

# **Agricultural Land Reserve (ALR) Block Exclusion Proposal**

**Proposed Inclusion of Additional Parcels**

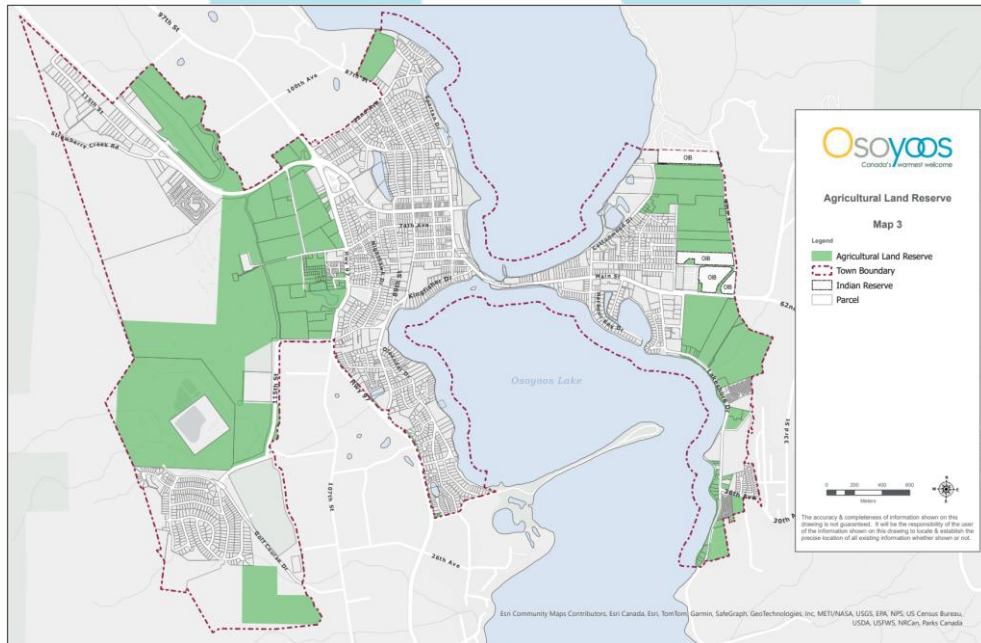
March 24, 2026 Committee of the Whole Meeting

Item F.1

# Item No. F.1 – ALR Exclusion Proposal

## Background

- Approximately 326.7 ha of lands in the Town are within the Agricultural Land Reserve (ALR).
- 138.24 ha is designated Agriculture (AG) under the Official Community Plan (OCP) Bylaw No. 1375, 2021.
- A majority of ALR lands within the Town have non-agricultural land use designations.

