



Agricultural Land Commission Staff Report

DATE: June 8, 2010
TO: Vice Chair and Commissioners - Okanagan Panel
FROM: Brandy Ridout

RE: Application # 51719

PROPOSAL: To install a sanitary sewage collection system for the Northwest Sector of Osoyoos Lake. The system is only designed to collect from the lakefront properties and will not support development of properties within the collection area. All disturbances caused by this project will be restored to a preconstruction state or better.

PROPOSAL INFORMATION

Background: Planning file #V-21570 dealt with the Waste Management Plan for Electoral Areas A, C and D. At that time, as the water quality of Osoyoos Lake had become a major concern, the extension of the Town's sewerage system into the rural areas that were then using individual septic tanks and tile field systems was identified as necessary to achieve long term water quality preservation. In order to secure funding for the project, Bylaw 1356 (1992) was passed to establish and operate a sanitary sewer local service in the North West Sector of the Osoyoos Lake Fringe in Electoral Area ' A' . The Commission consented to the bylaw with the exception of an area just north of the Osoyoos town boundary (see attached sketch).

Received Date: May 6, 2010
Applicant: Town of Osoyoos
Agent: TRUE Consulting Group
Local Government: Town of Osoyoos

DESCRIPTION OF LAND

PID: 025-623-001
Legal Description: Lot B District Lot 2450S Similkameen Division Yale District Plan KAP72608
Civic Address:
Area: 5.9 ha
ALR Area: .2 ha
Purchase Date: January 16, 2003
Owner: Luis & Alcida De Melo

PID: 025-623-010
Legal Description: Lot C District Lot 2450S Similkameen Division Yale District Plan KAP 72608
Civic Address:
Area: .7 ha
ALR Area: .1 ha

Purchase Date: January 16, 2003
Owner: Lual Orchards Ltd

PID: 002-025-655
Legal Description: Lot 6 District Lot 2450S Similkameen Division Yale District Plan 32220
Civic Address:

Area: .2 ha
ALR Area: .1 ha
Purchase Date: June 9, 1998
Owner: Luis & Alcida De Melo

PID: 005-042-402
Legal Description: Lot 4 District Lot 2450S Similkameen Division Yale District Plan 4370
Civic Address:

Area: .7 ha
ALR Area: .1 ha
Purchase Date: June 26, 1998
Owner: Luis Plut

PID: 027-278-964
Legal Description: Lot 1 District Lot 2450S Similkameen Division Yale District Plan KAP85165
Civic Address:

Area: .1 ha
ALR Area: 0 ha
Purchase Date: October 30, 2007
Owner: Paul & Joan Dumoret

Total Land Area: 7.6 ha
Total ALR Area: .5 ha
Current Land Use: Orchard and residential lots occur along the entire alignment

PROPOSAL DETAILS

Non Farm Use

Area	Agricultural Capability	Agricultural Capability Source
1.6	Mixed Prime and Secondary	BCLI

Surrounding Land Uses:

North Lake front properties, Osoyoos Lake

East Lake front properties, farms, Osoyoos Lake
South Small residential lots, farms, packing house
West Farms

Official Community Plan

Bylaw Name: Osoyoos Rural Bylaw No. 2450, 2008
Designation: Various
OCP Compliance: Yes

Zoning

Zoning Bylaw Name: Osoyoos Rural Zoning Bylaw No. 2451, 2008
Zoning Designation: Various
Minimum Lot Size:
Zoning Compliance: Yes

Committee Recommendations

Type	Recommendation	Description
Board/Council	Approve	Town of Osoyoos is the applicant.

STAFF COMMENTS

- There are 28 properties in the ALR along the 6.5 km route that are affected by the proposal. Besides Lot B, Plan 72608, which has an affected area of 0.2 ha, the other properties have affected areas 0.1 ha or smaller (0.04 ha on average).
- The project will be undertaken in 5 phases with phase 1 having been tendered earlier this year. Complaints from neighbours were received in April 2010 that included photos showing soil disturbance, heavy machinery, and storage of construction materials along 98th Avenue at the beginning of the phase 1 area (photo attached).
- A large percentage of the pipeline will be in existing road right-of-way (i.e. towards the northern end of the project, the pipe is wholly contained in road right of ways) and some will go through non-ALR land (lakeshore that has previously been excluded from the ALR).
- After the installation of the sewer pipe, the area will be rehabilitated to the pre-construction state or better.
- Under planning file #V-21570, the Commission consented to Bylaw 1356 (1992) with the exception of an area just north of the Osoyoos town boundary (see attached fax of March 4, 1993). The Commission objected to the large agricultural parcels being included in the bylaw area and they were removed from the area. At that time, the railway right-of-way existed along the lakefront to the north of the agricultural parcels (it has subsequently been sold to adjacent lots) and was proposed for the location of the sewer line.
- Portions of Phase 1 appear to be able to be accommodated within existing road right-of-ways but are not. Staff has requested clarification from the agent.

ATTACHMENTS

51719_ContextMap50k.pdf
51719 air photos maps.pdf
51719 - Bylaw comment.pdf
Phase 1.pdf
April 2010 photo.pdf
21570d1.pdf

END OF REPORT

Signature

Date
