

February 17, 2022

Address & Legal Description

610 Pineview Road

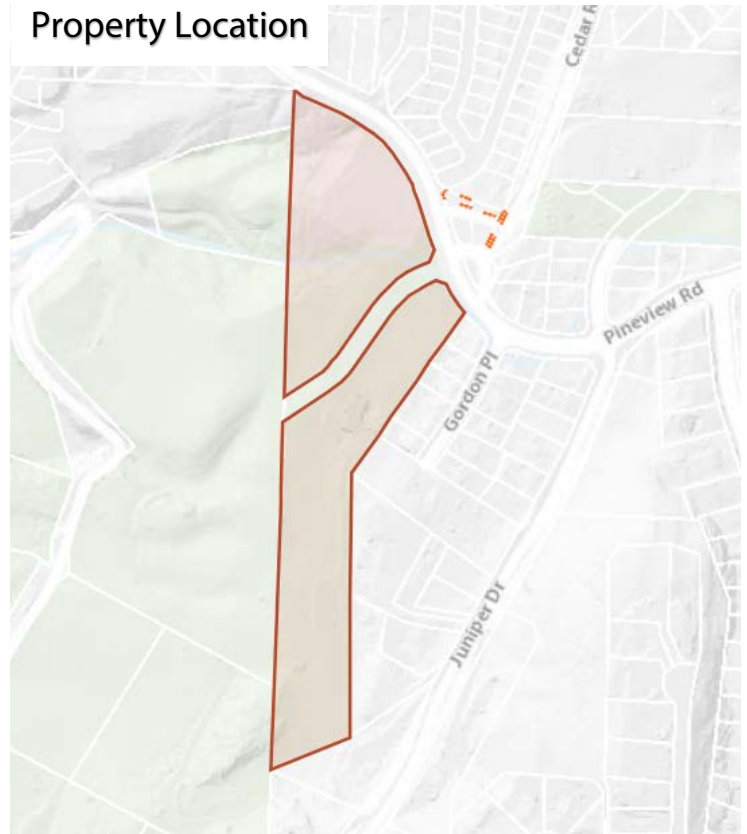
Lot 1 District Lot 2710 Similkameen Division Yale
District Plan EPP22470

Subject & Proposal

Agricultural Land Reserve Exclusion Application

The applicant is proposing to develop a residential subdivision on the subject property. In order to proceed with future development, the property must first be excluded from the provincial Agricultural Land Reserve (ALR). The subject property is part of a conditionally-approved ALR exclusion that includes two other properties on Valleyview Road, however this application is to exclude 610 Pineview Road (3.8 hectares/9.3 acres) from the ALR on its own.

Property Location



Information:

You can find the staff report to Council on the City's website at www.penticton.ca/publicnotice.

Please contact the Planning Department at planning@penticton.ca or (250) 490-2501 with any questions.

Council Consideration:

A Public Hearing has been scheduled for **6:00 pm, Tuesday, March 1, 2022** in Council Chambers, Penticton City Hall, 171 Main St.

In response to COVID-19, the Public Hearing is being held in-person and electronically. All meetings and public hearings will be live streamed via the City's website at: www.penticton.ca/city-hall/city-council/council-meetings. Select the 'Watch Live' button.

Please note that City Council will pass a resolution after the Public Hearing to either forward the application to the Agricultural Land Commission (ALC) or not forward the application to the ALC and have the file closed. If Council votes to forward this application to the ALC, the ALC will review the application and make a final decision on this ALR Exclusion application.

Public Comments:

Any person whose interest may be affected by the ALR Exclusion proposal:

1. May participate at the public hearing via Zoom. Please visit www.penticton.ca/publichearings for details and the Zoom link.
2. May participate at the public hearing via telephone. Please visit www.penticton.ca/publichearings for details and the telephone number.
3. Submit written comments by mail or email no later than 9:30 am, Tuesday, March 1, 2022 to

Attention: Corporate Officer, City of Penticton
171 Main Street, Penticton, B.C. V2A 5A9
Email: publichearings@penticton.ca

Please ensure the following is included in your correspondence:

Subject: ALR Exclusion, 610 Pineview Rd.

4. May appear in person. (Masks are required.)

No letter, report or representation from the public will be received by Council after the conclusion of the March 1, 2022 Public Hearing.

Please note that all correspondence submitted to the City of Penticton in response to this Notice must include your name and address and will form part of the public record and will be published in a meeting agenda when this matter is before the Council or a Committee of Council. The City considers the author's name and address relevant to Council's consideration of this matter and will disclose this personal information. The author's phone number and email address is not relevant and should not be included in the correspondence if the author does not wish this personal information disclosed.

Audrey Tanguay
Planning Manager



Council Report

penticton.ca

Date: February 15, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 610 Pineview Road

File No: RMS/610 Pineview Rd

Subject: Agricultural Land Reserve (ALR) Exclusion Application for 610 Pineview Road

Staff Recommendation

THAT Council forward the ALR Exclusion application, for Lot 1 District Lot 2710 Similkameen Division Yale District Plan EPP22470, located at 610 Pineview Road, an application to exclude the subject property from the Agricultural Land Reserve, to the March 1, 2022 Public Hearing to give the public an opportunity to provide comments and feedback.

Strategic Priority Objective

Community Vitality: The City of Penticton, guided by the Official Community Plan, will promote the economic wellbeing and vitality of the community.

Proposal

The applicant is proposing to develop a residential subdivision on the subject property. The preliminary draft concept plan (Attachment 'E') shows 11 duplex lots, and a bareland strata consisting of approximately 24 single detached homes proposed for the property. This draft concept is subject to change. The subject property is part of a conditionally-approved ALR exclusion that includes two other properties on Valleyview Road, however due to challenges with achieving the conditions between the three land owners, the applicant is proposing to exclude 610 Pineview Road on its own. As such, the applicant has submitted this ALR Exclusion application to the City, and the City is responsible for hosting a public hearing on the exclusion request prior to Council giving a resolution of support and forwarding the application for review and final approved by the Agricultural Land Commission (ALC).

The purpose of this report is to send the ALR exclusion application to a public hearing, as required by the ALC legislation for ALR Exclusion applications. Council will still have an opportunity to discuss and determine whether to support the application following the public hearing.

