



**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

October 19, 2005

Reply to the attention of BRANDY RIDOUT

Len & Leona Brewer  
PO Box 3A Comp #2  
Tulameen, BC – VOX 1LO

Dear Sir/Madam:

Re: Application #V-36229

PID: 015-014-932

District Lot 151, Yale Division Yale District Except: (1) That Part Thereof included in Plan attached to DD3606F (2) Plans 34781, KAP47511, KAP60211 and KAP69501

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide a 0.4 ha lot from the 99.0 ha subject property to create a separate title for the existing Rabbit Family cemetery, with allowance for expansion. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you for taking the time to meet with its representatives on October 12, 2005.

The Commission writes to advise that it approved your application subject to:

- the subdivision being in substantial compliance with the attached plan
- the easement being designed to have as little impact on agriculture as possible (i.e. no substantial improvements such as paving or excessive gravel deposition), and
- compliance 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. The Commission suggests you contact the Regional District of Okanagan-Similkameen at your earliest convenience.

The decision noted above is recorded as Resolution #528/2005.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,  
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of Okanagan-Similkameen - H05-00658.000  
Tim Hall, PO Box 2080, Princeton, BC - V0X 1W0

BR/lv/Encl./36229d1

**PLAN SHOWING PROPOSED SUBDIVISION OF PART OF DISTRICT LOT 151 Y.D.Y.D.**

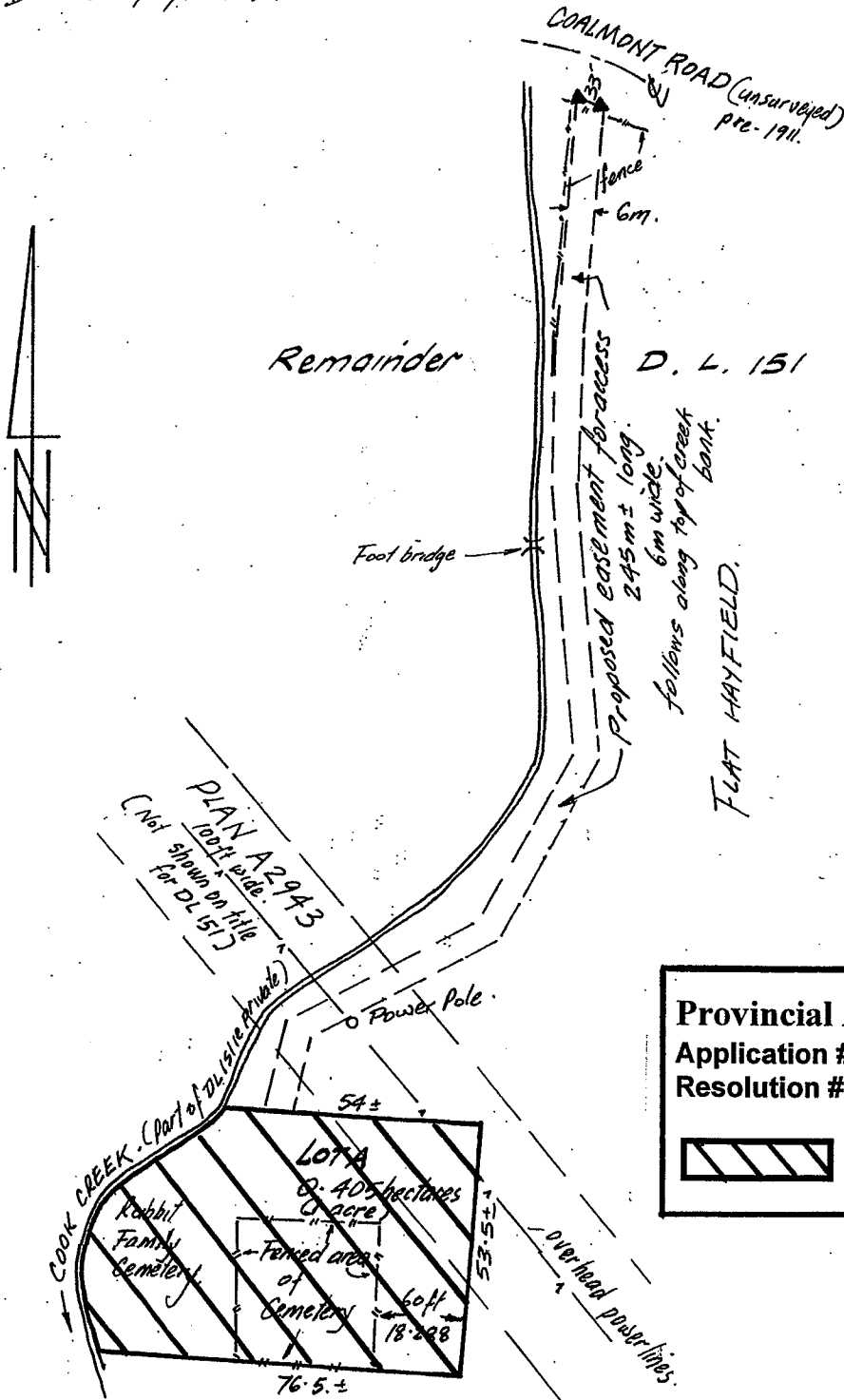
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Dated: 2nd March 2005


To be rezoned from RA to SH3.

This Lot to be for cemetery use only. (May have a gazebo or shed at later date but no residential building)

▲ Denotes 4ft picket set.



**Provincial Agricultural Land Commission**  
**Application #V-36229-0**  
**Resolution #528/2005**

 0.4 ha area approved for subdivision within the ALR

Owners:

Leonard Brewer }  
 Leona Rita Brewer } Joint tenants.  
 Box 3A Comp 2  
 Tulameen B.C. VOX 110.

