



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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October 29, 2008

Reply to the attention of Brandy Ridout  
**ALC File: V-38469**

Okanagan Development Consultants Inc.  
17007 Garnet Valley Road  
Summerland, BC V0H1Z3

Dear sir/madam:

**Re: Application to Include Land into the Agricultural Land Reserve**

Please find attached the Minutes of Resolution #672/2008 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over the 'Per:' label.

Erik Karlsen, Chair

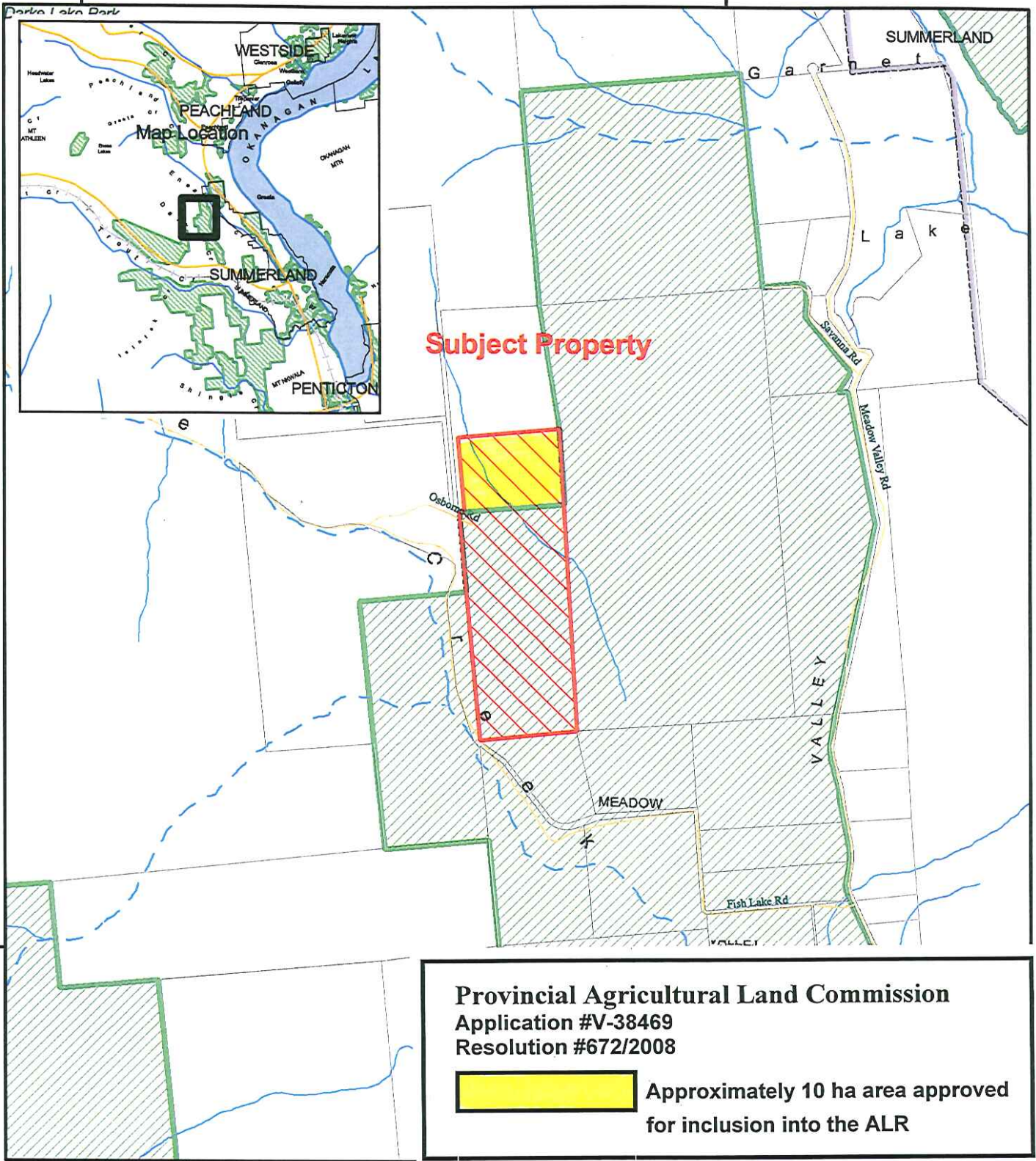
Enclosure: Minutes/Sketch Plan

cc: Regional District of Okanagan-Similkameen (F08-07244-000)

BR  
i/38469d1

119°50'0"W

119°48'0"W



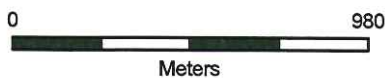
49°40'0"N

119°50'0"W

119°48'0"W



**Context Map**  
 Map Scale: 1:20,000



ALC File #:	38469
Mapsheet #:	82E.061
Map Produced:	Sep 17, 2008
Regional District:	Okanagan-Similkameen



A meeting was held by the Provincial Agricultural Land Commission on October 8, 2008 at the Keremeos Municipal Hall located at 702-4<sup>th</sup> Street, Keremeos, BC.

<b>PRESENT:</b>	Roger Mayer	Chair, Okanagan Panel
	Sid Sidhu	Commissioner
	Gerald Zimmermann	Commissioner
	Brandy Ridout	Staff

**For Consideration**

Application: #V-38469  
Applicant: Paul Michel  
Agent: Okanagan Development Consultants Inc.  
Proposal: To include the non-ALR portion of DL3953 into the Agricultural Land Reserve to satisfy a condition of approval under Resolution #215/2008 (application #V-38039). The area to be included is approximately 10 ha.  
Legal: PID: 011-425-768  
District Lot 3953, Osoyoos Division Yale District, EXCEPT Plan KAP46776  
Location: 36 Osborne Road, Summerland

**Site Inspection**

A site inspection was not conducted for the application. However, the Commission recalled the site inspection conducted for application #V-38039 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
- Paul Michel                          Applicant
- Bill Coates                          Agent

At that time, the Commission viewed the location of the proposed lot and noted that the non-ALR portion of the property, although slightly steeper, appeared to be similar to the ALR portion of the property. The applicant indicated that he would be willing to include the non-ALR portion of the property into the ALR.

**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**

The majority of the non-ALR portion of the property is 70% Class 7TC and 30% Class 6TR. Despite the lower capability ratings of the non-ALR portion of the property, from the onsite inspection, the Commission believed that the area had some potential for farm use and noted that it was in fact being used in association with the remainder of the property.

**Conclusions**

1. That the land under application has some agricultural capability and would be appropriately designated as ALR.
2. That the land under application has some suitability for agricultural use and is used in association with the remainder of the property.

**IT WAS**

**MOVED BY:** Commissioner Mayer  
**SECONDED BY:** Commissioner Zimmermann

THAT the application to include the approximately 10 ha non-ALR portion of DL3953 into the Agricultural Land Reserve to satisfy a condition of approval under Resolution #215/2008 (application #V-38039) be approved.

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 #672/2008**