



Agricultural Land Commission
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July 17, 2007

Reply to the attention of Brandy Ridout
ALC File: # T - 37319

Daisy Foster
Greater Vernon Services
3rd Floor, 3105 33rd St.
Vernon, B.C. V1T 9P7

Dear Madam:

Re: Application for subdivision and non farm uses in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 338/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a white background.

Erik Karlsen, Chair

cc: Regional District of North Okanagan (#07-0023-D-ALR)

Enclosure: Minutes/Sketch Plan

MC/lv
37319d1

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

Assessment of Agricultural Capability

In assessing agricultural capability of the subject land, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is:

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both. The prevalent limitations to agricultural development are topography and stoniness. Similar soils and aspect have been developed for orchard uses further to the west in the Coldstream Valley.

Assessment of Agricultural Suitability

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission, noting that the subject property lies in an area of predominantly large agricultural properties in pasture and forage production, does not believe there are external factors that render the 8 ha area unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the water treatment facility against the long term goal of preserving agricultural land. The Commission does not believe that use of 8 ha for a water treatment facility would have a significant impact on surrounding agricultural farm activity, or agricultural potential. The number of employees of the new facility is minimal (2-4 employees), and the size of the property and the depth of the setbacks from structures would largely preclude any negative impacts on farming. The Commission believes that the water treatment facility could only with difficulty be accommodated outside of the Agricultural Land Reserve, given the extent of the ALR in the Coldstream Valley, and the necessity of locating the facility adjacent to the Grey Canal right of way.

Assessment of Other Factors

The Commission initially had concerns about the impacts of the centrate disposal wetland area adjacent to the cultivated field; the necessity for 8 ha (rather than a smaller) parcel; and how preferred agricultural water rates and access for farming could be achieved. This information was requested in a letter dated June 14, 2007. Greater Vernon Services, in a letter dated June 26th, 2007, advised that the wetland area would be managed in such a way as to not affect cultivated farmland; that the 8 ha parcel is necessary due to the need to build the water treatment facilities uphill of the Grey Canal right of way; and confirmation was provided that water rates and access are supportive of agriculture as per Greater Vernon Services irrigation pricing and policy.

Conclusions

1. That the land under application has agricultural capability, is appropriately designated as ALR and is suitable for agricultural use.
2. That the proposal will permanently alienate 8 ha of ALR.
3. That the water facility represents a significant infrastructure benefit to the farm community, in that it will provide purer irrigation water than previously at competitive agricultural rates.
4. On balance the Commission believed the agricultural and community benefits arising from the facility helped balance the negative impacts of locating it within the ALR.

IT WAS

MOVED BY: Commissioner Sue Irvine

SECONDED BY: Commissioner Sid Sidhu

THAT the application to subdivide an 8 ha lot for a water treatment facility be allowed.

