



**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

January 12, 2007

Reply to the attention of Simone Rivers  
ALC File: #ZZ - 36977

Bill Bilton  
c/o North Core Development Ltd  
PO Box 24043 - #70-700 Tranquille  
Kamloops, BC V2B 8R3

Dear Mr. Bilton:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 1/2007 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan. It will also confirm for the Registrar the area excluded from the ALR.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: City of Kamloops (#ALR00020)

Enclosure: Minutes/Sketch Plan

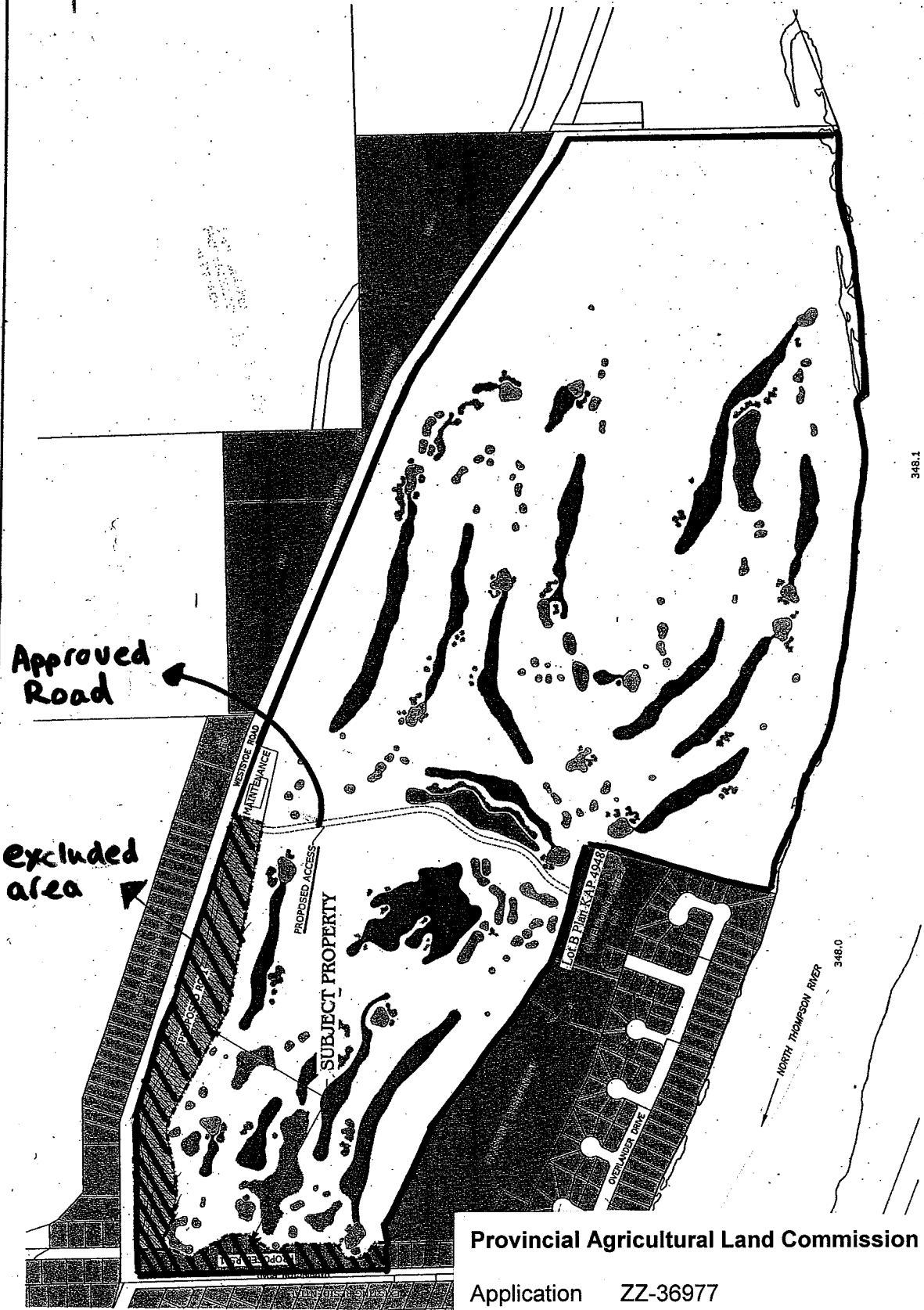
SBR/lv/Encl.

