



Agricultural Land Commission
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July 6, 2006

Reply to the attention of Brandy Ridout
ALC File #G-36718

Judith Ohs
755 Glenmore Road, North
Kelowna, BC V1V 2C7

Dear Ms. Ohs:

Re: Application to subdivide in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #315/2006 outlining the Commission's decision as it relates to the above noted application.

If you wish to pursue the Commission's alternate proposal, please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a white background.

Erik Karlsen, Chair

cc: City of Kelowna - A06-0008

BR/lv/Encl.: Minutes
Sketch Plan

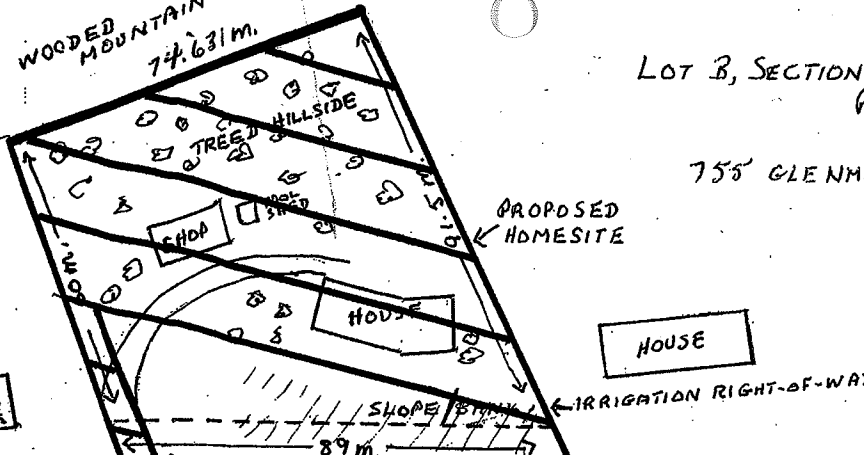
36718d1

WOODED MOUNTAIN
74.631 m.

LOT 3, SECTION 9, TOWNSHIP 23, O.D.Y.D.
PLAN 3710
3.79 Ha.

755 GLENMORE RD N. KELOWNA V1V2C7

PROPOSED
HOMESITE



HOUSE

IRRIGATION RIGHT-OF-WAY

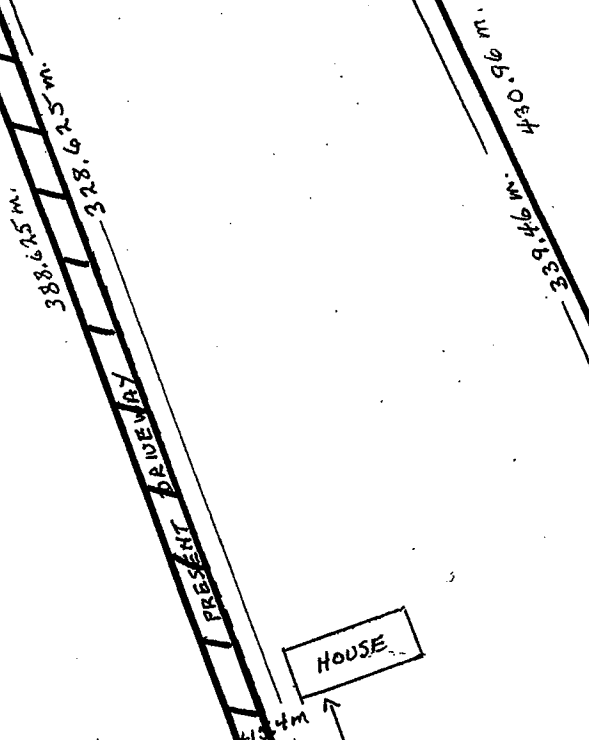
SLOPE BANK
89 m.

SCALE:
10 m. = 1 cm.

CHRISTMAS
TREES

HAY FIELD


FRUIT + VEGETABLE
MARKET GARDEN



HOUSE

HOUSE

Provincial Agricultural Land Commission
Application #G-36718
Resolution #315/2006

 Approximately 0.4 ha area approved for subdivision in the ALR

120.429 m.

GLENMORE RD.

THAT the application be refused as proposed on the grounds that the proposed 0.6 ha homesite lot contained land the Commission preferred left with the agricultural remainder

AND THAT the Commission would allow the subdivision of an approximately 0.4 ha lot subject to the following conditions:

- the submission of a subdivision plan outlining the smallest possible homesite lot (no larger than 0.4 ha),
- the construction of a fence around the new homesite lot for the purpose of limiting its impact on the remaining farm unit. Fencing plans should be submitted to the Commission for approval.

This decision does not relieve the owner or occupier of the responsibility to comply 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.

CARRIED
RESOLUTION #315/2006



Staff Report
Application # G – 36718
Applicant: Judith Ohs
Location: Kelowna (Glenmore)

DATE RECEIVED: May 23, 2006

DATE PREPARED: June 20, 2006

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To subdivide a 0.6 ha lot from the 3.8 ha subject property under the *Homesite Severance Policy*.

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

BACKGROUND INFORMATION:

The proposed homesite lot would contain the original farm house and yard at the east end of the property. The second home is located closer to the Glenmore Road side of the property and would be on the proposed remainder. A panhandle along the current driveway is proposed to provide access to the homesite lot.

Under application #G-26101, approximately 0.4 ha of the property has been approved for dedication and construction of the Glenmore Valley bypass road.

The tree farm is currently run by the applicant and her son. If subdivision of the homesite lot is approved, he would like to purchase the remainder.

Local Government:

City of Kelowna

Legal Description of Property:

PID: 004-782-836
Lot B, Section 9, Township 23, Osoyoos Division Yale District, Plan 37110

Purchase Date:

April 30, 1963

Location of Property:

755 Glenmore Road, Kelowna

BACKGROUND INFORMATION (continued):

Size of Property:

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

Present use of the Property:

Christmas tree farm, two single family dwellings

Surrounding Land Uses:

WEST: Glenmore Road, hay field across road

SOUTH: Fruit and vegetable market garden

EAST: Non-ALR, wooded mountain

NORTH: Hay

Agricultural Capability:

Data Source: Agricultural Capability Map # 82E.093

The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

Kelowna 2020 - Official Community Plan

Designation: Rural/Agricultural

Zoning Bylaw and Designation:

Zoning Bylaw No. 8000

Designation: A1 - Agriculture 1

PREVIOUS APPLICATIONS:

Application #26101-0

Applicant: Glenmore Bypass Road, Sewer

Decision Date: September 10, 1992

Proposal: To dedicate and construct the Glenmore Valley bypass road as per plans submitted with the application.

Decision: Allow - subject to conditions.

RELEVANT APPLICATIONS:

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

City of Kelowna: Support.

Planning and Corporate Services Department: The relevant City policy documents support the creation of additional lots within the Agricultural Land Reserve for homesite severance applications that are consistent with Agricultural Land Commission Homesite Severance Policy.

Agricultural Advisory Committee: Supports based on the longevity of property ownership.

STAFF COMMENTS:

Staff suggests the Commission consider the following:

- The applicant appears to qualify for a homesite lot under the Homesite Severance Policy as she has owned and lived on the property since 1968.
- Although the homesite lot appears to have been configured so as to take in the smallest area, the Commission may want to discuss the possibility of subdividing a smaller homesite lot in order to leave more land with the remainder with the applicant during the site visit.

END OF REPORT



Signature

June 20, 2006
Date