



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

September 28, 2005

Reply to the attention of Brandy Ridout

Emoke Julia Lakatos
12001 Grants' Head Road
Summerland, BC - V0H 1Z2

Dear Madam:

RE: Application #V-36098
PID: 003-123-545
Lot B, District Lot 675, Osoyoos Division of Yale District, Plan 33617

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the 0.25 ha lot into two lots of 0.08 ha and 0.17 ha. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you for taking the time to meet with its representatives on September 23, 2005.

The Commission writes to advise that it approved your application subject to:

- the subdivision being in substantial compliance with the attached plan
- the densification of vegetation to form a better buffer between the new lot and the adjacent agricultural parcel (see attachment for buffer location), and
- compliance 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. The Commission suggests you contact the District of Summerland at your earliest convenience.

The decision noted above is recorded as Resolution #504/2005.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:

Erik Karlsen, Chair

cc: District of Summerland

BR/lv/36098d1

NOT TO SCALE

Cluster Housing

Apple Orchard & Very large House

Residential House

Residential House

Garden Shed

Sloping backyard on very sparse soil. Sits on Bedrock

Horse Paddock and pasture - with House and Barn

Existing Residential House

1714 m²

Irrigation shut-off

Dying Cherry Orchard (Now Removed)

Existing driv

Giants Head Road

Residential lots and houses

Provincial Agricultural Land Commission
Application #V-36098-0
Resolution #504/2005



Subject property



0.08 ha area approved for subdivision within the ALR



Location of buffer vegetation

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the “Commission”) on September 23, 2005 at 8090 Highway 97, Lake Country, BC.

PRESENT: Sharon McCoubrey Commissioner
 Sid Sidhu Commissioner

ABSENT: Sue Irvine Vice-chair

STAFF: Brandy Ridout, Regional Research Officer
 Martin Collins, Planning Officer

For Consideration

Brandy Ridout presented the July 18, 2005 staff report regarding application #V-36098.

Site Inspection

A site inspection was conducted on September 23, 2005 between 1:45 and 2:15 pm.
Those in attendance were:

- Commissioners Sidhu & McCoubrey
- Agricultural Land Commission Staff: Brandy Ridout and Martin Collins
- Eموke Julia Lakatos, applicant
- Laszlo Lakatos, applicant’s son

IT WAS

MOVED BY: Commissioner McCoubrey

SECONDED BY: Commissioner Sidhu

THAT the staff report be received

AND THAT the application to subdivide the 0.25 ha lot into two lots of 0.08 ha and 0.17 ha be approved subject to densification of vegetation to form a better buffer between the new lot and the adjacent agricultural parcel

AND FINALLY THAT this approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # V – 36098
Applicant: Eموke Julia Lakatos

Location: 12001 Giant's Head Road, Summerland

DATE PREPARED: July 18, 2005

TO: Chair and Commissioners – Okanagan Panel

FROM: Elisa Martin, Regional Research Officer

PROPOSAL: To subdivide the 0.25 ha lot into two lots of 0.08 ha and 0.17 ha.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The District of Summerland planning staff have prepared a report providing additional information (please see attached).

There have been no previous applications on this property.

Local Government:

The Corporation of the District of Summerland

Legal Description of Property:

1. PID: 003-123-545
Lot B, District Lot 675, Osoyoos Division of Yale District, Plan 33617

Purchase Date (m/d/y):

07/24/2000

Location of Property:

District of Summerland

Size of Property:

0.2 ha (The entire property is in the ALR).

Present use of the Property:

Residence and garden shed

Surrounding Land Uses:

WEST: Housing
SOUTH: Horse pasture, orchard
EAST: Orchard
NORTH: ALR land

Agricultural Capability:

Data Source: Agricultural Capability Map # 82E.052
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

Farmland

Zoning Bylaw and Designation:

Agriculture - A1
The minimum lot size is 2.0 ha.

RELEVANT APPLICATIONS:

Application #13341-0

Applicant: McDowell, L&S
Decision Date: February 02, 1982
Proposal: To exclude 0.4 ha of land from the 3.2 ha property.
Decision: The Commission refused to exclude the land, but allowed the subdivision of the 0.4 ha area into two equal sized lots.

Application #24010-0

Applicant: Pahl, Donald & Joyce
Decision Date: May 14, 1990
Proposal: To exclude the 2.8 ha property.
Decision: Refused due to negative impacts on adjacent agricultural activities.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

The District of Summerland Council and planning staff supported this application subject to the installation of a combined Landscape Screen and Screen as defined in the District's Zoning Bylaw (see attached Schedule C).

Advisory Planning Committee

The Advisory Planning Committee supported this application subject to the installation of buffering along the southeast property lines.

STAFF COMMENTS:

Staff suggests that the Commission approve this application on the grounds that it is a very small parcel and was previously endorsed by the Commission for a non- farm use designation as part of the Official Community Plan review. The approval should be subject to buffering along the eastern boundary of the property.

END OF REPORT

EWent
Signature

July 18/05
Date