



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

July 6, 2009

Reply to the attention of Brandy Ridout
ALC File: G-39038 (46024)

Graham Stanley Todd
4802 Trepanier Road
Peachland, B.C.
V0H 1X2

Dear Sir:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 302 and a sketch plan outlining the Commission's decision 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. It will also confirm for the Registrar the area excluded from the ALR.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of Central Okanagan (A-08-05)

BR/i/39038d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on June 16th, 2009 at Salmon Arm, B.C.

| | | |
|-----------------|-----------------|-----------------------|
| PRESENT: | Roger Mayer | Chair, Okanagan Panel |
| | Sid Sidhu | Commissioner |
| | Gordon Gillette | Commissioner |
| | Brandy Ridout | Staff |

For Consideration

Application: G-39038 (46024)
 Applicant: Trepanier Creek Properties Ltd.
 Agent: Graham Todd
 Proposal: To exclude 1.2 ha from the ALR (west of Trepanier Creek) and subdivide the remainder of Lot C into three lots (17 ha - not in ALR, 1 ha to be added to Trepanier Creek Park, and a 6 ha remainder of which ~ 2 ha lies in the ALR).
 Legal: 1) Lot 1, DL 483 and 4488, ODYD, Plan KAP87034
 2) Block C, of DL 483, ODYD
 Location: Trepanier Creek, lying south of Highway #97

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 improvable to

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

The limiting subclasses are aridity and topography. The class 3 rating is also specific tree fruit development.

Assessment of Agricultural Suitability

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission believed that the narrow configuration of the 1.2 ha ALR area lying west of the Creek made the land unsuitable for agricultural development.

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 believes the exclusion/ subdivision proposal would not affect impact existing or potential agricultural use of surrounding lands. The Trepanier Creek ALR block represents an isolated, undeveloped ALR outlier with little potential for agricultural development due to unfavourable climate, lack of water and poor soils.

Conclusions

1. That the 1.2 ha under application for exclusion has very limited agricultural capability and is unsuitable for agricultural development.
2. That the exclusion/subdivision proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner R. Mayer

SECONDED BY: Commissioner S. Sidhu

THAT the application to exclude 1.2 ha from the ALR, and to subdivide two lots in the ALR; 1 ha for Trepanier Creek Park and a 6 ha remainder (of which ~ 2 ha lies in the ALR), be allowed

AND THAT the subdivision must be completed within 3 years from the date of the decision.

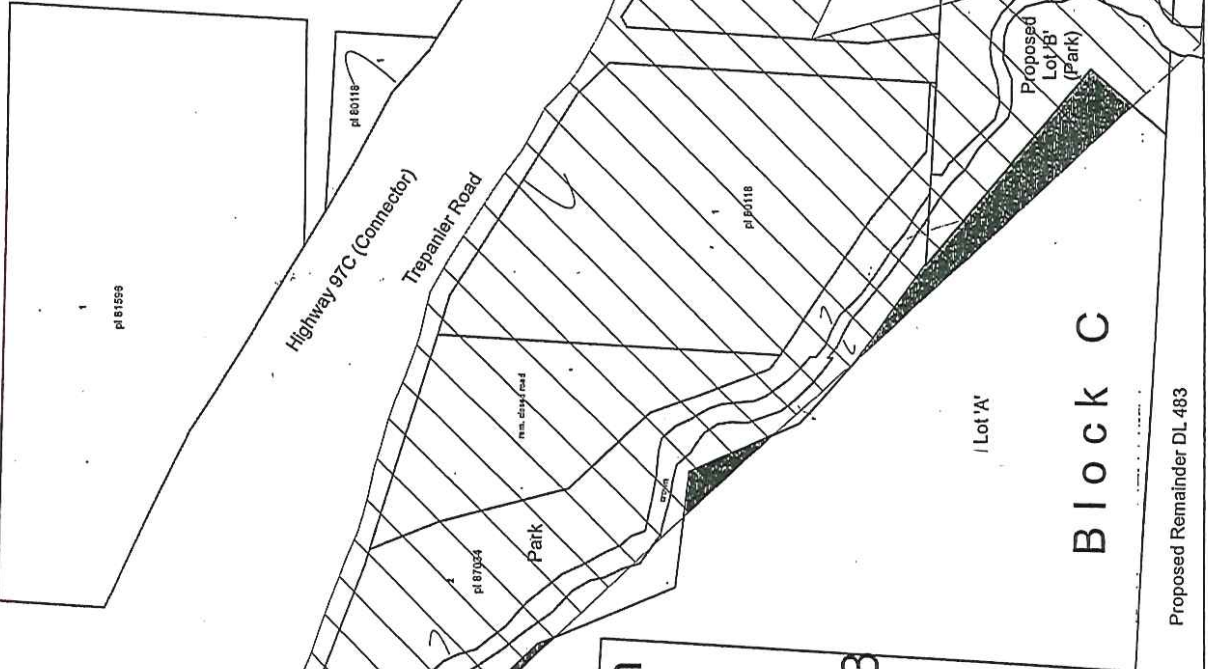
This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

CARRIED

Resolution # 302

ALC APPLICATION # G-39038 (46024) RESOLUTION # 302

Caveat:
 The enclosed ALR mapping, map, and areas given are for visual representation and rough approximation purposes only, scale issues between map and data produce inaccurate results. In order to accurately identify the ALR boundary, the Agriculture Land Commission and/or Legal Land Surveyor would need to be contacted.



Lot 1
 Plan 87034
 Lot 'A'

Agriculture Land Commission
 Application to Subdivide and
 Exclude ALR Lands
 Block 'C', D.L. 483 &
 Lot 1, Plan KAP87034, DL 483
 and DL 4488

APPROVED Areas for
 ALR Exclusion



Proposed Remainder DL 483

- Note:
- (1) There is approximately 5.49ha of ALR lands within Block 'C', DL 489.
 - (2) This application is requesting the exclusion of approximately 1.23ha as shown in grey.
 - (3) Proposed Lot 'B' (Park) and Lot 2 on Plan KAP87034 (Park) will be consolidated.