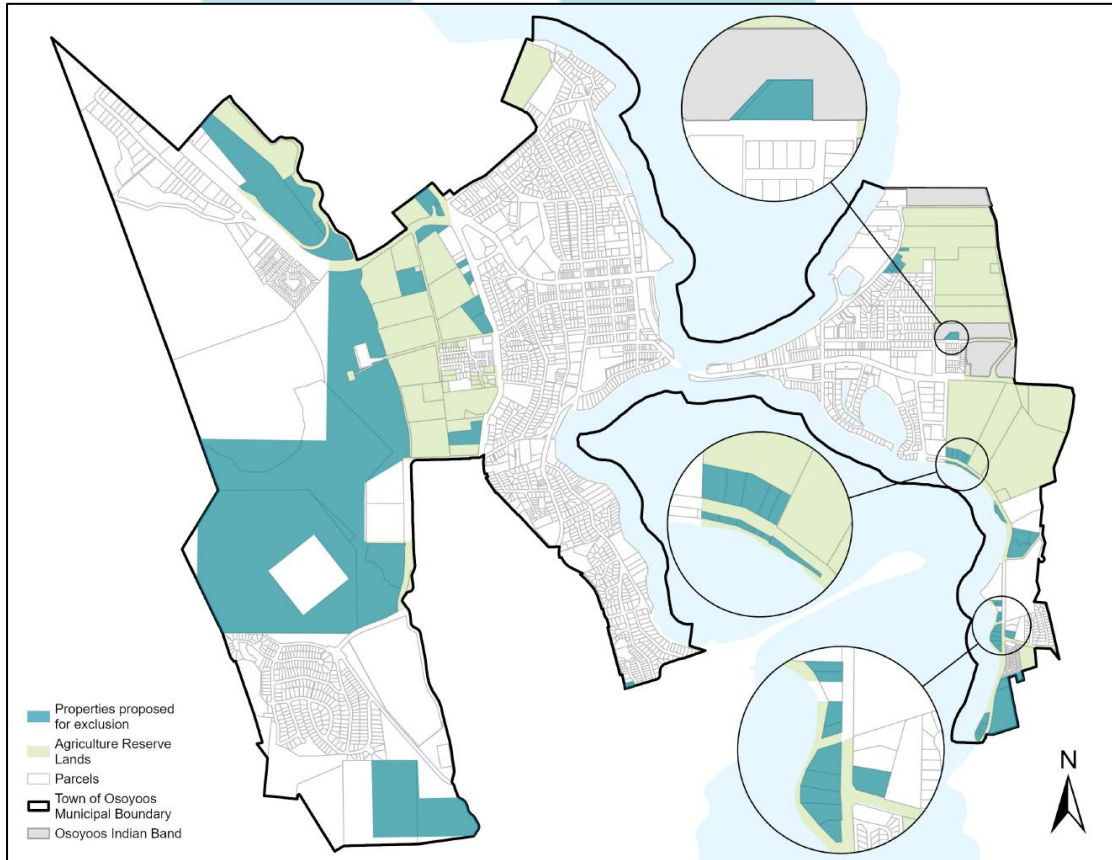


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## **Issue**

- ALR status not reflective of intended land use.
- Can be a surprise to some property owners and result in confusion, challenges and delays at the time of Town permitting review (e.g., during building permit zone checks).

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## Previous Council Consideration

- December 9, 2025 – Proposal considered to apply to the ALC for a “block exclusion” of non-agricultural lands within the Town.
- Resolution made to initiate an application to the ALC to exclude 62 non-agricultural parcels from the ALR and schedule a public hearing for April 28, 2026.

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## Current Proposal

- Staff identified 7 parcels (5, 6/8, 7, 9, 10 & 11 Wren Place and 6806 97<sup>th</sup> Street) which were unintentionally omitted from the original proposal.
- **Zoning:** Small-Scale Multi-Unit Residential (RS1)
- **OCP Designation:** Low Density Residential

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## Current Proposal

- The Town has also received a request from the owner of 9425 87<sup>th</sup> Street to exclude a ~0.9 ha portion of their property from the ALR.
- **Zoning:** Agriculture (AG)
- **OCP Designation:** Agriculture
- Property is understood to have farm classification.

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## **Considerations**

- The Town of Osoyoos OCP Bylaw No. 1375, 2021 supports the ALC's mandate to preserve agricultural land and encourage farming within the ALR.
- Supports the use of land designated as Agriculture (AG) for agricultural purposes.
- Exclusions not supported except where:
  - Transportation connections are required;
  - ALR parcels less than 0.8 ha (2 acres) in size being used for non-farm purposes that were issued title on or before the establishment of the ALR

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## Considerations - Wren Place / 97<sup>th</sup> Street

- Though the proposal is not clearly consistent with either of the two criteria for exclusion support, the proposed exclusion would be consistent with the non-agricultural designations which apply to the properties.
- On this basis, it is recommended that the properties at 5, 6/8, 7, 9, 10 & 11 Wren Place and 6806 97<sup>th</sup> Street be included in the exclusion request.

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## Considerations – 9425 87<sup>th</sup> Street

- ~0.9 ha encompasses an area which the agent has indicated is “the location of the former KVR rail bed and does not have any agricultural capability”.
  - Subject area contains lands with topographical challenges.
  - Agent has submitted that an Agrologist has conducted a soils assessment and “concluded that the lower northeastern portion of 9425 87th Street does not contain any topsoil and is not suitable for agriculture”
- A portion of the proposed exclusion area is under agricultural production.