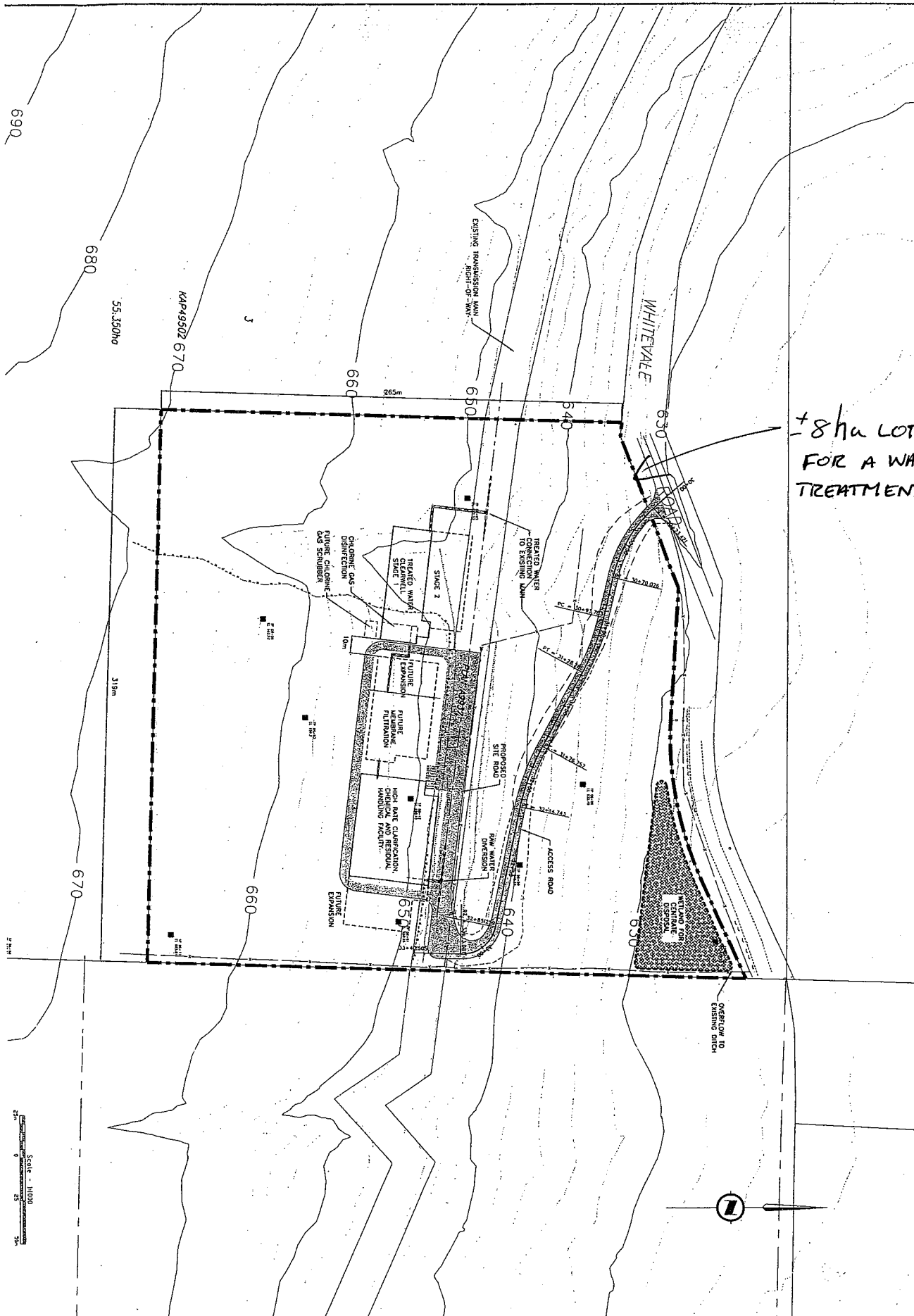
AND THAT the approval is subject to the following conditions:

- the preparation of a subdivision plan to delineate the area to be excluded per the drawing submitted with the application
- The construction of a fence around the periphery of the 8 ha parcel to prevent livestock from entering the property.
- the subdivision and water treatment facility must be completed within three (3) years from the date of this decision.
- approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

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 # 338/2007



+8ha LOT
FOR A WATER
TREATMENT FACILITY

APPLICATION
#T-37319
RES # 338/2007

GREATER VERNON SERVICES - WATER
DUTEAU CREEK WATER TREATMENT PLANT
VERNON, BRITISH COLUMBIA

**SITE PLAN
ACCESS ROAD**

PREPARED BY
EarthTech
A Tyco International Ltd. Company

PREPARED FOR
GVS Sandwell

EARTHTECH KELOWNA
3275 LAKESHORE ROAD
KELOWNA, B.C.
V1W 3S9

DRN	RSS	DATE	DESCRIPTION	RSS	BD	DATE
DES		06-09-14	C ISSUED FOR PREDESIGN	RSS	BD	06-12-22
CHK	BD	06-09-14	B ISSUED FOR REVIEW	RSS	BD	06-11-21
APP			A ISSUED FOR REVIEW	RSS	BD	06-09-14
			NO REVISIONS	DRN	CHK	DATE

DATE: 06-09-14
PROJECT NO: 93230
FILENAME: 06-09-14-001.DWG
SHEET NO: 1 of 1
DRAWING NO: