



**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

February 11, 2014

ALC File: #53414

Terry Draginda  
2783 Shannon Lake Rd.  
West Kelowna, B.C. V4T 1V6

Dear Mr. Draginda:

**Re: Application to Conduct a Non-Farm Use on Land in the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution #46/2014 as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:

- (a) evidence not available at the time of the original decision has become available,
- (b) all or part of the original decision was based on evidence that was in error or was false.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

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 horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #46/2014

cc: The District of West Kelowna



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on January 23, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53414.

### COMMISSION MEMBERS PRESENT:

|                 |              |
|-----------------|--------------|
| Jennifer Dyson  | Vice-Chair   |
| Gordon Gillette | Vice-Chair   |
| Sylvia Pranger  | Vice-Chair   |
| Bert Miles      | Commissioner |
| Jim Johnson     | Commissioner |
| Jerry Thibeault | Commissioner |
| Lucille Dempsey | Commissioner |
| Jim Collins     | Commissioner |

### COMMISSION STAFF PRESENT:

|                   |                    |
|-------------------|--------------------|
| Jennifer Carson   | Land Use Planner   |
| Lindsay McCoubrey | Land Use Planner   |
| Ron Wallace       | Land Use Planner   |
| Colin Fry         | Executive Director |

---

**PROPOSAL** (Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)  
To develop a golf driving range on a 4.0 ha portion of the 17.12 ha property.

---

### PROPERTY INFORMATION:

**Owner:** Ruth Yeulett

**Legal:** PID: 003-660-478  
Lot 2, District Lot 2602, Osoyoos Division, Yale District, Plan 23091, Except Plans 34053 and 36514

**Location:** 2110 Shannon Lake Road, West Kelowna

**Size:** 17.1 ha

---

### 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.

---

## COMMISSION CONSIDERATION

The Commission reviewed a previous application involving the subject property:

|                                       |   |
|---------------------------------------|---|
| Application #18312<br>(Yeulett, 1984) | To subdivide four lots of 2 to 3 hectares which were refused in August 1984 (Resolution #1269/84). Upon reconsideration the proposal was approved in November 1984 (Resolution #1648/84). |
|---------------------------------------|---|

After considering the information the Commission concluded as follows:

1. 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.

The improved agricultural capability ratings identified on Canadian Land Inventory (CLI) map sheet 82E.082 for the subject property are Class 1, 2, 3 and Class 4.

Class 1 - land is capable of producing the very widest range of crops. Soil and climate conditions are optimum, resulting in easy management.

Class 2 - land is capable of producing a wide range of crops. Minor restrictions of soil or climate may reduce capability but pose no major difficulties in management.

Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

The limiting subclasses associated with this parcel of land are A (soil moisture deficiency), W (excess water), P (stoniness) and T (topographic limitations).

**Conclusion:**

The subject property has good agricultural capability and in its present size, could support a wide range of crops.

2. The Commission believes that the subject property is suitable for agricultural use and should be maintained as agricultural land.

**Conclusion:**

The proposal for non-farm use is inconsistent with objective of the *Agricultural Land Commission Act* to preserve and encourage agriculture.

**IT WAS**

**MOVED BY: Commissioner Dyson**

**SECONDED BY: Commissioner Dempsey**

THAT the request to use 4.0 ha for the purpose of a golf driving range practice facility be refused

**CARRIED**

**Resolution #46/2014**