



Agricultural Land Commission
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March 1, 2007

Reply to the attention of Brandy Ridout
ALC File: #V - 37073

Luigi and Antonietta Celentano
RR 1 - Site 50 - Comp 82
Keremeos, BC V2A 7Z3

Dear Sir/Madam:

Re: Application to Subdivide Land within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 34/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

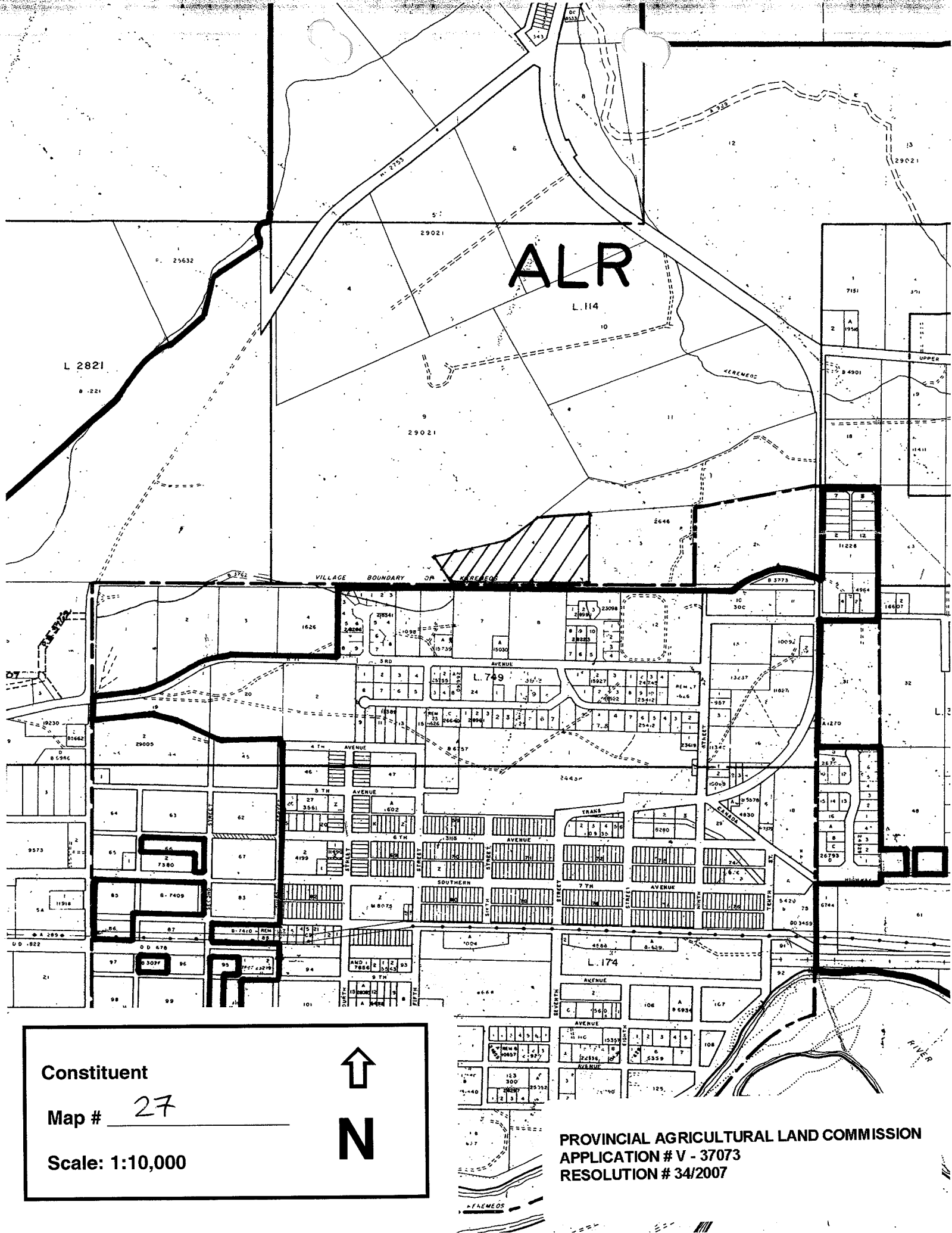
Per:

Erik Karlsen, Chair

cc: Regional District of Okanagan-Similkameen (#G06-02104-000)
Vito Celentano, 4349 - 173A Street, Surrey, BC V3S 5J8

Enclosure: Minutes/Sketch Plan

MC/lv
37073d1



Constituent

Map #

27

Scale: 1:10,000



PROVINCIAL AGRICULTURAL LAND COMMISSION
 APPLICATION # V - 37073
 RESOLUTION # 34/2007



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on February 14, 2007, in Penticton, B.C.

PRESENT:	Sue Irvine	Chair, Okanagan Panel
	Sharon McCoubrey	Commissioner
	Sid Sidhu	Commissioner
	Jennifer Carson	Staff
	Martin Collins	Staff

For Consideration

Application: # V- 37073
Applicant: Luigi and Antonietta Celentano
Agent: Vito Celentano
Proposal: To subdivide a 1.2 ha lot from the 3.3 ha subject property.
Legal: PID: 003-921-786
Lot 4, District Lot 114, Similkameen Division of Yale District, Plan 2646, EXCEPT Plan KAP65391
Location: 704 Sparks Drive, Village of Keremeos, Electoral Area 'G'

Site Inspection

A site inspection was conducted on February 14, 2007. Those in attendance were:

- Sue Irvine Chair, Okanagan Panel
- Sharon McCoubrey Commissioner
- Sid Sidhu Commissioner
- Jennifer Carson Staff
- Martin Collins Staff
- Luigi and Antonietta Celentano

The applicants confirmed that the staff report dated January 11, 2007 was received and no errors were identified.

