



**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

April 26, 2007

Reply to the attention of Brandy Ridout  
ALC File: #G - 36567

Inez Palatin  
1707 Morrison Road  
Kelowna, BC V1X 4W4

Dear Mrs. Palatin:

**Re: Reconsideration request for subdivision in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 160/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: City of Kelowna (#A05-0002)

Enclosure: Minutes

BR/lv  
36567d2



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

---

A meeting was held by the Provincial Agricultural Land Commission on March 29, 2007 in Vernon, B.C.

<b>PRESENT:</b>	Sue Irvine	Chair, Okanagan Panel
	Sid Sidhu	Commissioner
	Monika Marshall	Commissioner
	Brandy Ridout	Staff
	Martin Collins	Staff

### For Consideration

A letter from Janine Palatin was received March 23, 2007 requesting that the Commission reconsider its decision recorded as Resolution #325/2006.

Application: #G- 36567  
Applicant: Inez Palatin  
Original Proposal: To subdivide a 0.4 ha homesite lot from the 5.9 ha subject property under the *Homesite Severance Policy*.  
Decision: Refused as proposed, the Commission would approve the subdivision of a 0.2 ha lot.  
Current Proposal: To allow the subdivision of a 0.468 ha lot instead of the 0.2 ha lot allowed by the Commission under Resolution #325/2006. This request is based on the location of the septic field and the wish to relocate a dwelling from the remainder onto the homesite lot.  
Legal: PID: 005-381-959  
Location: Lot B, Section 36, Township 26, Osoyoos Division Yale District, Plan 25654  
1707 Morrison Road, Kelowna

### Discussion

The Commission's main concern with the reconsideration request was the possible impact of the increased lot size on the remainder of the subject property. As the agricultural capability of the entire property is prime (Class 1, 2 and 3), subdivision of a larger lot would mean that more prime agricultural land would be severed from the agricultural remainder of the property.

The Commission considered that the request for a larger lot was based on the location of the septic field and the wish to relocate a dwelling from the remainder onto the homesite lot. A surveyed 0.223 ha lot would not accommodate the existing septic system and thus a new system would have to be installed if the Commission would not allow a larger homesite lot. In addition, a 0.2 ha lot would not be large enough to allow the applicant's daughter's house to be relocated to the homesite lot.

Taking into account both of these factors, the Commission maintained its belief that subdivision of a larger lot would be detrimental to the agricultural remainder and so would not allow the subdivision of a larger than an approximately 0.2 ha lot.

**IT WAS**

**MOVED BY:** Commissioner Irvine  
**SECONDED BY:** Commissioner Sidhu

THAT the information presented constitutes evidence that was not available at the time of the original decision and therefore a reconsideration is warranted;

AND THAT for the purposes of Section 33(2) of the *Agricultural Land Commission Act*, there are no persons it considers affected by the reconsideration.

AND THAT the request to subdivide an approximately 0.468 ha lot instead of the approved 0.2 ha lot be refused.

**CARRIED**

**Resolution # 160/2007**