



**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

September 8, 2009

Reply to the attention of Brandy Ridout  
ALC File: 50228

Gerald and Sandra Popoff  
1665 Whitaker Road  
Armstrong, BC V0E1B8

Dear Mr. and Mrs. Popoff:

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

Please find attached the Minutes of Resolution #705/2009 outlining the Commission's decision as it relates to the above noted application.

The Commission notes that the subdivision of the 15.8 ha property into two lots of equal size was approved under Resolution #86/2009 subject to the following conditions:

- The inclusion of the non-ALR portion of the property lying east of the hydro right of way into the Agricultural Land Reserve (~3 ha).
- The subdivision must be completed within three (3) years from the date of this decision.

With this Resolution, the first condition is considered to be complete.

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: Township of Spallumcheen (08-0721-SPL-ALR)

BR/  
50228d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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**A meeting was held by the Provincial Agricultural Land Commission on September 3, 2009 in the Lakeview Salon, Prestige Hotel, Kelowna, B.C.**

**PRESENT:** Roger Mayer  
Sid Sidhu  
Brandy Ridout

Chair, Okanagan Panel  
Commissioner  
Staff

### **For Consideration**

Application: 50228  
Applicant: Gerry Sr. & Gerry Jr. & Sandra Popoff  
Proposal: To include the 2.6 ha portion of the 15.8 ha subject property into the ALR required by Resolution #86/2009  
Legal: PID: 005-363-691  
Lot 1, Section 22, Township 35, Kamloops(Formerly Osoyoos)  
Division of Yale District, Plan 2103  
Location: 4975 Highway 97A, Spallumcheen

### **Site Inspection**

A site inspection was not conducted for the application.

### **Discussion**

When discussing the subdivision of the subject property proposed under application #T-38682, the Commission was concerned that arable cultivated portions of the property lay outside the ALR, and recalled that during the site visit the landowner had expressed a willingness to include arable land into the ALR, up to the hydro right of way west of the house. As such, as a condition of approval under Resolution #86/2009, the Commission required the inclusion of that 2.6 ha area.

### **IT WAS**

**MOVED BY:** Commissioner Sidhu  
**SECONDED BY:** Commissioner Mayer

THAT the application to include the 2.6 ha portion of the 15.8 ha subject property into the ALR required by Resolution #86/2009 be approved.

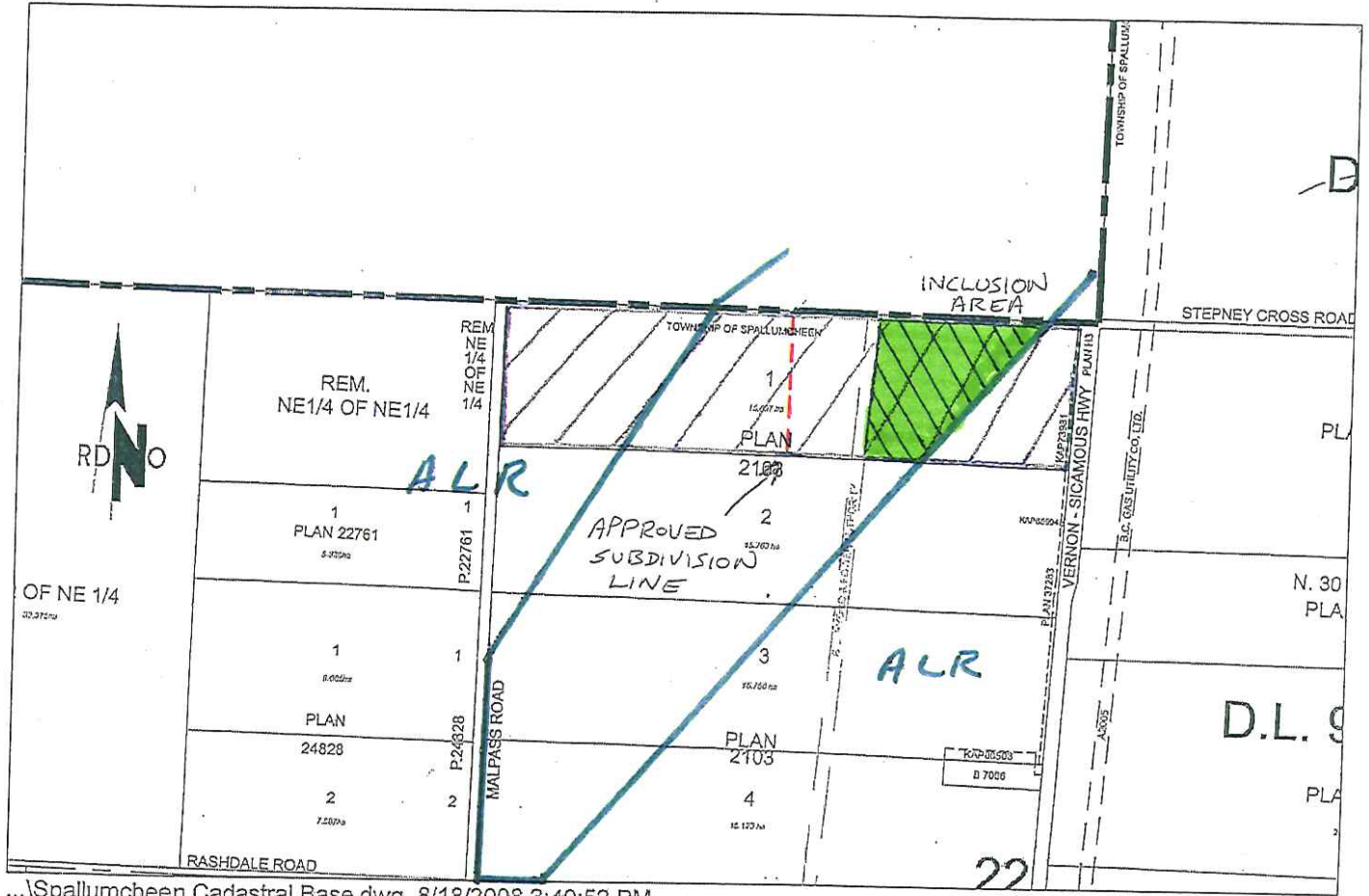
This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

### **CARRIED**

**Resolution #705/2009**

**TOWNSHIP OF SPALLUMCHEEN  
 AGRICULTURAL LAND COMMISSION APPLICATION  
 SUBJECT PROPERTY MAP**

File: 08-0721-SPL-ALR  
 Applicant: Gerald Sr. & Sandra Popoff  
 Gerald Popoff Jr.  
 Location: 4975 Highway 97A / 4968 Malpass Road



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**Provincial Agricultural Land Commission  
 Application #50228  
 Resolution #705/2009**

 2.6 ha area approved for inclusion into the ALR