



INFORMATION ONLY

To: Mayor & Members of Council

Title: Senior Planner - ALC Application ID 62711 – Heritage Trail

Date: August 6, 2024

Executive Summary/Purpose:

This memo is to provide an update regarding the City's application (ALC Application ID 62711) to the Agricultural Land Commission (ALC) to establish a portion of the Heritage Trail in the Agricultural Land Reserve (ALR) between Little Mountain Park and Haney Heritage Village. The owner of the land containing a section of the proposed trail has put their property on the market, and has respectfully rescinded their agreement for potential public trail access.

Background:

The City's Heritage Trail is a proposed link between First Nations lands west of the City, through the downtown area, to Haney Heritage Village (see Appendix 1 attached).

The 913 m long portion within the ALR application is a key section in the Heritage Trail directly between existing community features: Little Mountain Park and Haney Heritage Village Park. Largely utilizing existing right-of-ways, the proposed non-motorized trail has three sections to consider as detailed in the attached map, all fully within the ALR:

1. A 410 m long section within an existing road right-of-way (contains sections over a pond),
2. A 403 m long section within an existing 6 m wide sanitary sewer easement, and
3. A 100 m long section within Haney Heritage Village park.

A key component of this is the middle section: the 403 m section proposed within a sanitary sewer easement over private property. City staff established an agreement for a trail right-of-way over private property within the 403 m long section of sanitary sewer easement directly west of Haney Park with the property owner. Following this, in 2021 Council directed staff to apply to the ALC under a Transportation and Utility Corridor application in order to create and establish a legal trail corridor following this route.

The ALC issued a decision to reject the application in August 2023. That decision included an option to review a supplemental submission from the City prior to August 29, 2024.

UPDATE

While Staff have worked with the Shuswap Trail Alliance on a supplemental response, the landowner of that portion containing the mid-portion of this trail (the 403 m sanitary sewer easement) has put their property on the market, and rescinded their agreement for potential trail access in an effort to remove encumbrances and potential unknowns.

Without an agreement in place to secure a right-of-way for trail use over private property, staff suggest that current consideration and pursuit of this trail alignment does not have merit at this time. Rather than further develop and submit additional materials for lands without an established agreement with the landowner, staff recommend formally closing this file with the ALC. Staff will correspond with the ALC to close the file.

The Heritage Trail concept remains in place in City policy. If some new alignment, concept or opportunity was to be presented to the City in the future, a reconsideration request could be submitted to the ALC through a separate application.

Legislative authority / plans / reports:

The City's Heritage Trail is well supported in City policy through the City's Active Transportation Plan, Greenways Strategy, Heritage Strategy, and Official Community Plan.

The portion under consideration is completely within the ALR.

Financial Considerations:

Funding previously allocated to securing the right-of-way may be otherwise directed.

Alternatives & Implications:

Information Only – No Motion Required.

If Council did wish to formally address this through a motion, the following is an option:

That Council direct staff to communicate with the ALC that the City is withdrawing ALC Application ID 26711.

Communication:

Staff will correspond with the ALC to close the file.

Prepared by: Senior Planner
Reviewed by: Manager of Planning and Building
Reviewed by: Director of Planning & Community Services
Approved by: Chief Administrative Officer

Attachments:

- Appendix 1: Heritage Trail Map