



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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www.alc.gov.bc.ca

September 28, 2010

Reply to the attention of Martin Collins  
ALC File: 51751

Joe Cardoso  
RR #1 32449 Highway #97  
Oliver, B.C.  
V0H 1T0

Dear Sir:

**Re: Application to subdivide within the Agricultural Land Reserve**

Please find attached the Minutes of Resolution #2648/2010 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.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact the Regional District of Okanagan Similkameen.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Regional District of Okanagan Similkameen File: C-10-05729.00

MC/51751d1



**A meeting was held by the Provincial Agricultural Land Commission on September 13<sup>th</sup>, 2010 at Kelowna, B.C.**

<b>PRESENT:</b>	Richard Bullock	Chair
	Roger Mayer	Chair, Okanagan Panel
	Jim Johnson	Commissioner
	Bert Miles	Commissioner
	Martin Collins	Staff
	Brian Underhill	Staff

**For Consideration**

Application: 51751  
Applicant: Harjit Sidhu  
Agent: Joe Cardoso  
Proposal: A boundary adjustment between a 1 ha and 4.4 ha lot to create a 0.4 ha lot and a 5 ha lot.  
Legal: PID 003-607-275 and PID 003-607-305  
Location: 31465 and 31449 Highway #97

**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**

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

The improved agricultural capability of the soil of the subject property is 7\*3PA 3:2AW

- Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
- 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 stoniness, seasonal aridity, and on portions, excessive wetness.

The Commission noted that both parcels, until recently, were in orchard production, and were occupied by a residence.

It was also noted that the subject properties were buried under approximately 1 meter of slide debris by the June 13, 2010 Testalinden Creek debris slide. As such the Commission was uncertain whether the application was still relevant. However should the land be rehabilitated the proposal was deemed to be supportive of agriculture because the larger proposed parcel offered a wider range of agricultural options and potential farm income.

**IT WAS**

**MOVED BY:** Commissioner R. Mayer

**SECONDED BY:** Commissioner B. Miles

THAT the application be approved.

- 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. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

**CARRIED**

**Resolution # 2648/2010**

ALC APPLICATION # 51751

RESOLUTION # 2648/2010

