



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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www.alc.gov.bc.ca

April 8, 2015

ALC File: # 53928

Protech Consulting 2012  
#200 – 1461 St. Paul Street  
Kelowna, BC V1Y 2E4

Attention: Grant Maddock

**Re: Application for Utility Use on Land within the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution # 65/2015 as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly. The Commission has also attached a Sketch Plan depicting the decision.

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.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Further correspondence with respect to this application is to be directed to Ron Wallace (Ron.Wallace@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in blue ink, appearing to read 'C. Fry', is written over the printed name of the Chief Tribunal Officer.

Colin J. Fry, Chief Tribunal Officer

Enclosures: Minutes of Resolution #65/2015  
Sketch Plan

cc: District of West Kelowna

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**Minutes of a meeting held by the Provincial Agricultural Land Commission (the “Commission”) on April 8, 2015, at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.**

**FOR CONSIDERATION**

Application: 53928  
Applicant: Ryser Developments Ltd  
Agent: Grant Maddock, Protech Consulting 2012  
Proposal: To install sewer, water and a storm utility system within a 9.0 m wide statutory right-of-way running from Paramount Drive to Tallus Ridge Drive to service the local residential development. All three utilities will be a minimum burry of 1.5 m. In addition to the utility right-of-way, a storm detention area is proposed with the area for detention being within an 8 m wide, 1 m deep swale that runs along Tallus Ridge Drive for 250 m.  
(Submitted pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation)

Legal: Lot 1 District Lots 2600 and 3793 Osoyoos Division Yale District Plan KAP84074 and district Lot 3793, Plan KAP44536

Location: Tallus Ridge, West Kelowna

Background: Tallus Ridge is a comprehensive residential development. As a requirement of rezoning the District of West Kelowna required a Functional Servicing Report to specifically address managing sanitary sewage and storm water. The engineering review identified from the topographic mapping that the only way to gravity drain the sanitary sewage and storm water is through the ALR as proposed. To minimize the impact of the ALR lands the proposed routings were designed to pass through land that has the least soil capabilities as well as traversing along the toe of the steeper sloped area.

Attachment: Sketch Plan showing proposed utility ROW and storm detention area

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**DELEGATION OF DECISION-MAKING TO THE CHIEF EXECUTIVE OFFICER (CEO)**

On June 27, 2011 the Commission delegated decision-making to the CEO by Resolution #016N-2011 (File: 140-60/ALC/CEO/APPL). In accordance with section 27 of the *Agricultural Land Commission Act* the Commission has specified that the following applications may be decided by the CEO.

**Criterion 4**

Non-farm use applications made pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation);

**DECISION:**

After reviewing the entire file material, I, Brian Underhill, Deputy Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion # 4 of Resolution #016N/2011 and approve the application on behalf of the Commission.

Approval is subject to the following conditions:

- The preparation of a plan to delineate the area to be dedicated as a Statutory Right-of-Way for the utility corridor and for storm detention area 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.

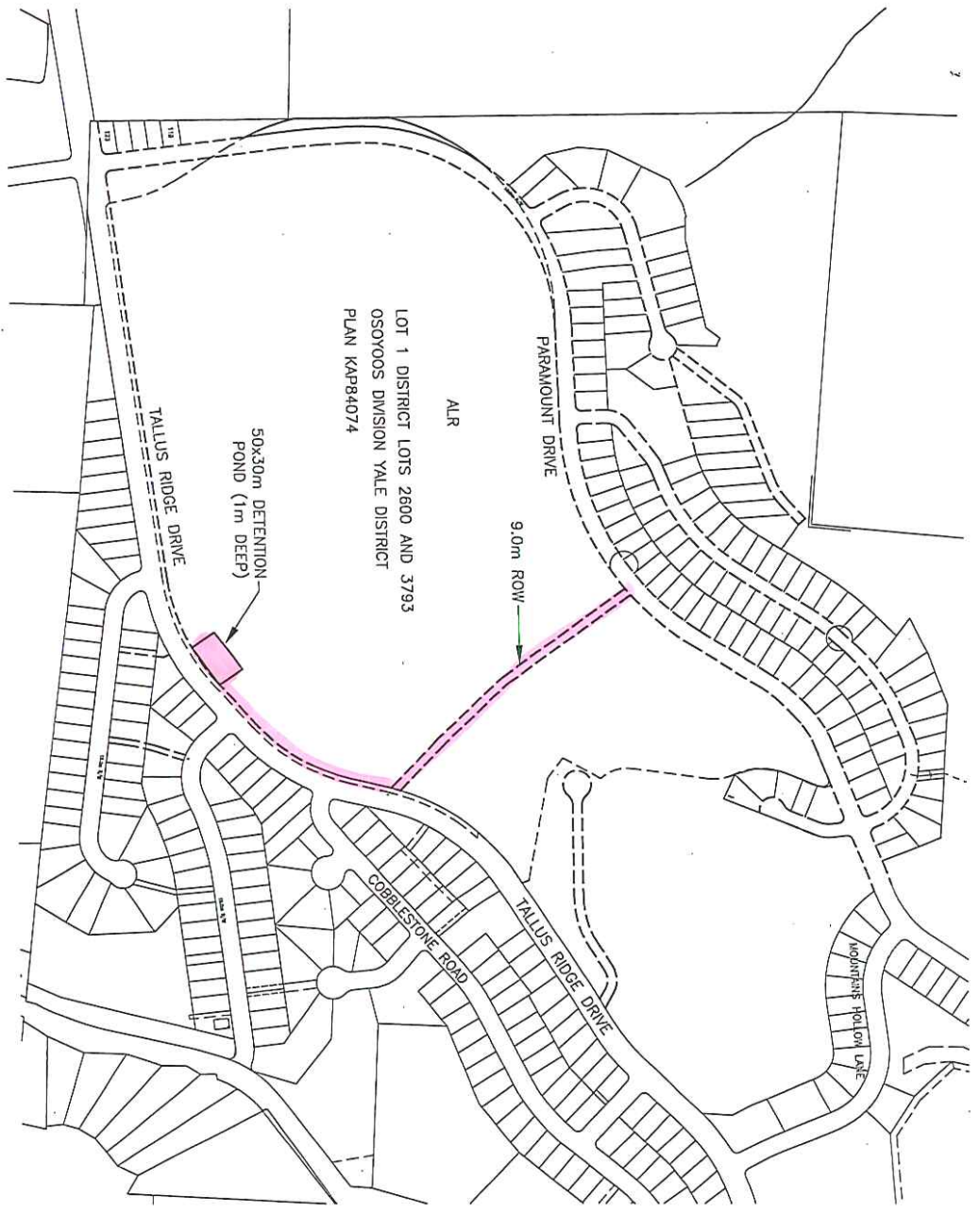
**RESOLUTION #65/2015**

**I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION**




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**Brian Underhill, Deputy Chief Executive Officer**



**Provincial Agricultural Land Commission**  
 Application #53928  
 Resolution #65/2015

 Area approved for SRW and storm detention swale and pond