



Agricultural Land Commission
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December 17, 2007

Reply to the attention of Martin Collins
ALC File: V-37541

Tony Molachyk
1395 Hwy 3A, RR#1, S-70, C-41
Keremeos, BC
V0X1N0

Dear Sir:

Re: Application to Subdivide Land within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 657/2007 outlining the Commission's decision as it relates to the above noted application. The Commission has also attached a map depicting its decision. 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: Regional District of Okanagan-Similkameen (G 07-02170.010)

Enclosure: Minutes/Sketch Plan

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 its assessment of the agricultural capability and suitability of the 1.5 ha area lying between Keremeos Creek and Highway #3A, the Commission was advised by the Hortons that the land was extremely difficult to access from their sheep operation, and was of a size and shape that was largely unsuitable from an agricultural perspective. Also, unfavourable soil conditions (stoniness) affected portions of the property. They believed that the area would be best developed as a small agricultural holding. The Molachyks indicated that they were prepared to develop the property agriculturally, and to consolidate the small triangular portion of DL 2399s (containing their cabin) lying east of the Highway, with the 1.5 ha area.

Assessment of Impact on Agriculture

The Commission assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission believed the proposal would not significantly affect adjoining ALR land or raise expectations of additional subdivision of ALR land to the south lying between the creek and the Highway 3A because there were unlikely to be similar situations where residential remnants abut creek side land.

Conclusions

1. That the land under application has limited agricultural capability but is suitable for agricultural uses.
2. That the subdivision proposal will not significantly impact agriculture.

IT WAS

MOVED BY: Commissioner R. Mayer

SECONDED BY: Commissioner S. Irvine

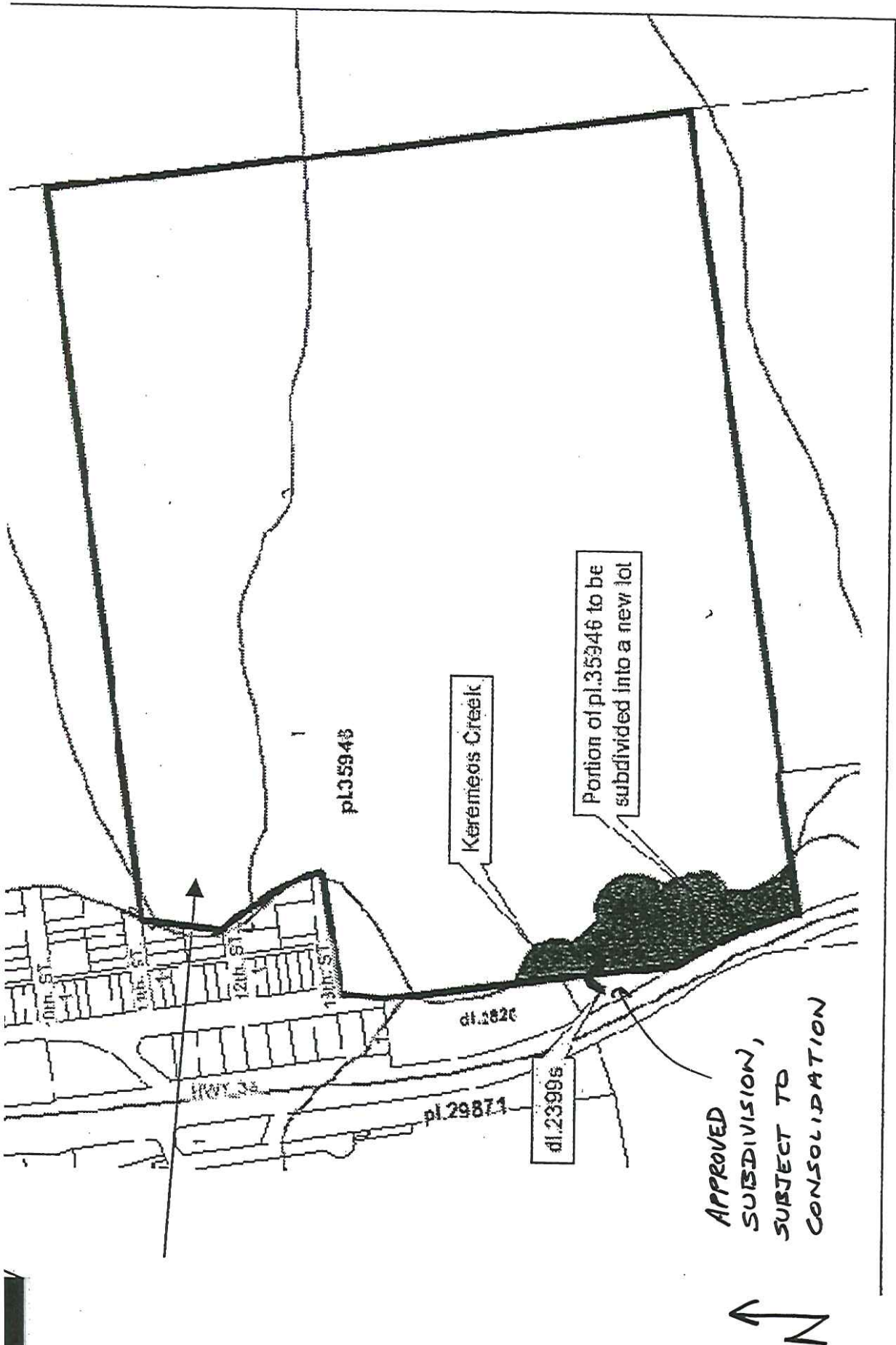
THAT the application to subdivide a 1.5 ha lot from the 49.5 ha property as divided by Keremeos Creek be allowed, subject to the following conditions:

- the consolidation of the 1.5 ha area with the triangular portion of DL 2399s (containing the cabin) lying east of Highway 3A,
- the subdivision must be completed within three (3) years from the date of this decision.

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 # 657/2007



ALC APPLICATION
 V-37541

RESOLUTION # 657/2007