# Preliminary Layout Plan

FIGURE 1

"THE DUNES AT KAMLOOPS" A DIV. OF NORTH CORE DEVELOPMENT LTD.

1:2,500



URBANSYSTEMS.

Provincial Agricultural Land Commission

Application ZZ-36977  
Resolution 1/2007

-  Subject Property
-  5 Hectare area approved for exclusion from the ALR



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**

### **Assessment of Agricultural Capability**

In assessing agricultural capability, the Commission confirmed that the soils ratings identified by the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system indicated that the 5 ha area proposed for exclusion had very good capability for agriculture.

### **Assessment of Agricultural Suitability**

The Commission next assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission believes that there are external factors that render the land less suitable for agricultural use, specifically; the use of the entire parcel for golf course uses, and the adjoining suburban residential development to the south, west and east.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission recalled that the golf course was conceived and constructed when golf courses were permitted outright in the ALR (i.e. it did not require an application as they do today). However; the Commission believes that it is unlikely that the golf course will revert to agricultural uses. That being said, the principal reason for retaining the golf course within the ALR is twofold:

- in the event that an arable land crisis requires the conversion of the golf course to food production.
- to ensure that the golf course is not converted to more intensive urban uses, thereby preventing other ALR lands from being identified to meet golf course demand in the region.

As such, while the exclusion represents a permanent loss of ALR land, it will not significantly decrease the available agricultural land (as the land has already been alienated).

The Commission notes that the proposed lots are located adjacent to existing residential development on Harrington and Westsyde Roads and well removed from the adjacent ALR to the north.

### **Further Discussion**

The Commission also discussed the applicant's request that access to the golf course be allowed from Westsyde Road across the course. The Commission has no objection to allowing public access to the golf course from Westsyde Road.

### **Conclusions**

Although the land under application has good agricultural capability and is appropriately designated as ALR, the Commission believes that the 5 ha area under application has limited utility for agricultural development due to surrounding golf course and residential land

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uses. Therefore the Commission believes that exclusion will not negatively affect agriculture.

**IT WAS**

**MOVED BY:** Commissioner Huffman

**SECONDED BY:** Commissioner Campbell

THAT the application to exclude 5 ha from the ALR be allowed as proposed subject to the following conditions:

- the preparation of a subdivision plan to delineate the area to be excluded per the drawing 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 # 1/2007**



**Staff Report**  
**Application # ZZ – 36977**  
**Applicant: North Core Development Ltd.**

**DATE RECEIVED:** September 15, 2006

**DATE PREPARED:** November 7, 2006

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

**FROM:** Simone Rivers, Land Use Planner

**PROPOSAL:** To exclude 5 ha of the 69 ha property to subdivide approximately Fifteen (15) single family residential lots along Harrington Road and Forty Nine (49) multi-family units along Westsyde Road south of the maintenance building and the proposed road to the golf course clubhouse.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

The Dunes Golf Course was created in 1990 during one of the periods when golf courses were allowed as an outright use in the ALR. As such, the Commission at the time could not prohibit the creation of this golf course but could set specific terms and conditions, aimed at ensuring that the land could be readied for agricultural use in the event the golf use ceased.

**Local Government:**

City of Kamloops

**Legal Description of Property:**

PID: 018-208-410  
Lot A, Section 7, 8, 17 and 18, Township 21, Range 17, W6M, Kamloops Division of Yale District, Plan KAP49486

**Purchase Date:**

January 1, 2006

**Location of Property:**

3801 Westsyde Road, Kamloops

**Size of Property:**

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

**Present use of the Property:**

Vacant perimeter of existing Golf Course

**Surrounding Land Uses:**

**WEST:** Residential  
**SOUTH:** Residential  
**EAST:** Residential - Single Family and Multi Family  
**NORTH:** Golf Course - Rural

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 921/16  
The majority of the property is identified as having Mixed Prime and Secondary ratings.

**Official Community Plan and Designation:**

OCP: Bylaw No. 5-1-2146 - City of Kamloops  
Designation: Golf Course

**Zoning Bylaw and Designation:**

Zoning: Bylaw No. 5-1 (2001)  
Designation: A1- (Agricultural)  
Minimum Lot Size: 8 ha

**PREVIOUS APPLICATIONS:**

**Application #24208-0**

**Applicant:** Ord, Edmond B  
**Decision Date:** July 24, 1990  
**Proposal:** To develop 72 ha of the 121 ha parcel into an 18 hole golf course.  
**Decision:** Commission did not support the golf course use of this highly capable agricultural property but imposed terms and conditions as per its authority.

