



**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

July 13, 2006

Reply to the attention of Brandy Ridout  
ALC File #V-36654

Robert Bennett  
550C West Avenue  
Kelowna, BC V1Y 4Z4

Dear Mr. Bennett:

**Re: Application to exclude land from the Agricultural Land Reserve**

Please find attached the Minutes of Resolution #314/2006 outlining the Commission's decision as it relates to the above noted application. As agent it is your responsibility to notify your client accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: District of Peachland - ALR05-004

BR/lv/Encl.: Minutes  
36654d1.

## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on June 28, 2006 in Kelowna, BC.

<b>PRESENT:</b>	Sue Irvine	Chair, Okanagan Panel
	Sharon McCoubrey	Commissioner
	Sid Sidhu	Commissioner
	Brandy Ridout	Staff

### For Consideration

Application # G – 36654  
Applicant(s) Roger Jacobson  
Proposal To exclude the 4 ha property from the ALR for as yet undetermined uses. The applicants indicate that the property has very poor agricultural capability due to topographic constraints excessive rockiness and poor soils.  
Legal PID: 012-403-857  
Location Lot 1, District Lot 2538, Osoyoos Division Yale District, Plan 410  
6493 Keyes Road, Peachland

### Site Inspection

A site inspection was conducted on June 27, 2006. Those in attendance were:

- Commissioners: Sue Irvine, Sharon McCoubrey and Sid Sidhu
- Staff: Brandy Ridout
- Agent: Robert Bennett
- Real estate agent: Patrick Borton

Mr. Bennett confirmed that he had received the staff report dated June 20, 2006 and did not identify any errors.

### Discussion

The Commission recalled that the OCP and zoning bylaw designated this land and nearby properties for farmland purposes. It was not aware of any planning review work presently being undertaken by the District of Peachland.

The Commission acknowledged that this property exhibited challenges to agricultural development due to aridity, coarse soils and severe topography. However, the Commission also noted that a significant portion of the property could be developed for agriculture if the land was cleared, levelled and irrigated (in the manner of several surrounding properties).

The Commission was not prepared to exclude the land from the ALR primarily because the property was located in a rural/agricultural area, comprised of large, similar sized lots, affected by comparable soils and climate. The Commission also noted that properties not in the ALR lying to the west of the subject property had not been subdivided or further developed to urban uses.

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**IT WAS**

**MOVED BY:** Commissioner McCoubrey

**SECONDED BY:** Commissioner Irvine

THAT the application be refused.

**CARRIED**

**RESOLUTION #314/2006**



**Staff Report**  
**Application # G – 36654**  
**Applicant: Roger Jacobson**  
**Location: Peachland**

**DATE RECEIVED:** April 24, 2006

**DATE PREPARED:** June 20, 2006

**TO:** Chair and Commissioners – Okanagan Panel

**FROM:** Brandy Ridout, Regional Research Officer

**PROPOSAL:** To exclude the 4 ha property from the ALR for as yet undetermined uses. The applicants indicate that the property has very poor agricultural capability due to topographic constraints excessive rockiness and poor soils.

This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

The subject property has never been subject to an application. However, the adjoining two 4 ha properties to the west were excluded in the early 1990's. The property to the north was refused exclusion.

The applicant has not indicated his intention for the use of the property should it be excluded from the ALR.

An agrologist's report was provided with the application. It is stated that the property has poor nutritional status and has low to very low agricultural capability. There are also some very steep, adverse slopes on the property. It is the agrologist's opinion that the subject property is non-arable.

**Local Government:**

The Corporation of the District of Peachland

**Legal Description of Property:**

PID: 012-403-857  
 Lot 1, District Lot 2538, Osoyoos Division Yale District, Plan 410

**Purchase Date:**

July 1970

**Location of Property:**

64903 Keyes Road, Peachland



**BACKGROUND INFORMATION (continued):**

**Size of Property:**

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

**Present use of the Property:**

Rural residence, and storage of old cars and other miscellaneous junk

**Surrounding Land Uses:**

- WEST:** 2 ha rural residences in the ALR
- SOUTH:** Forested Crown Land
- NORTH:** 4 ha rural residence with pasture in the ALR

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82 E/12  
 The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

The Peachland OCP designates the land as "Farmland"

**Zoning Bylaw and Designation:**

The zoning designation on the property is A-1 Rural/Agricultural Zone which permits a minimum lot size of 2 ha.

**RELEVANT APPLICATIONS:**

**Application #13724-0**

- Applicant:** Thompson, Archie & Rita
- Decision Date:** May 18, 1982
- Proposal:** To exclude the 3.8 ha subject property from the ALR.
- Decision:** Refused - allowed to subdivide the property into 3 lots.

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**Application #23519-0**

- Applicant:** Bedford, J M & W C
- Decision Date:** July 27, 1989
- Proposal:** To exclude the 3 ha ALR portion of the 4 ha subject property from the ALR.
- Decision:** Allowed.