Background

The subject property is 3.8 hectares (9.3 acres) in size and is located on the south side of Pineview Road, near Gordon Place (Figure 1). The lands currently contain a single detached dwelling and an orchard. Surrounding land uses include residential subdivisions to the north and east, and agricultural lands within the Agricultural Land Reserve (ALR) to the south and west. There is an environmentally-sensitive gulley leading down towards Green Ave W near the western edge of the property. The property is within a transition area between urban residential subdivisions and agricultural lands.

Residential development on this property has been contemplated since the 1990s. In 1994, the northern portion of the subject property was rezoned to allow single detached dwellings. This area is currently zoned R1 (Large Lot Residential), as shown in Attachment 'A'.

In 2005, the City adopted an amendment to the Official Community Plan (OCP) which designated a substantial amount of land in the upper Valleyview Road area for residential development, including the subject property. This change was supported in principle by the Agricultural Land Commission (ALC), with the condition that a more detailed development plan be prepared prior residential development occurring.

In 2011, an ALR Exclusion application was submitted (through the previous ALC exclusion process) as part of a 9 hectare (22 acre) development proposal for 610 Pineview Rd as well as portions of 2900 Valleyview Rd and 3050 Valleyview Rd (Figure 2). The intent at the time was to develop the three properties together under an area-specific plan, what would become the 'Upper Valleyview Area Plan' endorsed by Council in 2011.

The Agricultural Advisory Committee (AAC) did not support the proposed ALR exclusion in 2011, having noted concerns with the loss of quality agricultural land and weakening the integrity of the ALR in this area of Penticton if these lands were excluded. Nevertheless, the Upper Valleyview Area Plan was adopted by City Council in 2011, despite the AAC's recommendation. After the City endorsed the ALR Exclusion application, the ALC provided conditional approval to exempt these lands from the ALR.

The ALC granted conditional exclusion of the subject property from the ALR in 2011. This approval stemmed from their support in principle of the 2005 OCP amendment and their review and consideration of the Upper Valleyview Area Plan. The conditional approval has been



Figure 1 - Property location map

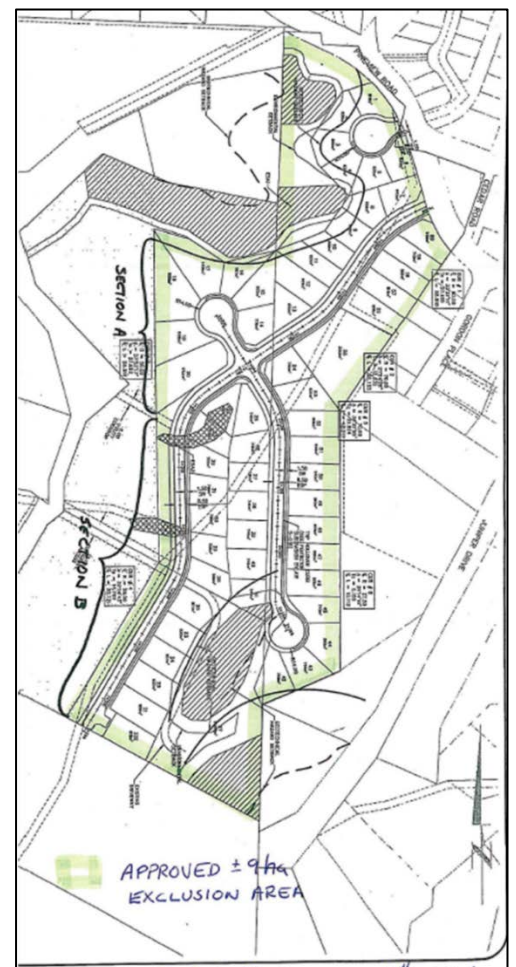


Figure 2 - Lands included with 2011 conditional ALR Exclusion.

extended on several occasions, and most recently on November 3, 2021 the ALC approved an extension until November 3, 2022. The conditions of their approval for exemption of these lands from the ALR are noted below:

- Preparation of a subdivision plan showing the lands to be excluded in conformance with the drawing forming part of the conditional approval granted by the ALC (Figure 2).
- The construction of fencing and planting of a vegetated buffering. Minimum 5 foot fencing along the ALR boundary. Planting of a 6m to 10m wide, irrigated vegetated buffer along ALR boundary.
- Registration of covenants prohibiting residences within 10m of ALR Boundary on Lots 18 to 20.
- Completion of the subdivision plan that is in substantial compliance with the plan submitted in 2011.

In February 2021, the applicant submitted a rezoning application to change the zoning on the property from R1 (Large Lot Residential) and A (Agriculture) to RD1 (Duplex Housing) and RM1 (Bareland Strata Housing). The rezoning is on-hold until the lands are excluded from the ALR, as the zoning amendment is not permitted while the lands are contained within the ALR. Additional planning approvals are required should the rezoning be successful (following the ALR Exclusion), and are outlined further in this section of this report.

The subject application is for exclusion of 610 Pineview Road (subject property) from the ALR, and does not include the other two Valleyview Road properties. The subject application for ALR exclusion of the subject property was presented to the City's Agricultural Advisory Committee (AAC) on January 19, 2022 for their review and resolution. After some discussion, the AAC generally found the lands to demonstrate agricultural capability and felt that the lands should remain for agriculture long-term. The AAC passed the following resolution for Council to consider:

It was MOVED and SECONDED

THAT the Agriculture Advisory Committee does not support the ALR Exclusion application for 610 Pineview Road.

CARRIED UNANIMOUSLY

In addition to the ALR Exclusion application, there are several additional approvals necessary for the applicant to proceed with the intended development. These are summarized in the chart below:

Application Required	Description	Approval Authority
ALR Exclusion	To remove the subject property from the ALR.	Agricultural Land Commission
Zoning Amendment Bylaw	To change the zoning on the subject property from R1 (Large Lot Residential) and A (Agriculture) to RD1 (Duplex Housing) and RM1 (Bareland Strata Housing).	Council
Hillside Development Permit	To approve the lot grading and subdivision scheme in a hillside area, in line with the guidelines of the OCP.	Council

Environmental Development Permit	To approve development in an Environmental Assessment and Environmental Protection area, subject to the requirements of a Qualified Environmental Professional (QEP) report.	Staff
Subdivision	To legally divide the property into separate parcels.	Staff
Form and Character Development Permits	To approve the form and character of each future duplex.	Staff

Financial Implication

Under the new provincial rules regarding ALR Exclusion applications, the City is responsible for a portion of the application fee paid to the Agricultural Land Commission (ALC), while the proponent is responsible for the other portion. The application fee is \$1,500 total, with the City covering \$750 of that amount.