The Commission discussed the agricultural history of the property with the applicants, and their plans for agricultural development if the subdivision is permitted. The Commission noted that much of the property was used for hay production by the neighboring farmer. There was no clear delineation between the adjoining property and the subject property.

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Discussion

Assessment of Agricultural Capability

In assessing agricultural capability, the Commission noted that the land had good capability for agricultural development, equal to the adjoining cultivated land in the ALR.

Assessment of Agricultural Suitability

The Commission also confirmed that there were no external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. Apart from the 0.28 ha adjoining homesite lot (which was subdivided by the Commission in 1998), the adjoining properties in the ALR were similar in size.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the subdivision proposal against the long term goal of preserving agricultural land. The Commission believes the proposal would negatively affect the potential agricultural use of the property and surrounding lands, by reducing the agricultural options available. Smaller parcels tend to be used for residential, rather than agricultural purposes, in part because smaller parcels have less potential income from farming. In addition generally smaller parcels also come under further pressure to subdivide, further reducing farm potential.

Conclusions

1. That the land under application has good agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the subdivision proposal will negatively impact agriculture by reducing the likelihood that either parcel would be used for agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Sharon McCoubrey

SECONDED BY: Commissioner Sid Sidhu

THAT the application to subdivide a 1.2 ha lot from the 3.3 ha property be refused.

CARRIED

Resolution # 34/2007



Staff Report
Application # V – 37073
Applicants: Luigi and Antonietta Celentano
Agent: Vito Celentano
Location: Keremeos

DATE RECEIVED: November 17, 2006

DATE PREPARED: January 11, 2007

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To subdivide a 1.2 ha lot from the 3.3 ha subject property.

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

BACKGROUND INFORMATION:

The subject property was created by the completion of a homesite severance subdivision approved by the Commission under application #V-37073.

Local Government:

Regional District of Okanagan-Similkameen

Legal Description of Property:

PID: 003-921-786

Lot 4, District Lot 114, Similkameen Division Yale District, Plan 2646, EXCEPT Plan KAP65391

Purchase Date:

10/31/2003

Location of Property:

704 Sparks Drive, Village of Keremeos, Electoral Area 'G'

Size of Property:

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

Present use of the Property:

Residence, hay

BACKGROUND INFORMATION (continued):

Surrounding Land Uses:

WEST: ALR, agriculture
SOUTH: Non-ALR, residential
EAST: ALR, agriculture
NORTH: ALR, agriculture

Agricultural Capability:

Data Source: Agricultural Capability Map # 82E/4
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan/Zoning Bylaw and Designation:

The subject property is located within Electoral Area 'G' and is not subject to an Official Community Plan. Although there is an Electoral Area 'G' Zoning Bylaw No. 325 (1976), it does not apply to the subject property.

PREVIOUS APPLICATIONS:

Application #32067-0

Applicant: Ann Park
Decision Date: July 23, 1998
Proposal: To subdivide a 0.7 ha lot from the 3.6 ha subject property under the *Homesite Severance Policy*.
Decision: Refused on the grounds of excessive lot size. However, the Commission would allow subdivision of a 0.7 ha lot under the *Policy* if the balance was consolidated or bound by title with Lot 3, Plan 2646 or subdivision of a small lot containing the residence, garage, and small curtilage with installation of fencing.
A 0.3 ha homesite lot was subdivided from the parent parcel, creating the 3.3 ha subject property.

RELEVANT APPLICATIONS:

Application #27283-0

Applicant: Banta Singh Dhaliwal
Decision Date: February 4, 1993
Proposal: To subdivide a 1.6 ha lot from the 11.4 ha property as divided by Keremeos Creek.
Decision: Refused due to agricultural capability.

Application #35988-0

Applicant: Kirk & Ruby Northrup
Decision Date: June 9, 2005
Proposal: To subdivide the 13.5 ha property into two equal sized lots of 6.75 ha. There are two separate farms on the property; the conventionally operated Anderson Farms (cherries/apples), and the certified organic mixed fruit and vegetable "Wind Scorpion Farm". The property has been operated as two separate farms since it was purchased in June 1991. There are separate residences and separate farm and utility infrastructure.
Decision: Approved subject to a restrictive covenant on each of the newly created lots limiting the number of houses to one.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

No comments or recommendations

STAFF COMMENTS:

- It is possible that subdivision of the lot into two smaller lots could eliminate the possibility of pursuing an agricultural operation on either lot.
- A site visit would help determine the possible impacts on agriculture.

ATTACHMENTS:

- ALR Base Map #82 E/4 (1:50,000)
- ALR Constituent Map #27 (1:10,000)
- Proposed subdivision (supplied by applicants)
- Air photo (1:5,000)

END OF REPORT



Signature

Jan 11, 07

Date