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**Application #25132-0**

- Applicant:** Peachland Baptist Church
- Decision Date:** March 25, 1991
- Proposal:** To exclude the ALR portion of the 6 ha subject property from the ALR to facilitate the construction of a church. There is presently a residence, dining hall, chapel and youth camp cabins located on the property.
- Decision:** Allowed.

**RELEVANT APPLICATIONS (continued):**

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**Application #35707-0**

**Applicant:** A G Rentals  
**Decision Date:** February 03, 2005  
**Proposal:** To exclude two 2 ha parcels from the ALR to develop a 48 lot subdivision.  
**Decision:** Refused - on the grounds that the properties have agricultural capability, are located in an agricultural area and are not supported by local planning documents.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**The District of Peachland Council:** Forwarded the application with a recommendation of support.

**Environment and Land Use Committee:** Recommend to Council that they not support this application and forward it to the Agricultural Land Commission for a decision.

**Development Services Committee:** Recommend that the applicant provide the committee with an agrologist's report prior to the application proceeding to Council for review.

**STAFF COMMENTS:**

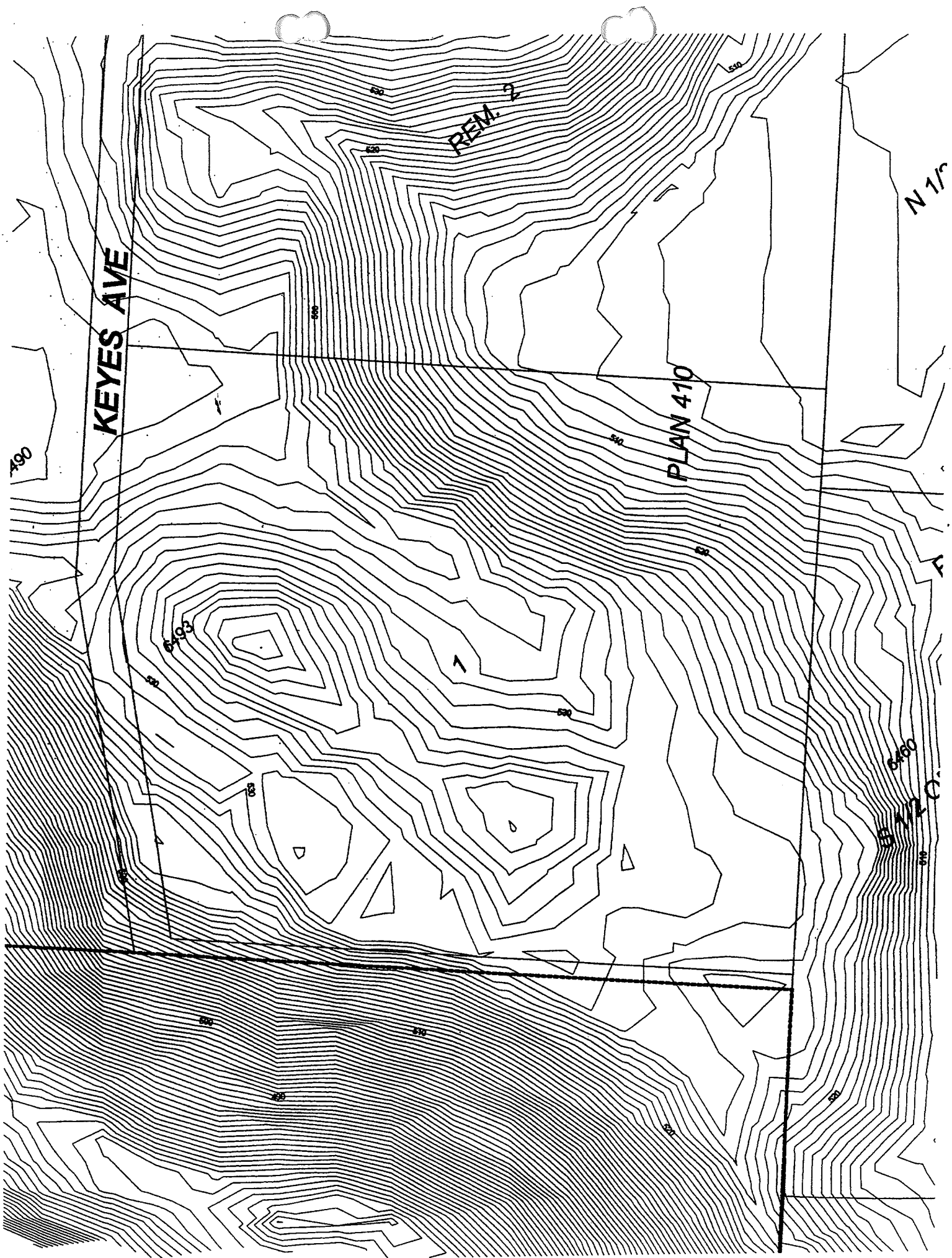
Staff suggests that the Commission undertake an on-site inspection to ascertain whether the property is arable.

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**END OF REPORT**

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**Signature**

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**Date**



KEYES AVE

REM. 2

PLAN 410

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