Technical Review

In February 2021, the related rezoning application was reviewed by the City's Technical Planning Committee (TPC), a group of City staff from various departments who review development applications. Since that meeting, no changes to the proposed subdivision layout have occurred. The three property owners that are part of the 2011 ALC conditional exclusion approval have not yet achieved the exclusion conditions, therefore the applicant is now proposing to exclude only 610 Pineview Rd from the ALR at this time. The rezoning will remain on-hold until the lands are officially excluded from the ALR.

Standard subdivision requirements would apply at the time of subdivision (i.e. servicing, geotechnical review, environmental review, etc.)

Analysis

Under a recent change to provincial legislation, the local government now acts as the applicant for ALR Exclusion applications proposed by land owners. This allows local governments to establish criteria for which applications it will process on a land owner's behalf. The City adopted Policy CP#2021-06 on November 3, 2021 to establish criteria for which applications will be processed on the landowner's behalf (Attachment 'F'). This policy was referred to the AAC in 2021 and approved by Council on November 3, 2021. This ALR Exclusion application is the first application to be processed by the City under the new policy. The two key criteria of the new policy are outlined within the table below as well as a brief description detailing how this proposal meets both criteria:

ALR Exclusion Application Criteria (City policy)	Staff Comments
All available ALR approval processes have been exhausted prior to applying for ALR Exclusion.	No ALR approvals process allows residential development as proposed. Therefore, ALR Exclusion is the only option for the applicant to pursue.

No portion of the subject property(ies) shall be designated 'Agriculture' by the Official Community Plan (OCP).	The subject property is designated 'Detached Residential' by the OCP (Attachment 'B'). This future land use envisions residential development on the property. Properties designated 'Agriculture' by the OCP are anticipated to remain used for agricultural purposes in the long-term, however that is not the case for the subject property according to the OCP.
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Staff consider the following OCP policies support the development proposal:

- Policy 4.1.1.1 Focus new residential development in or adjacent to existing developed areas.
- Policy 4.1.1.2 Avoid development in environmentally-sensitive areas, geological hazard and flood hazard areas, on steep slopes, in agricultural areas and in areas not readily served by transit. *(Staff note: An environmental assessment would be required as a condition of subdivision, should the land use be put in place, to ensure environmental features are protected through site development.)*
- Policy 4.1.4.1 Work with the development community – architects, designers and builders – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.
- Policy 4.4.2.1 Identify environmentally sensitive areas and riparian areas, and protect them through application of the Environmental and Riparian Development Permit Guidelines.
- Policy 4.5.1.5 Consider establishing buffers including distance setbacks, landscape buffers and fencing requirements to minimize conflicts between agricultural and other land uses (e.g., residential or commercial). *(Staff note: the ALC required a landscape buffer as a condition in 2011, it is expected a similar condition will apply should the one property be excluded.)*

The subject property is designated 'Detached Residential' by the OCP (Attachment 'B'). The Detached Residential designation envisions residential development on the property, consisting of single detached building types and some duplexes (Figure 3). Generally, properties within the Detached Residential designation are anticipated to have 1-2 dwelling units per property. The proposed residential development is consistent with the future land use designation on the property as per the OCP.

Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Detached Residential 	Lower-density areas of single detached houses and/or duplexes in primarily residential neighbourhoods including single-detached bareland stratas	• Single detached houses with secondary suites or carriage houses • Duplexes • Small-scale neighbourhood commercial building (e.g., corner store, coffee shop) • Manufactured homes	• Residential • Limited retail/service	• 1 or 2 units per lot • Generally up to 2 ½ storeys to reflect 30' maximum in Zoning Bylaw	• R1 • R2 • R3 • RD1 • RSM • C2
Site-Specific Detached Residential Policy Statement: 375 Smythe Drive: a maximum of 27 detached single-family houses are permitted on this site. Houses may include secondary suites but not carriage houses.					

Figure 3 - Excerpt from the Official Community Plan Land Use Designations table

Staff are recommending that Council forward the ALR Exclusion application for 610 Pineview Road to a public hearing, to gather comments and feedback on the proposal. Staff consider that the exclusion will facilitate residential development, which is aligned with the OCP future land use designation on the subject property. Following the public hearing Council will pass a resolution on whether or not to forward the ALR Exclusion application for 610 Pineview Road with Council support.

Alternate Recommendations

Council may choose to not forward this ALR Exclusion application to a Public Hearing, considering that the lands should instead remain as agriculture and within the ALR. Staff acknowledge there are several policies in the OCP which support the preservation of agricultural land within the City. Council may feel that these policies supporting the preservation of agricultural land outweigh other OCP policies related to compact growth, a range of housing forms, and development adjacent to the built-up area.

Staff are recommending against this alternate recommendation, as it would be inconsistent with the 'Detached Residential' OCP future land use designation on the subject property and the proposal meets the two policy criteria for processing ALR Exclusion applications. Staff recommend that if Council desires to not support the ALR exclusion, that direction be given to amend the OCP to an agricultural zone as reflected in the Alternative Recommendation.

1. THAT Council deny support for the ALR Exclusion application for 610 Pineview Road and not forward it to a Public Hearing;

AND THAT Council give staff direction to initiate an OCP amendment to change the future land use designation of the subject property from 'Detached Residential' to 'Agriculture', subject to an appropriate public engagement process.

