



Agricultural Land Commission
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May 16, 2008

Reply to the attention of Brandy Ridout
ALC File: **V-38048**

Tim Hall
Box 2080
Princeton, BC V0X1W0

Dear Mr. Hall:

Re: Application the subdivide in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 213/2008 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your clients 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:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a light blue horizontal line.

Erik Karlsen, Chair

cc: Regional District of Okanagan-Similkameen (H08-00955-275)

Enclosure: Minutes/Sketch Plan

BR
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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 9, 2008 at the Ministry of Agriculture and Lands Office located at 4607- 23rd Street, Vernon, BC.

PRESENT:

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

For Consideration

Application: #V-38048
Applicant: Michael Stroinig
Agent: Tim Hall
Proposal: To undertake a boundary line adjustment between the two subject properties. The properties are currently 2.9 ha and 10.1 ha and the proposal would create one 4.6 ha lot and one 8.4 ha lot.
Legal: 1. PID: 003-049-515
Lot A, District Lot 2469, Kamloops Division Yale District, Plan 33973
2. PID: 003-546-527
Lot 2, District Lot 1406, Kamloops Division Yale District, Plan 32009
Location: 947 and 971 Highway 5a, Princeton

Site Inspection

A site inspection was conducted on May 7, 2008. Those in attendance were:

- Roger Mayer Chair, Okanagan Panel
- Sid Sidhu Commissioner
- Gerald Zimmermann Commissioner
- Brandy Ridout Staff
- Martin Collins Staff
- Michael Stroinig & Sondra Cherot Applicants
- Tim Hall Agent

Mr. Hall confirmed that the staff report dated April 9, 2008 was received and no errors were identified.

The Commission discussed the location of the proposed new lot line and the issue of access with the applicants. It was indicated by the applicants that the reason for the lot line adjustment request is to allow them to have more area for horses on the northern property. The Commission noted the existence of a BC Hydro Right of Way and a natural gas Right of Way on the 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

The agricultural capability of the soil of the northern 65% of the subject property is 80% Class 7T and 20% Class 6TR. The southern 35% is Class 3M. The 1.7 ha area proposed to be included with the 2.9 ha northern lot is of the same agricultural capability.

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Class 7 – Land in this class has no capability for arable or sustained natural grazing

Subclasses

M soil moisture deficiency
R shallow soil / bedrock outcroppings
T topography

Assessment of Agricultural Suitability

The Commission assessed the challenges to the agricultural suitability of the property - namely the location of the two right of ways, the slope on the western portion of the property and the limited agricultural capability – and believed that there were limits to the suitability of the property for agriculture.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long-term goal of preserving agricultural land and did not believe the proposal would impact existing or potential agricultural use of the subject property or surrounding lands.

IT WAS

MOVED BY: Commissioner Mayer

SECONDED BY: Commissioner Sidhu

THAT the application to undertake a boundary line adjustment between the two subject properties (2.9 ha and 10.1 ha) to create one 4.6 ha lot and one 8.4 ha lot 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
- 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.

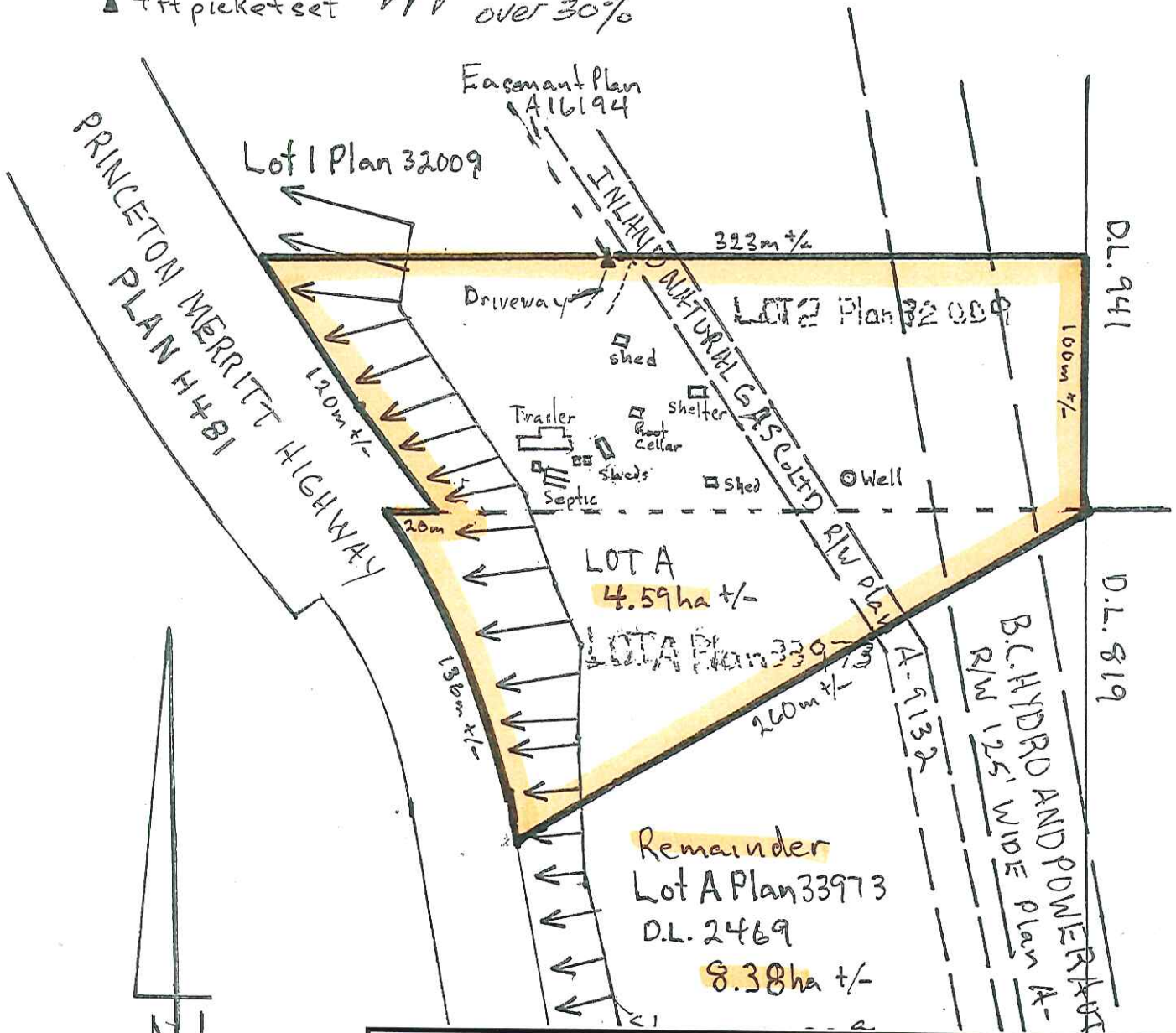
CARRIED

Resolution #213/2008


Plan Showing Proposed Subdivision of
 Lot 2 District Lot 1406 Plan 32009 and Part of Lot A, District Lot 2469 Plan 33973 all K.D.Y.D
 Civic Address: 971 Highway 5a
 Scale 1: 2500 Zoning RA
 January 8 2008

LEGEND

▲ 4 ft picket set // // // Denotes slopes over 30%



Provincial Agricultural Land Commission
 Application #38048
 Resolution #213/2008

 Approved boundary line adjustment in the ALR