



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604-660-7000  
Fax: 604-660-7033  
www.alc.gov.bc.ca

December 29, 2005

Reply to the attention of Brandy Ridout

Kent and Janice Hansen  
715 Mabel Lake Road  
Lumby, BC V0E 2G5

Dear Mr. and Mrs. Hansen:

Re: Application #T-35711  
Lot 2, Section 8, Township 40, Osoyoos Division Yale District, Plan 5355

Further to your letter dated September 9, 2005, and the site visit of December 8, 2005 the Provincial Agricultural Land Commission (the "Commission") has now reviewed your amended proposal to subdivide the 40 ha property into a 24 ha lot and a 16 ha lot as divided by an access easement. The application was reconsidered pursuant to section 33 of the *Agricultural Land Commission Act*.

The Commission appreciated the opportunity to meet with you and hear your arguments in support of subdivision, and to view the amended subdivision boundary. It regrets that it was not able to meet with you in March 2005.

The Commission remains concerned about the impacts of the subdivision on the property and in the surrounding agricultural community. It noted carrying capacity of the property for livestock would be reduced by subdivision (and the potential income derived from it) creating further pressures to subdivide and narrowing the potential range of agricultural options. It is the Commission's experience that smaller parcels are correlated with less (not more) agricultural activity, and increased subdivision and rural residential pressures.

Also subdivision would heighten landowner expectations in the surrounding area that similar requests would be routinely permitted. The effects of heightened expectations are speculation, increased farmland prices, and reduced agricultural investment and activity.

Finally the Commission did not consider an easement to be a significant impediment to using the property as an agricultural unit.

For these reasons, the Commission refused your subdivision request as proposed.

The decision noted above is recorded as Resolution #680/2005.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:

Erik Karlsen, Chair

cc: Regional District of North Okanagan Attention: Rick Fairburn

MC/lv/35711d2

**MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION**

**Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on Thursday December 8, 2005 at Commissioner McCoubrey's home in Lake Country, B.C.**

**PRESENT:** Sue Irvine Chair  
Sharon McCoubrey Commissioner

**ABSENT:** Sid Sidhu Commissioner

**STAFF:** Brandy Ridout, Regional Research Officer  
Martin Collins, Planner

**For Consideration**

Brandy Ridout presented the staff report dated November 22, 2005 regarding the reconsideration of application #T- 35711. The original application requested the subdivision of an 8 ha lot from the 40 ha property. The revised proposal is to subdivide the property into a 16 ha lot and a 24 ha lot.

**Site Inspection**

A site inspection was conducted on Thursday, December 8, 2005. Those in attendance were:

- Commissioners Irvine and McCoubrey
- Agricultural Land Commission Staff: Brandy Ridout, Regional Research Officer and Martin Collins, Planner
- Kent Hansen, applicant
- Rick Fairburn, Electoral Area Director

The Commissioners discussed the amended subdivision proposal with the applicant, who also provided a summary of the agricultural investment and income received from the property since the land was purchased in 1994.

The site inspection lasted from 2 pm to 2:30 pm.

**Commission Discussion**

The Commission considered what persons were affected by the reconsideration.

The Commissioners were not supportive of the amended subdivision, noting that it proposed to divide the property's arable area, creating two parcels with less potential to be used for pasture based livestock agriculture. Also the Commission was concerned about precedent, and for this proposal initiate similar requests to subdivide the generally large parcels in the area. Finally the Commission was not convinced that the easement constituted a significant impediment to farming the property as a unit.

Resolution #680/2005  
Page 2 - #35711

**IT WAS**

**MOVED BY:** Commissioner S. McCoubrey

**SECONDED BY:** Commissioner S. Irvine

That there were no persons affected by the reconsideration, and;

THAT the staff report be received and the request to subdivide the 40 ha lot into a 16 ha and a 24 ha lot be refused on the grounds subdivision would narrow the range of agricultural options and heighten pressures to further subdivide the property and the surrounding farmlands.

CARRIED