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## Considerations – 9425 87<sup>th</sup> Street

- The property was included into the Town's municipal boundaries in 2021.
- Original request for inclusion into the Town indicated that the property could be used for future residential development.
- The size of the proposed exclusion area and proximity to existing services makes the area potentially suitable for residential development.

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## **Considerations – 9425 87<sup>th</sup> Street**

- Conversely, during the 2021 boundary extension process, the Ministry of Municipal Affairs sent a memo to the Town detailing comments from affected parties, including the ALC.
- ALC was not supportive of the boundary extension, noting that *“while the boundary extension may help support the farm operation by providing access to water and sewer, it may also encourage future development, particularly given the landowners intention to subdivide the property for development purposes.”*

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## **Considerations – 9425 87<sup>th</sup> Street**

- The memo also indicated that, while the Town did not intend on rezoning the property at the time, but that “there may be an opportunity in the future to rezone and form developable parcels of land, specifically to the north of the 87th Street property”.
- Given the Town’s previous comments and support for the inclusion of the property into the Town’s boundaries, it is recommended that the property be included in the Town’s exclusion request.

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## **Next Steps**

- If Council supports the proposal to include the identified properties into the exclusion request, staff would provide preliminary notice to the property owners of the additional properties.
- Staff would then notify of the April 28, 2026 public hearing in accordance with applicable legislative requirements closer to the hearing date.

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## **Implications**

- Additional signage would be required for the inclusion of the additional properties (~\$661.00).
- The exclusion application, including the \$750 application fee and required notification (i.e., newspaper ads, signage, etc.) for the public hearing, would incur a minimum cost of approximately \$4,911.00.
  - This cost does not include staff time or fees associated with other potential application requirements (TBC).

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## Agricultural land reserve exemption

- 130** (1) Subject to this section, 50% of the assessed value of a parcel of land is exempt from taxation under this Act if
- (a) the parcel of land is class 9 property, or
  - (b) the parcel of land is in the agricultural land reserve, is subject to sections 18 to 20.3 and 28 of the *Agricultural Land Commission Act* and is used in one or more of the ways set out in subsection (2) of this section.
- (2) The parcel of land referred to in subsection (1) (b) must be
- (a) vacant and unused,
  - (b) used for a farm or residential purpose, or
  - (c) used for a purpose prescribed by the Lieutenant Governor in Council.

## Implications

- Staff have received queries with respect to implications of a successful exclusion on property taxation.
- 8 of the 62 originally identified properties currently receive the ALR school tax exemption, and would therefore be ineligible for the exemption if the exclusion is successful.
  - Staff have contacted these property owners.

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## Options

1. THAT the following properties be included as part of an application to the Agricultural Land Commission (ALC) to exclude non-agricultural parcels from the Agricultural Land Reserve (ALR) that was initiated by Council on December 9, 2025:
  - Lots 1, 2, 3, 4, 5, 6 District Lot 2450S, SDYD, Plan KAP28375 (being 5, 6/8, 7, 9, 10, and 11 Wren Place);
  - Lot 3, District Lot 2450S, SDYD, Plan KAP21683 (being 6806 97<sup>th</sup> Street); and
  - an approximately 0.9 ha portion of the property described as Lot 1, District Lot 2450S, SDYD, Plan EPP128166 (being 9425 87<sup>th</sup> Street) immediately adjacent to Osoyoos Lake and Braeburn Place.

AND THAT staff give notice of this revised application in accordance with s. 29(2)(a) of the Agricultural Land Commission Act and s. 15 of the Agricultural Land Reserve General Regulation;

AND THAT staff give notice of the April 28, 2026 public hearing in accordance with the requirements of the Local Government Act.

2. THAT the properties located at 5, 6/8, 7, 9, 10, and 11 Wren Place, 6806 97<sup>th</sup> Street, and an approximately 0.9 ha portion of the property at 9425 87<sup>th</sup> Street not be included as part of an application to the Agricultural Land Commission (ALC) to exclude non-agricultural parcels from the Agricultural Land Reserve (ALR) which was initiated by Council on December 9, 2025.