



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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May 28, 2008

Reply to the attention of Brandy Ridout  
ALC File: G-36641

Jennifer Turton-Molgat  
11311 Mimac Road  
Lake Country, BC V4V1H7

Dear Madam:

**Re: Application to subdivide land within the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 282/2008 outlining the Commission's decision (and a sketch plan) as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

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,

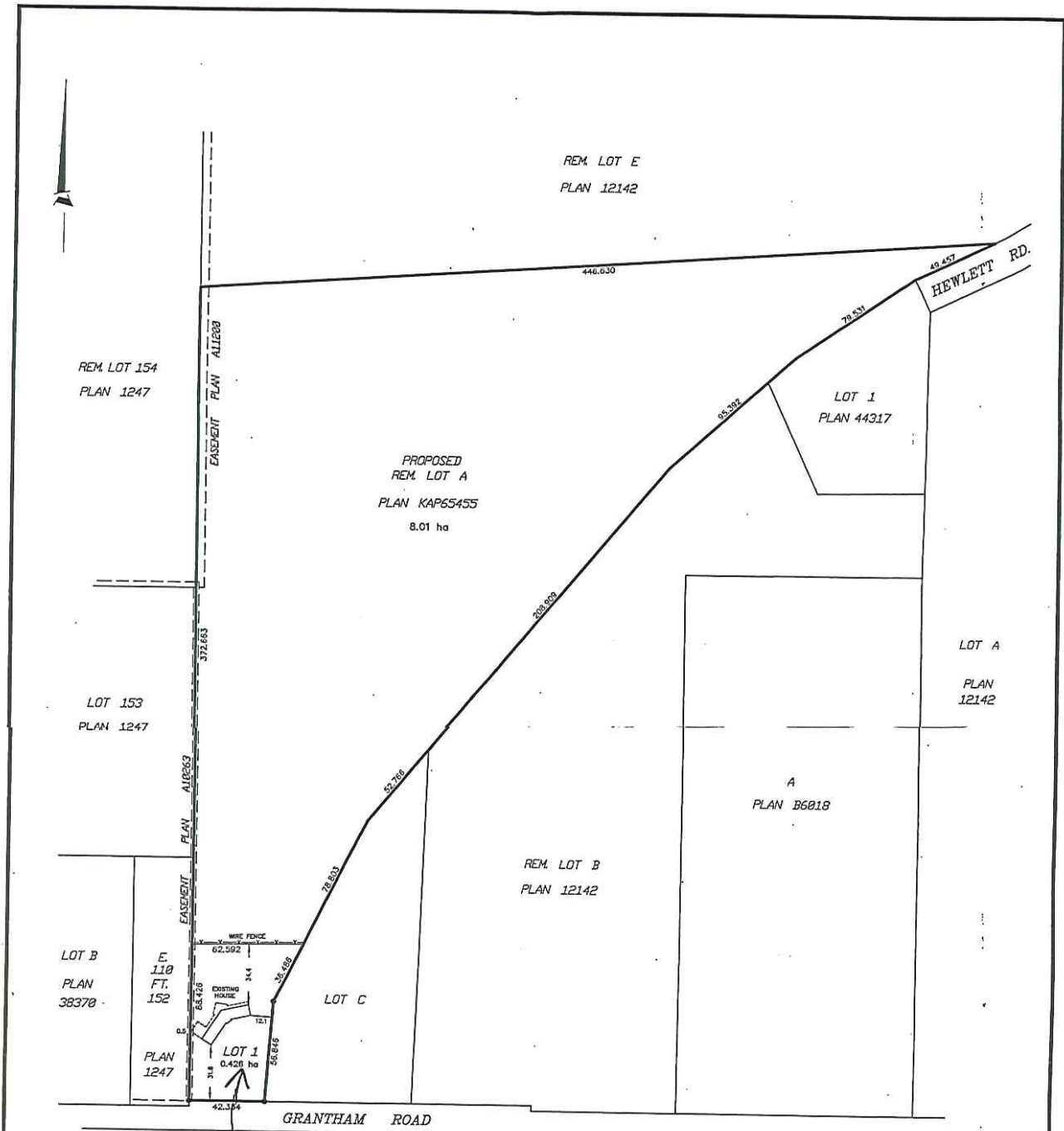
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: City of Kelowna (A06-0002)

Enclosure: Minutes/Sketch Plan/Homesite Severance Policy



APPROVED HOMESITE SEVERANCE  
± 0.4ha

TITLE: <b>PROPOSED SUBDIVISION PLAN OF          PART OF LOT A, PLAN KAP65455,          SEC. 4, TP. 26, O.D.Y.D.</b>	DRAWN BY: <b>RUNNALLS DENBY</b> <i>british columbia land surveyors</i> #2-1470 Water Street Kelowna, B.C. V1Y 1J5 Email: nell @ runnallsdenby.com	SCALE: 1:1500 DATE: FEB. 15th, 2008 DWG: 12573 PROPOSAL
	CLIENT: <b>LYNN WELDER CONSULTING</b>	FILE No: 12573 REV. 0



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on May 9, 2008 at Vernon, B.C.

**PRESENT:**

Roger Mayer	Chair, Okanagan Panel
Sid Sidhu	Commissioner
Gerald Zimmermann	Commissioner
Brandy Ridout	Staff
Martin Collins	Staff

### For Consideration

Application: # G- 36641  
Applicant: Christopher Turton  
Agent: Jennifer Turton-Molgat  
Proposal: To subdivide a 0.42 ha lot under Homesite Severance Policy from the 8.4 ha subject property. The applicant appears to qualify for consideration under the provisions on the Policy (having lived on and owned the property size prior to 1972).  
Legal: PID: 024-609-781  
Lot A, Section 4, Township 26, Osoyoos Division of Yale District, Plan KAP65455  
Location: Saucier Road, East Kelowna

### Site Inspection

No site inspection was undertaken.

### 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 and Suitability**

The Commission noted that the proposed subdivision did not affect arable, cultivated land, just the historic homesite area.

### **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 noted that the parcels lying to the east and west are small rural residential properties, and that cultivated area of the agricultural remnant was located some distance from the northern boundary of the proposed new lot. In addition a fence currently exists on the northern boundary of the new 0.42 ha lot. Therefore the Commission does not believe that the subdivision will have any significant impacts on agriculture, and does not require any further fencing or vegetative screening.

### **Conclusions**

1. That the land under application is consistent with the provisions of Homesite Severance Policy.
2. That the size and location of the proposed homesite lot will not significantly impact agriculture.

### **IT WAS**

**MOVED BY:** Commissioner Sid Sidhu  
**SECONDED BY:** Commissioner Gerry Zimmerman

THAT the application for a 0.42 ha homesite severance be approved.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- compliance with the Homesite Severance Policy
- approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

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 # 282/2008**