



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

April 2, 2009

Reply to the attention of Brandy Ridout
ALC File: **G-38633**

Robert and Benita Arbo
5781 Anderson Road
Kelowna, BC V1X7V4

Dear Mr. and Mrs. Arbo:

Re: Application to Subdivide Land within the Agricultural Land Reserve

Please find attached the Minutes of Resolution #75/2009 and sketch plan outlining the Commission's decision as it relates to the above noted application.

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 blue ink, appearing to read 'Erik Karlsen', is written over the printed name.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of Central Okanagan (A-08-03)

BR/
i/38633d1



A meeting was held by the Provincial Agricultural Land Commission on March 26, 2009 at Vernon, B.C.

PRESENT:	Roger Mayer	Chair, Okanagan Panel
	Gerald Zimmermann	Commissioner
	Brandy Ridout	Staff
	Martin Collins	Staff

For Consideration

Application: #G-38633
Applicant: Robert and Benita Arbo
Proposal: To subdivide the 5 ha subject property into a 2 ha lot and a 3 ha lot.
Legal: PID: 011-895-101
Lot 48, District Lot 1, Osoyoos Division Yale District, Plan B11885,
Plan 475
Location: 5781 Anderson Road, Kelowna

Site Inspection

No site inspection was conducted.

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 refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is a mix of prime and secondary ratings. The majority of the property is comprised of prime (3AT) soils;

- Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
- Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

The primary subclass limitations are aridity and topography.

Assessment of Agricultural Suitability

The Commission recalled that this property and others lying between Anderson Road and the hillside have very limited agricultural capability, particularly the easterly portions of the properties due to poor soils and steep topography.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission noted that the subdivision divided the property into a westerly arable and easterly non arable portions. As such the Commission believed that the subdivision proposal's impact on agricultural potential was negligible.

Assessment of Other Factors

The Commission recalled that it had endorsed the 2006 Ellison Official Community Plan which permits the subdivision of this property and other nearby parcels lying east of Anderson Road into 2 ha lots.

Conclusions

That the land under application has limited agricultural capability and subdivision will have limited impacts on the land's agricultural use.

IT WAS

MOVED BY: Commissioner Zimmerman

SECONDED BY: Commissioner Mayer

THAT the application to subdivide the 5 ha property into two lots be allowed.

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.

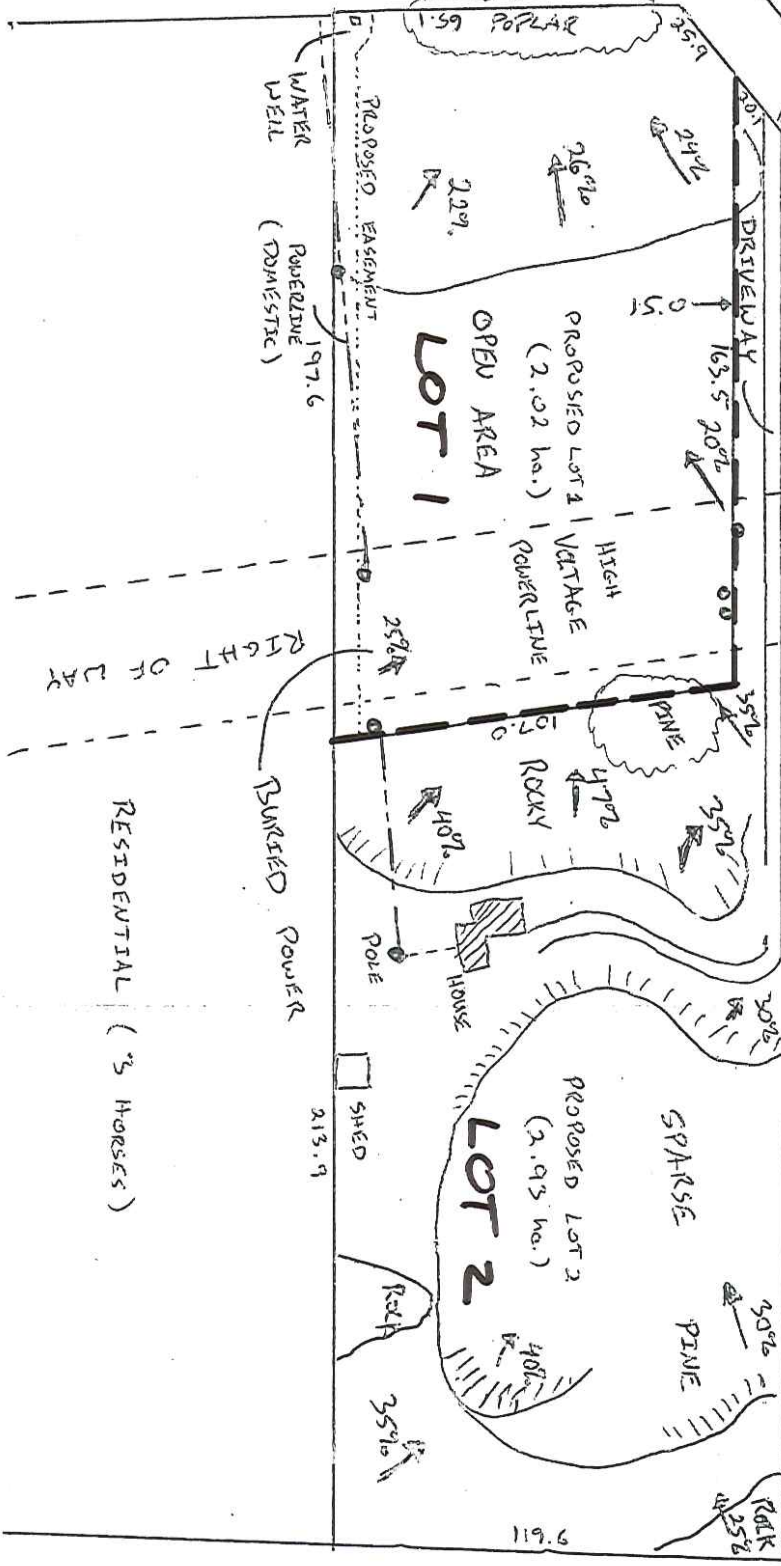
CARRIED

Resolution #75/2009

RESIDENTIAL
(SOME HORSES)

RESIDENTIAL
(6 COWS)

ANDERSON RD.



APPLICATION G-388633
RESOLUTION #75/2009
ALLOWED TWO LOT SUBDIVISION

MAP NOT
TO SCALE