Attachments

Attachment A – Zoning Map

Attachment B – Official Community Plan Map

Attachment C – Photos of Property

Attachment D – Letter of Intent

Attachment E – Draft Concept Plan

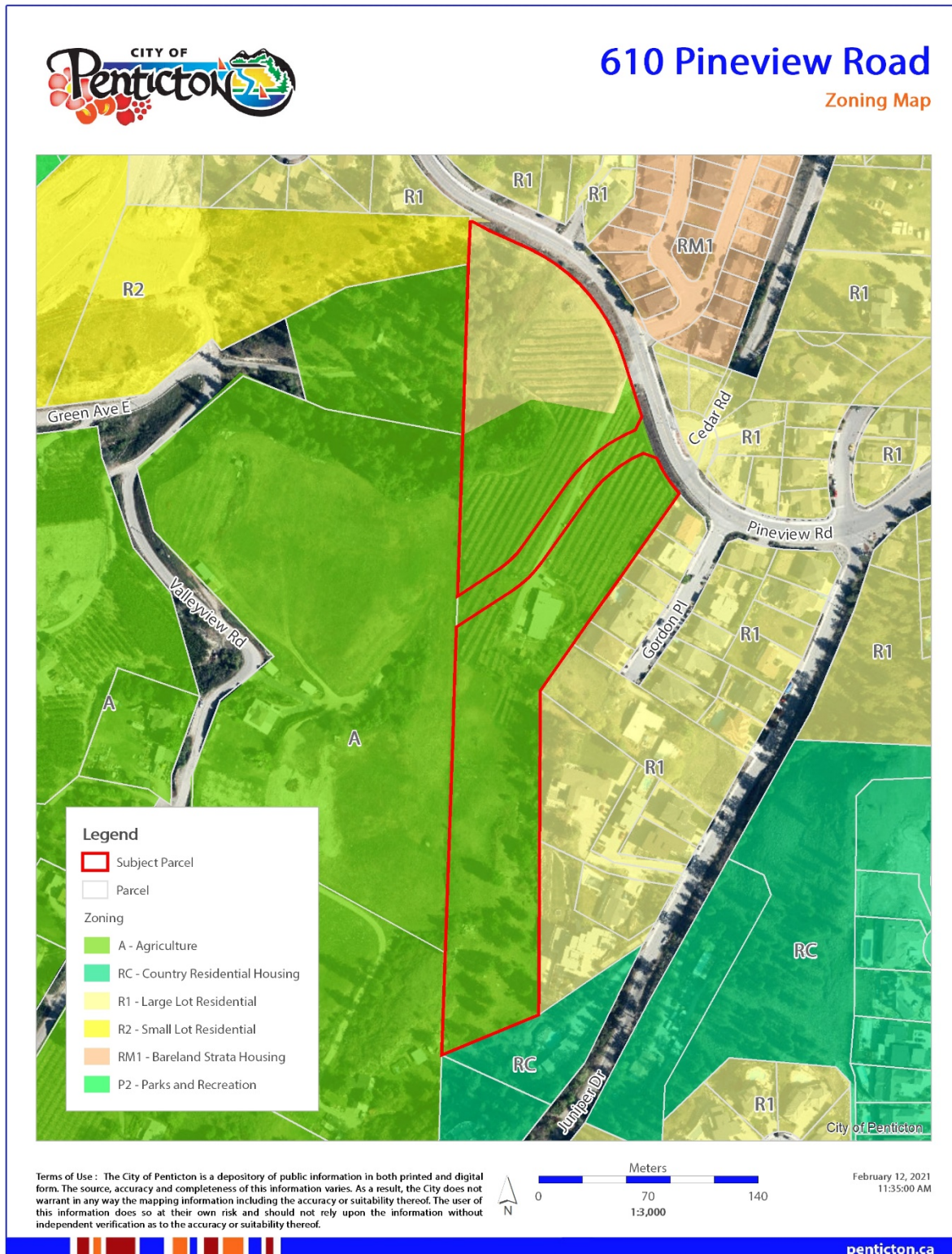
Attachment F – Council Policy CP#2021-06: Process for Agricultural Land Reserve (ALR) Exclusion Applications

Respectfully submitted,

Steven Collyer, RPP, MCIP
Planner II

Director of Development Services <i>BL</i>	Chief Administrative Officer DyD
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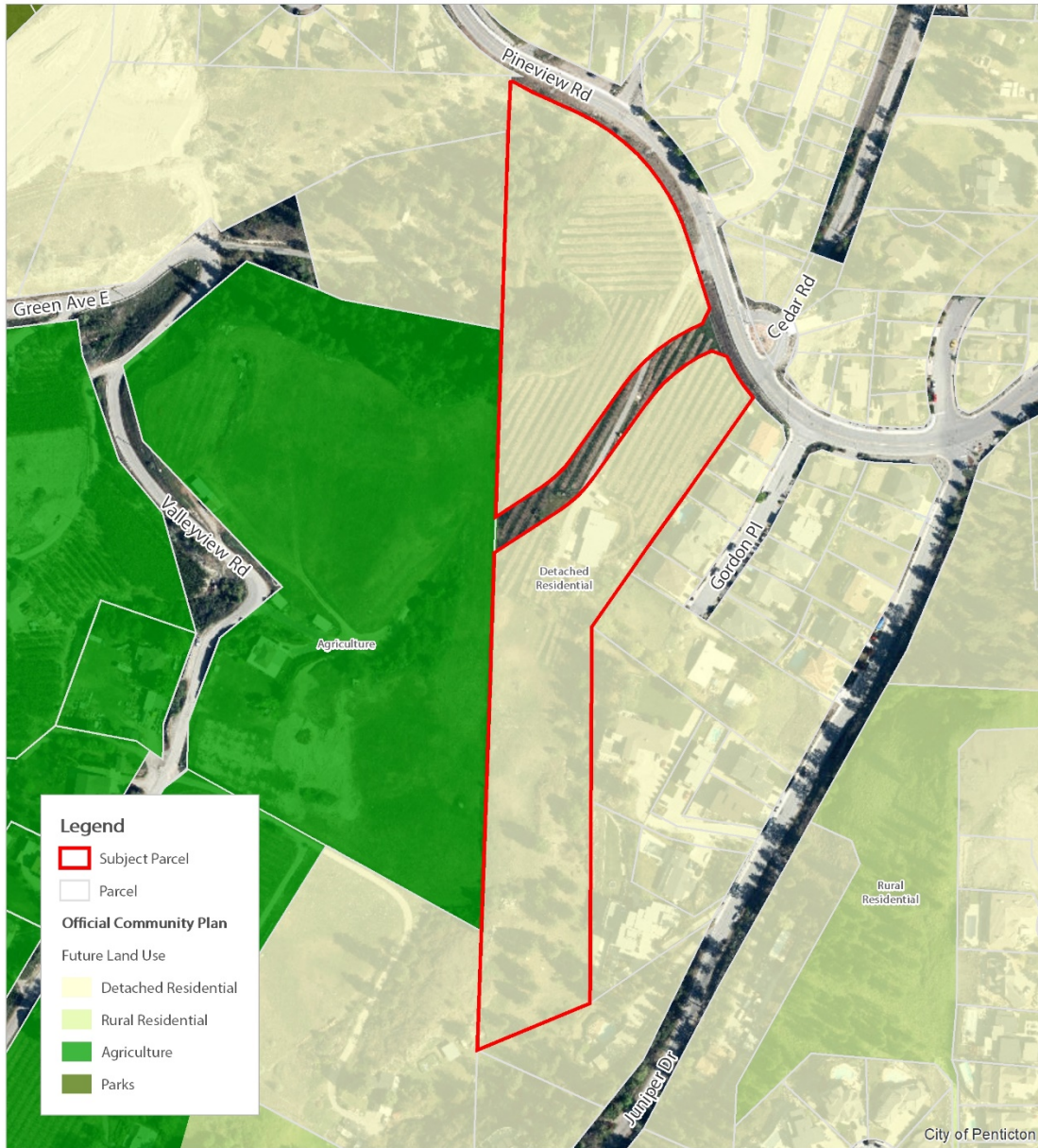
Attachment A – Zoning Map





