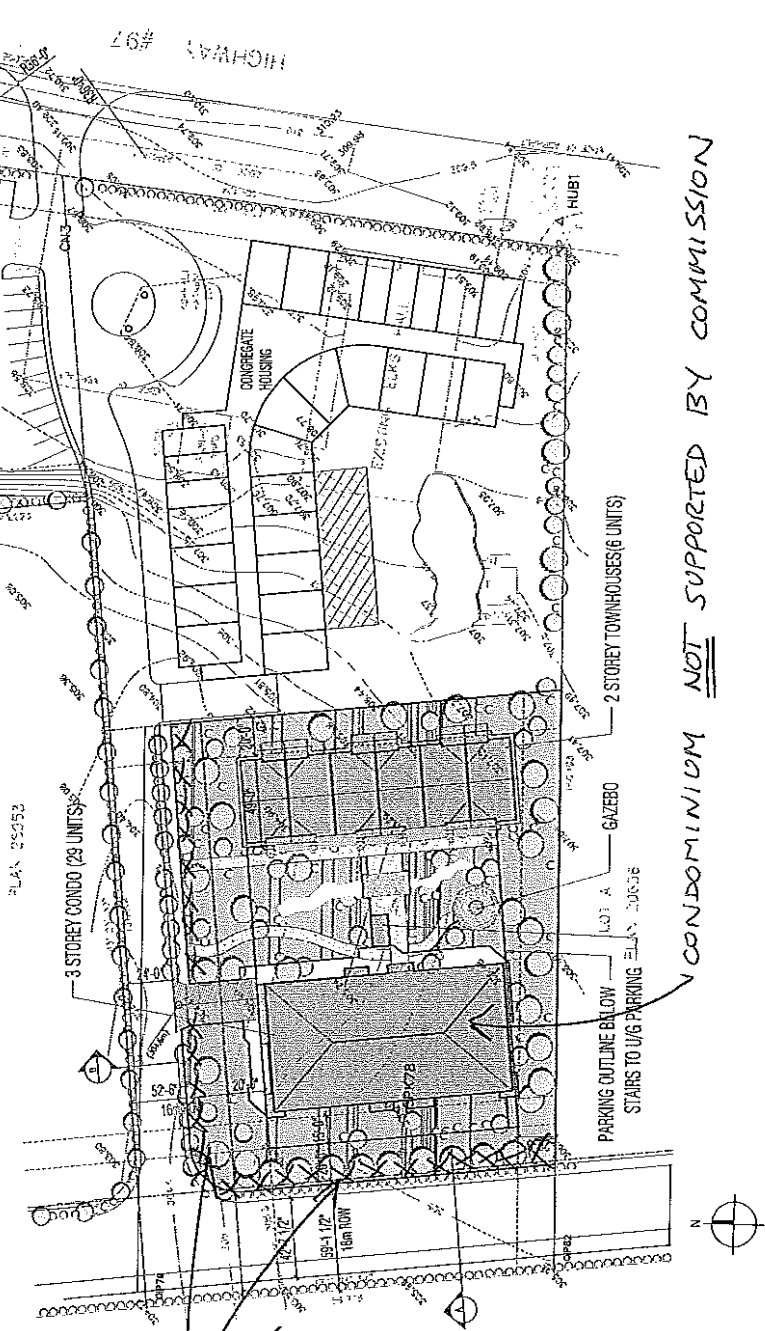
Per: 

Erik Karlsen, Chair

enclosure

cc: Town of Osoyoos
MC/33624d7

	LOT AREA	TOWNHOUSES	3 STOREY CONDO
LOT AREA	45,836 S.F. = 0.484 HA.		
LOT COVERAGE	15,478 S.F.		
BUILDING AREA		6 UNITS : 5522 S.F.	28 UNITS : 25,065 S.F.
UNIT MIX		2 BED & DEN / UNIT	5 STUDIO 12 : 1 BED 12 : 2 BED
TOTAL BLDG. AREA	38,567 S.F.		
PARKING REQ.		11	51
PARKING PROV.		11	52



AMENDED
 FENCE #
 6M BUFFER AREA ***
 RES # 568/2007
 PLAN 1-2-5

SITE PLAN
 SCALE: 1/8" = 1'-0"

CONDOMINIUM NOT SUPPORTED BY COMMISSION



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 09, 2007 at the Ministry of Agriculture and Lands office located in Vernon, B.C.

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

For Consideration

Application: # V- 33624
Applicant: Pat Frewer, Seniorhome
Proposal: The Commission allowed the exclusion of the 1.5 ha property in 2001 (by Res. # 13/2001) subject to the development of a 6 meter wide vegetated buffer, and the construction of a 2 meter high solid wooden fence.

The applicants note that the Commission, by Resolution # 60/2007, endorsed urban development on lands to the north and south subject to conditions. The request for reconsideration is to release the applicant from the necessity of constructing a buffer on the north property boundary for the length of the access road which borders the north property boundary. The applicant intends to develop buffering/fencing on the south side of the access road. The access road appears to be 9 meters wide and approximately 100 meters long.

Location: East of Highway #97 – Elks property

Site Inspection

No site inspection was undertaken.

Discussion

The Commission had no objection to the request because;

- the building setbacks are increased by the presence of the road
- buffering and setbacks would still be located south of the access road
- it has supported, in principle, the urbanization of lands to the north. However, it also recognized that, at this time the lands to the north are in agricultural production. Although Mr Frewer indicates that he has an interest in these lands, no confirmation is provided by the landowner(s) that they intend to sell and develop in the short term.

IT WAS

MOVED BY: Commissioner S. Irvine

SECONDED BY: Commissioner S. Sidhu

THAT the request to amend the location of the buffering be allowed, but that buffering and fencing is still required on the south side of the access road.

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 # 568/2007