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**Application #24208-1**

**Applicant:** Ord, Edmond B  
**Decision Date:** October 9, 1996  
**Proposal:** To release the \$88,955.00 letter of Credit which was one of the conditions of operation of the golf course.  
**Decision:** Refused. The Commission did not feel that the terms under which the golf course was permitted have been satisfactorily completed. It also required the immediate submission of an application to deal with the road that had been constructed without Commission approval.

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**Application #24208-2**

**Applicant:** Ord, Edmond B  
**Decision Date:** December 13, 1996  
**Proposal:** Requested bond in amount of \$88,955.00 be released and access road referred to in Res. #822/96 be permitted to remain as an internal road used by the golf course.  
**Decision:** Allowed release of the bond and permitted continued use of the driveway accessing Westsyde Road as an internal golf course road.

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**Application #24208-3**

**Applicant:** Ord, Edmond B

**Decision Date:** March 07, 2003

**Proposal:** To relocate the golf course maintenance structures within the golf course in the ALR. A 6,000 sq ft structure is planned. The rationale for the relocation is:

- 1) maintenance equipment comes into conflict with cars and pedestrians adjacent to the clubhouse
- 2) the present location is difficult to keep presentable
- 3) due to a lack of storage space all of the equipment must be stored off-site in the winter
- 4) deliveries to the current location is a challenge
- 5) space occupied by the present structures could be better used for other purposes

**Decision:** The Commission allowed the relocation and construction of 6,000 sq ft maintenance buildings into the golf course which lies within the ALR

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**Application #24285-0**

**Applicant:** Ord, Edmond B

**Decision Date:** July 24, 1990

**Proposal:** To exclude 49.3 ha from the 121.3 ha parcel for a housing development to be built on the periphery of the golf course.

**Decision:** Refused on the grounds that the property is excellent agricultural land which would require minimal effort to get back into production.

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**Application #24285-1**

**Applicant:** Ord, Edmond B

**Decision Date:** September 4, 1990

**Proposal:** To reconsider based on the proposal to reduce the size of the area to be excluded from 49.3 ha to 29 ha.

**Decision:** Reconfirmed the previous decision and the application be refused on the grounds that residential development of any size on the property would eliminate any future use of the land for agriculture

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**Application #24285-2**

**Applicant:** Ord, Edmond B

**Decision Date:** January 21, 1991

**Proposal:** To relocate the proposed 29 ha area to be excluded and to place to club house and maintenance facilities for the golf course within this area.

**Decision:** Reconfirmed previous decision and refused proposal on the grounds that residential development of any size or configuration would eliminate any future use of the land for agriculture.

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**Application #24285-3**

**Applicant:** Ord, Edmond B

**Decision Date:** May 7, 1991

**Proposal:** That 29 ha be excluded for residential development.

**Decision:** That the previous decision be reconfirmed and the application be refused on the grounds that the area under application is of prime agricultural capability and there is no established community need to urbanize ALR land in the Kamloops area and the Commission is concerned with golf course proposals involving the ALR being the basis for or otherwise prompting the inclusion of a residential component which would utilize superior agricultural land.

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**Application #24285-4**

**Applicant:** Ord, Edmond B

**Decision Date:** June 1991

**Proposal:** To exclude land adjacent to the golf course for residential development.

**Decision:** To allow the exclusion of 18 ha for residential development subject to fencing and that the southwest corner of the property which has been proposed to be used as a turf farm must be utilized as part of the golf course and developed as such.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

City of Kamloops Council forwarded the application with a recommendation of support.

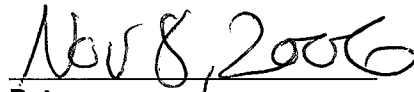
**STAFF COMMENTS:**

**ATTACHMENTS:**

- North Core Development Ltd - DBA The Dunes at Kamloops - Proposal description submitted by the applicant (3 pages)
- Correspondence from the City of Kamloops (Date September 6, 2006) (3 pages)
- Letters of opposition (6 letters attached)
- Preliminary Layout Plan - proposed use of area under application for exclusion
- ALR Context Map - 92/16 1:50,000 (Created by ALC Staff)
- Airphoto 92/16 - 1:10,000 (Created by ALC Staff)

**END OF REPORT**

  
Signature

  
Date