610 Pineview Road

Official Community Plan Map



Legend

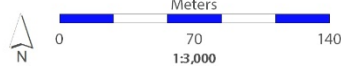
- Subject Parcel
- Parcel

Official Community Plan

Future Land Use

- Detached Residential
- Rural Residential
- Agriculture
- Parks

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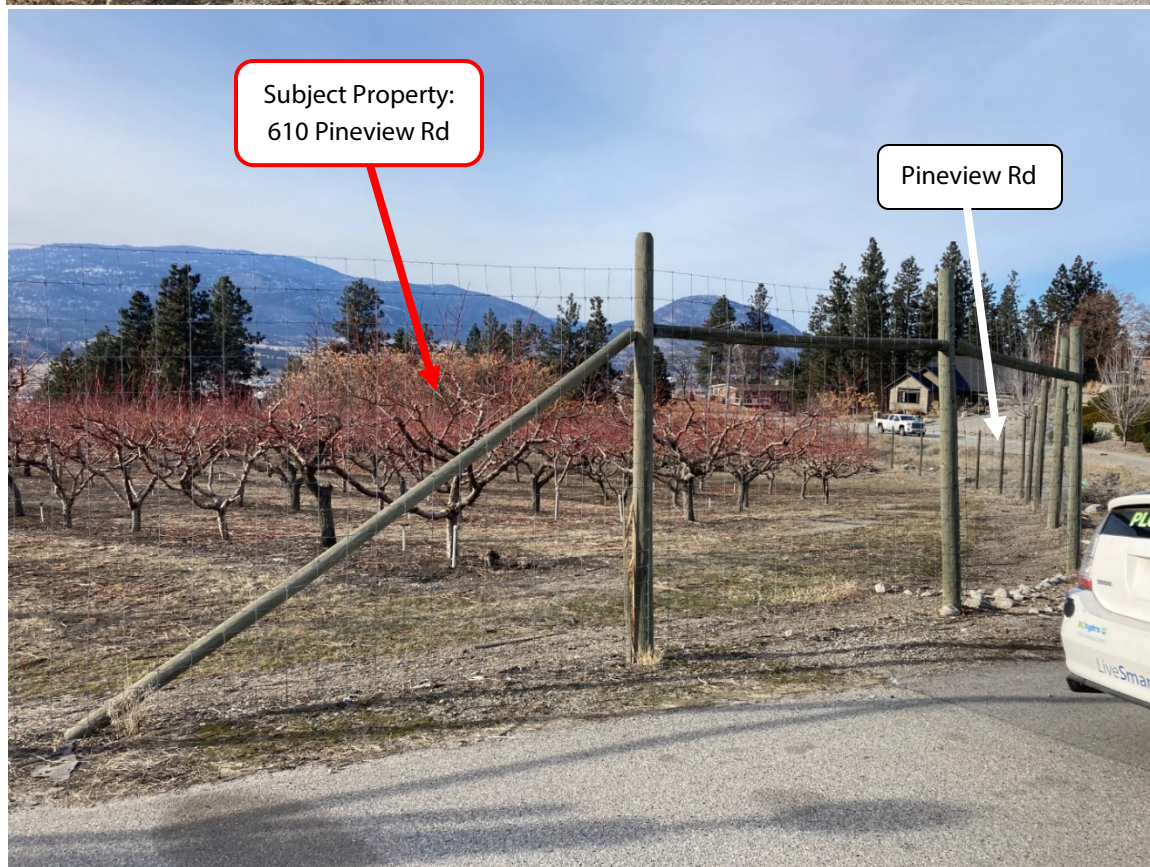
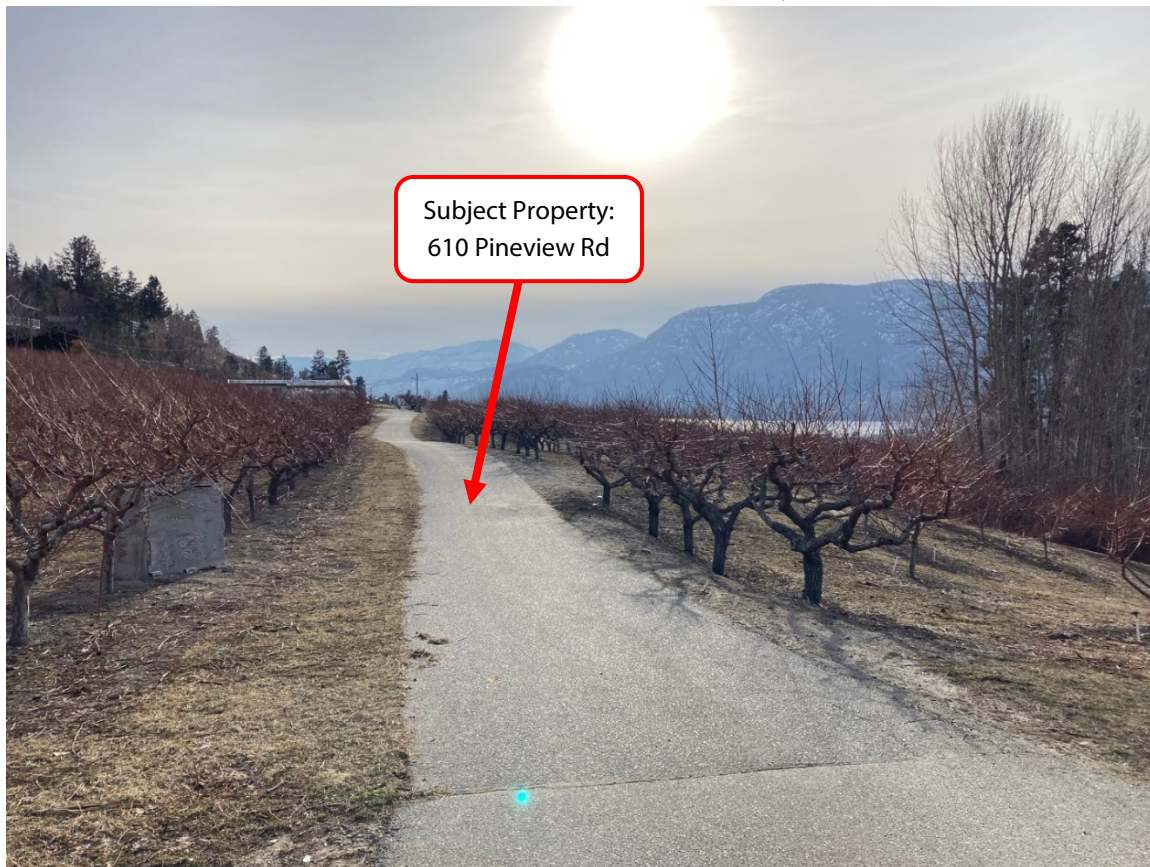


