



**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

January 6, 2014

ALC File: # 53144

Paul Fabri  
5876 MacGregor Road  
Peachland, BC  
V0H 1X4

**Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution # 388/2013 as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly. The Commission has also attached a Sketch Plan depicting the decision.

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.

Further correspondence with respect to this application is to be directed to Ron Wallace.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #388/2013  
Sketch Plan

cc: District of Peachland (RC-01/22/2013-027)

53144d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 28, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53144.

### COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

### COMMISSION STAFF PRESENT:

Ron Wallace	Land Use Planner
Brian Underhill	Executive Director
Colin Fry	Executive Director

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**PROPOSAL** (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)  
The proposal is to do a boundary line adjustment between two properties. The applicant and owner of 5876 MacGregor Road (Lot 4, DL 490, Plan 19705 [non ALR land]) wishes to purchase a portion of land from the owners of 5875 Victoria Street (Lot 25, DL 490, Plan 125 [ALR land]) to extend the backyard and to build a fence, as shown on attached sketch plan.

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### PROPERTY INFORMATION:

**Owner:** Grace Parrotta-King, Vince Parrotta and Kirk Kluchka

**Legal:** PID: 012-694-983  
Block 25 District Lot 490 Osoyoos Division Yale District Plan 125 Except Plan 32299

**Location:** 5875 Victoria Street, Peachland, BC

**Size:** 4.55 ha (within the ALR)

**Owner:** Paul Armand Fabri

**Legal:** PID: 007-984-308  
Lot 4 District Lot 490 Osoyoos Division Yale District Plan 19705

**Location:** 5876 MacGregor Road, Peachland, BC

**Size:** 0.17 ha (not within the ALR)

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**LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION**

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
- (a) to preserve agricultural land;
  - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
  - (c) 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.
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**COMMISSION CONSIDERATION**

After considering the information the Commission concluded as follows:

1. The Commission noted the piece of land proposed for lot line adjustment includes a portion that is on a slope and a narrow strip at the top that is flat where the applicant wishes to erect a fence; and that this portion of land is not being used for agricultural purposes.

**Conclusion:**

The proposed boundary line adjustment has no significant impact on agriculture.

**IT WAS**

**MOVED BY:** Commissioner Bullock  
**SECONDED BY:** Commissioner Collins

THAT the proposal to do a boundary line adjustment between two properties be approved subject to:

1. The subdivision being in substantial compliance with the attached plan;
2. The subdivision plan must be completed within three (3) years from the date of this decision;

AND THAT 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 #388/2013**



**PLAN OF PROPOSED SUBDIVISION  
OF PART OF BLOCK 25, DL 490,  
ODYD, PLAN 125, EXCEPT PLAN  
32299, AND LOT 4, DL 490, ODYD,  
PLAN 19705.**

**SCALE 1:500 METRIC**

**BLK 25  
PLAN 125  
EXCEPT PLAN 32299**

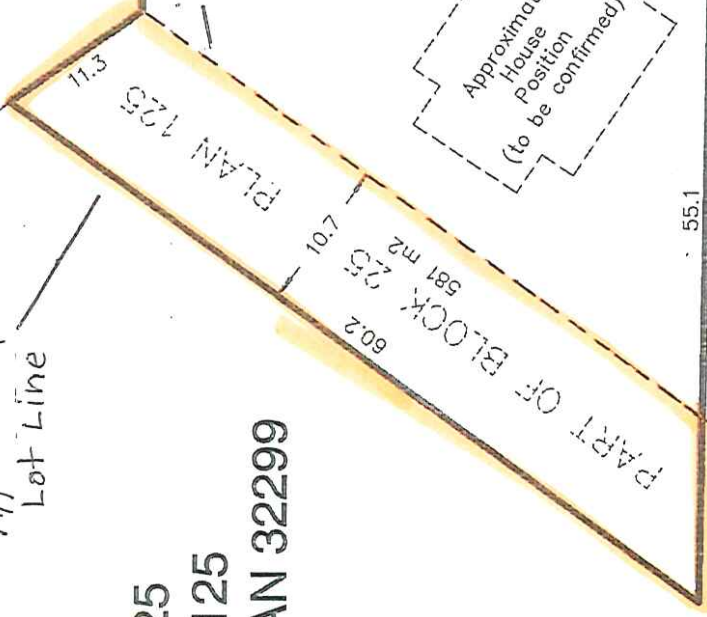
**A  
PLAN 32299**

**B  
PLAN 24772**

*Approved New  
Lot Line*

*Existing  
Lot Line 4*

**MACGREGOR  
ROAD**



**AIITerra**  
Land Surveying Ltd.  
www.AIITerraSurvey.ca  
Ph: 250.452.9298 File: 100934w July 9/12

Provincial Agricultural Land Commission  
Application #53144  
Resolution #388/2013  
Approved subdivision in the ALR