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Attachment C – Photos of Property





Attachment D - Letter of Intent

Supplementary Information Package

ALR Exclusion Application, 610 Pineview Road, Penticton

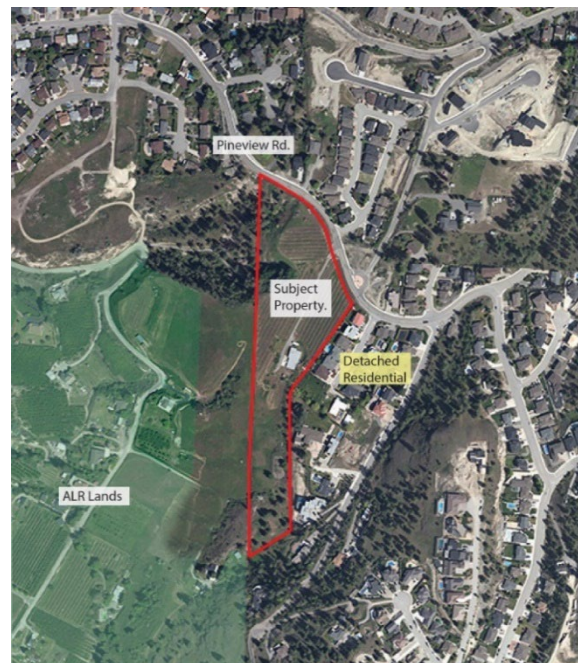
611 Pineview Road
Lot 1, District Lot 2710 Similkameen Division Yale,
District Plan EPP22470

BACKGROUND AND INTRODUCTION

The property located at 610 Pineview Road is 3.4 ha. (9.8 ac.) in area and is located in the Wiltse neighbourhood in Penticton. The property is bisected by an undeveloped road allowance creating two distinct parcels on the subject property. The property slopes down from east to west, and the north portion of the property contains the beginning of a gully that continues onto the adjacent west property. The south portion of the property contains a significant rock outcropping. A context map showing the location of the property and surrounding land uses is provided below:

ALC History

In 2005, in response to the City of Penticton proposing a residential OCP designation on the subject property and other adjacent lands, the ALC by resolution 24/2005 endorsed the designation of Low Density Residential on the subject property. The endorsement arose from the recognition that the land had significant challenges to agricultural development due to excessive topography. In 2009 the Commission indicated that it was prepared to accept a phased approach to the ALR exclusion of the subject property, conditional to an area plan being completed for the 'Upper Valleyview Area' which included the subject property. A Neighbourhood Plan was prepared for the subject property and portions of two adjacent properties, and although the cost of the preparation of the plan was supposed to be shared by all three property owners, the Figueiras, owners of the subject property paid for the plan and were never reimbursed by the other property owners. On the strength of the Neighbourhood Plan, the subject property, together with portions of two other contiguous properties were excluded from the ALR, with conditions, by the ALC in 2011 by ALC resolution 322/2011.



The ALR Exclusion approval had several conditions, and there was a time limit for the completion of the required conditions. For various reasons, the conditions could not be satisfied within the ALC time limit, and the City of Penticton had requested extensions to the ALC deadline for completion of the required conditions, which the ALC granted. The conditions were to expire on October 19, 2021, and in advance of that expiry date, McElhanney submitted a request for a further one-year additional extension, which the ALC also approved on November 3, 2021, extending the deadline to November 3, 2022.

Efforts To Comply with ALC Exclusion Requirements.

Over the past years since the ALC conditional approval was granted, the Figueiras tried to work with the adjacent two property owners to satisfy the ALC conditions, but for numerous reasons the adjacent property owners were not willing to make the necessary decisions and capital investment to satisfy the ALC conditions. In 2018, the owner of the subject parcel of land partnered with a land developer to work towards satisfying the ALC requirements. Through communication with the adjacent property owners, it was determined that the owners of the larger adjacent property were not prepared or willing to move forward or cooperate in a constructive manner to share in the financial obligations required to satisfy the ALC requirements. Over the years, the City of Penticton staff had also corresponded on numerous occasions with the owners of the adjacent property and realized that a collective and cooperative approach to develop the lands in accordance with the ALC's conditions would be challenging and likely not possible which resulted in the City and the developer of the Figueira property working towards exclusion of only the Figueira's property from the ALR for development for residential use as allowed in the ALC approval.

As the October 19th ALC deadline was approaching, McElhanney Ltd. took the initiative to try again to get the other two property owners to commit to the financial requirements to allow all three properties to be excluded in accordance with the ALC requirements, but again that effort was not fruitful. In fact, the owner of the larger adjacent property commented that they may be interested in simply leaving the property in agriculture as an inheritance for their children.

After the ALR exclusion deadline extension request was submitted to the ALC in August of 2021, the Figueiras, their realtor and the land developer, reviewed the history of communication with the owner of the larger of the adjacent properties and concluded that due to a number of reasons including the age and health of the adjacent property owners, and their apparent desire to possibly want to leave the property in agriculture, moving forward in collective approach towards ALR exclusion would not be possible.

On many occasions, due to the actions and correspondence with the owner of the larger of the two adjacent properties, it seemed evident that the owner was simply not prepared to invest the time, money, and effort to complete the ALR exclusion requirements.

PROPOSED EXCLUSION APPLICATION

With there being an impasse in the ability of the three property owners to work collectively and cooperatively to satisfy the ALC conditions for ALR exclusion, the Figueira's have decided that the only way forward is to apply to have their land excluded from the ALR independent of the other two properties. This will allow them to control the ability to satisfy any ALC requirements on their own, without requiring consent and financial cooperation from anyone else.

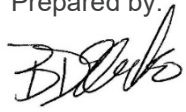
The Figueiras understand that they will be responsible for the ALC landscape buffer on their property to screen the proposed residential development from the adjacent farm operation, and the spirit of the ALC decision will be respected in the Figueira's new ALR exclusion application, with single family residential housing proposed for the Figueira's property. It is anticipated that a slightly more compact single family residential design will occur on the Figueira's property resulting in better utilization of the land and more housing provided.

RATIONALE AND JUSTIFICATION

In support of the ALR exclusion of the Figueira property, I offer the following information.

- In 2005, the City of Penticton identified the subject property as having residential potential and changed the OCP designation of the property to residential, and the ALC supported the residential designation on the land.
- The City of Penticton supported the exclusion of the Figueira property from the ALR in 2011 and the ALC excluded the Figueira property and portions of the two adjacent properties from the ALR with the conditions.
- The Figueiras have always wanted to proceed with a residential subdivision and considerable money and effort has been spent undertaking the necessary work and technical reports to support a residential development on their property.
- A rezoning application was submitted to the City in the spring of 2021 requesting the Figueira property be zoned to residential to move towards completion of the ALC conditions.
- The owners of the larger adjacent property have not been cooperative in wanting to participate and cost share in the planning and engineering necessary to advance the subdivision so the only way for the Figueiras to move forward with the ALR exclusion is to do it on their own.
- The Figueiras are simply requesting that the ALC exclude their property independent from the adjacent property owner's ALC approval, so they are not reliant on the cooperation from other property owners for subdivision approval.
- The Figueira exclusion application is not really an exclusion application as the ALC has already consented to exclusion of the property with conditions. The application is really a request to have the ALR exclusion conditions amended to allow the Figueira property to be excluded and developed for residential use independent of the adjacent properties.
- The exclusion of the Figueira property independent of the other two adjacent properties will not abrogate the ability of the adjacent properties to pursue ALR exclusion on their own, when the timing is correct for them. It will however allow the Figueiras to develop their properties independent of the adjacent properties and without requiring the cooperation from the adjacent property owners.

Prepared by:

A handwritten signature in black ink, appearing to read 'B. Elenko', written over the 'Prepared by:' text.

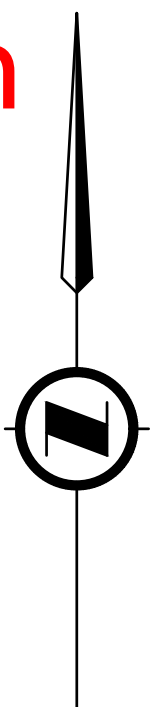
Brad Elenko, Senior Planner

belenko@mcelhanney.com

250-495-0499

DATE: JANUARY 29, 2021 FILE: C:\Users\jgarberg\OneDrive - McElhanney Group\Desktop\Prop View Development\BASE\Preview Development - JG.dwg

Attachment E - Draft Concept Plan



LOT CALCULATIONS				
LOT No.	LOT AREA (m2)	LOT WIDTH (m)	BUILDING ENVELOPE AREA	BUILDING ENVELOPE WIDTH
1	1156.15	19.41	411.86	22.32
2	1212.64	22.08	446.79	18.77
3	1076.13	22.74	456.91	19.13
4	884.42	23.14	489.09	19.48
5	815.55	47.92	305.21	29.34
6	798.53	22.80	349.90	19.03
7	794.61	27.77	406.34	20.91
8	1558.87	21.61	454.05	20.65
9	1351.84	29.39	305.33	17.97
10	1138.32	24.91	344.65	18.01
11	1870.52	29.30	908.56	25.18
12	24,617.47			

NOTES:

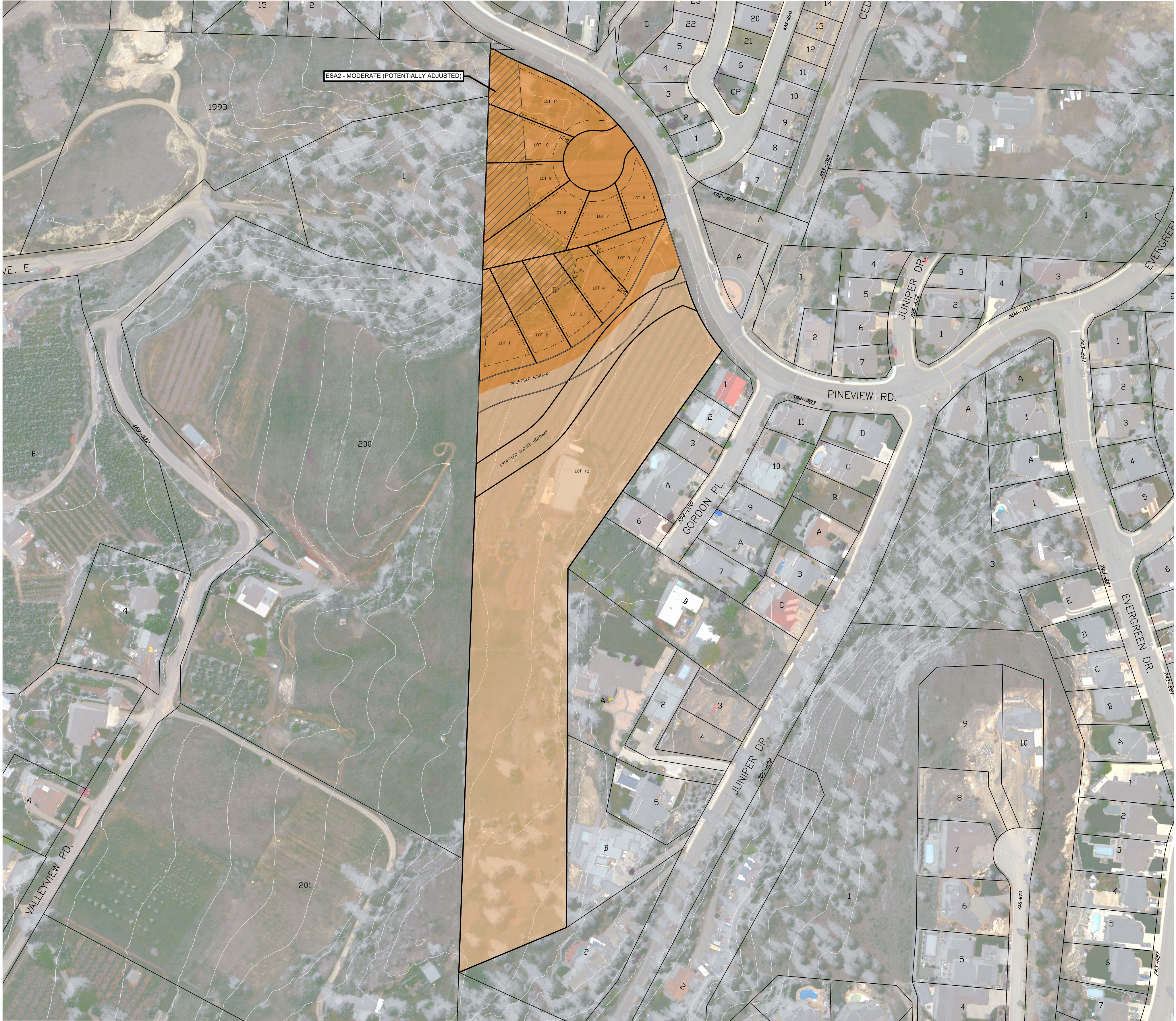
ZONING:

RD1 (DUPLEX HOUSING)

RM1 (BARE LAND STRATA HOUSING)

ESA 2 - MODERATE (POTENTIALLY ADJUSTED)

APPROXIMATE LAND USE AREA		
ZONING	TOTAL AREA (ac)	PERCENT OF LAND TO TOTAL PROPERTY AREA
RD1	3.7	36.6%
RM1	6.4	63.4%
TOTAL PROPERTY AREA	10.1	100%



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Canada V1Y 4Z5
T 250-861-8783

THIS DRAWING HAS NOT BEEN APPROVED AND MAY CONTAIN ERRORS AND OMISSIONS

PALLADIN PROPERTIES INC.

PROPOSED RD1 SUBDIVISION CONCEPT

610 PINE VIEW RD.

PENTICTON, BC

Drawing No.

C01

Project Number

2422 20318 00

Rev.

0

DESTROY ALL PRINTS BEARING PREVIOUS REVISION



Category:

PLANNING

Subject:

Process for Agricultural Land Reserve (ALR) Exclusion Applications

Purpose

The purpose of this policy is to establish a process for accepting, reviewing and processing applications for Agricultural Land Reserve (ALR) Exclusions; in which a property owner requests that the City of Penticton apply on their behalf and pays all applicable costs to have their property excluded from the ALR.

Scope

This policy applies to all requests from property owners who wish to exclude their property from the Agricultural Land Reserve (ALR) and guides staff when an application is received.

Policy Statement

The City of Penticton recognizes the importance of the Agricultural Land Reserve (ALR), and that the purpose of the Agricultural Land Commission (ALC), which is to preserve agricultural land, encourage farming in collaboration with other communities of interest, and 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.

As of September 30, 2020, private landowners are no longer able to make an application for ALR exclusion. As of this date, the City of Penticton is required to be the applicant for an exclusion application to the Agricultural Land Commission (ALC).

1. Application Requirements

Applications for exclusion from the ALR will only be considered by staff if the property owner demonstrates both of the following:

1. The property owner(s) have exhausted all other applicable ALR Applications prior to considering exclusion from the ALR; and
2. No portion of the property (ies) are designated as 'Agriculture' by the City's Official Community Plan Bylaw.

2. Application Submission

Should staff proceed with considering an ALR Exclusion application, the property owner(s) will be required to submit a complete application package in order to be considered by staff. Subsequent information may be requested and required in order for staff to proceed with the application.

3. Application Process

All ALR Exclusion applications will proceed through the following general process:

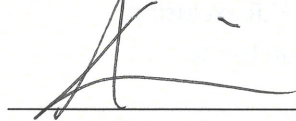
1. Staff will complete a technical review of the application, which may include referral to the Technical Planning Committee (TPC).
2. The application will be referred to the City's Agriculture Advisory Committee for review and comment prior to consideration by Council.
3. Staff will follow the ALC's mandated process for submitting ALR Exclusion Applications (as amended from time to time) including notifications to the public and hosting an opportunity for the public to speak to Council on the matter.
4. The application will be considered by Council. Council will pass a resolution to either forward (with or without conditions), or not forward the ALR Exclusion Application to the ALC for consideration.

Related Policies and Legislation

- Official Community Plan Bylaw No. 2019-08, as amended
- Agricultural Land Commission Act
- Bill 15-2019

Approval History			
Previous revisions/replaces: n/a			
Approved by Council on:	November 2, 2021	Resolution No.:	380/2021

Certified Correct:



Angie Collison, Corporate Officer