Agent: TIM HALL, LAND SURVEYOR.  
 Box 2080, PRINCETON B.C.  
 VOX 1W0.  
 Phone/Fax (250) 295 6761

**MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION**

**Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on October 14, 2005 at the Ministry of Agriculture and Lands office located at 4607 - 23<sup>rd</sup> Street, Vernon, BC.**

**PRESENT:** Sue Irvine Chair  
Sid Sidhu Commissioner  
Sharon McCoubrey Commissioner

**STAFF:** Brandy Ridout, Regional Research Officer  
Martin Collins, Planner

**For Consideration**

Brandy Ridout presented the October 3, 2005 staff report regarding application #V-36229.

**Site Inspection**

A site inspection was conducted on October 12, 2005 from 9:50 – 10:10 am. Those in attendance were:

- Commissioners Sidhu and Irvine
- Agricultural Land Commission Staff: Brandy Ridout and Martin Collins
- Len and Leona Brewer, applicants

**Commission Discussion**

The Commission's main concern with the subdivision application was the effect of the access to the new lot on agricultural activity on the remainder of the property. The easement would require a substantial area as the proposed lot is a fair distance from the main road. It was discussed that the easement should be designed to have as little impact on agriculture as possible. This would include no substantial improvements being made to the easement including paving or substantive gravel deposition.

**IT WAS**

**MOVED BY:** Commissioner Irvine

**SECONDED BY:** Commissioner Sidhu

THAT the staff report be received

AND THAT the application to subdivide a 0.4 ha lot from the 99.0 ha subject property to create a separate title for the existing Rabbit Family cemetery, with allowance for expansion, be approved subject to the easement being designed to have as little impact on agriculture as possible (i.e. no substantial improvements such as paving)

AND FINALLY THAT this approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



**Staff Report**  
**Application # V – 36229-0**  
**Applicant: Len & Leona Brewer**  
**Agent: Tim Hall**  
**Location: Tulameen**

**DATE RECEIVED:** August 22, 2005

**DATE PREPARED:** October 3, 2005

**TO:** Chair and Commissioners – Okanagan Panel

**FROM:** Brandy Ridout, Regional Research Officer

**PROPOSAL:** To subdivide a 0.4 ha lot from the 99.0 ha subject property to create a separate title for the existing Rabbit Family cemetery, with allowance for expansion

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

The cemetery is 100 years old and presently the entirety of District Lot 151 is designated as a cemetery under the *Funeral Services Act*. This subdivision would confine the use to a 0.4 ha and should the Brewer's ranch be sold would allow the family to still own and maintain their cemetery.

**Local Government:**

Regional District of Okanagan-Similkameen

**Legal Description of Property:**

PID: 015-014-932

District Lot 151, Yale Division Yale District Except: (1) That Part Thereof included in Plan attached to DD3606F and (2) Plans 34781, KAP47511, KAP60211 and KAP69501

**Purchase Date:**

Not provided.

**Location of Property:**

2379 Coalmont Road (south side), 1.5 km east of Tulameen town site

**Size of Property:**

99.0 ha (The entire property is in the ALR).

**BACKGROUND INFORMATION (continued):**

**Present use of the Property:**

Cemetery, hayfield

**Surrounding Land Uses:**

**WEST:** Residential (non-ALR)  
**SOUTH:** Forestry grazing (ALR)  
**EAST:** Forestry grazing (non-ALR)  
**NORTH:** Residential and forestry grazing (non-ALR)

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92H/10  
The majority of the property is identified as having Mixed Prime and Secondary ratings.

**Official Community Plan and Designation:**

Electoral Area 'H' Rural Land Use Bylaw 1725  
Designation: Resource Area  
Minimum parcel size 8 ha (the applicant has applied to have the bylaw amended to add "for cemeteries – as designated by the Province – no minimum parcel size")

**PREVIOUS APPLICATIONS:**

**Application #13429-0**

**Applicant:** L. Brewer  
**Decision Date:** January 14, 1982  
**Proposal:** To subdivide the subject property along the ALR boundary.  
**Decision:** Allowed

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**Application #26206-0**

**Applicant:** Leonard Brewer  
**Decision Date:** October 21, 1991  
**Proposal:** To subdivide a 0.8 ha lot from the 33.6 ha subject property.  
**Decision:** Allowed - the majority of the lot would be out of the ALR except for a 50 x 100 foot wedge and the road right of way.

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**Application #29475-0**

**Applicant:** Len & Leona Brewer  
**Decision Date:** June 2, 1995  
**Proposal:** To s/d a 0.61 ha lot from the 68 ha parcel for the applicants' daughter.  
**Decision:** Allowed - subject to fencing on eastern and northern proposed boundaries and inclusion of the 0.69 ha portion of D.L. 151 into the ALR.

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**Application #31053-0**

**Applicant:** Len & Leona Brewer  
**Decision Date:** January 27, 1997  
**Proposal:** Include a 0.7 ha area into the A.L.R. per Res. #432/95 (V-29475)  
**Decision:** Allowed in view of the agricultural suitability

**PREVIOUS APPLICATIONS (continued):**

**Application #33662-0**

**Applicant:** Len & Leona Brewer

**Decision Date:** April 11, 2001

**Proposal:** To subdivide along the ALR boundary in DL 101 and to subdivide and dedicate a road along the ALR boundary in DL 152.

**Decision:** Allowed.

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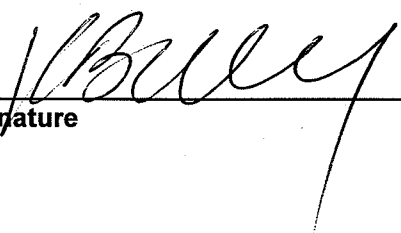
**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Electoral Area Director:** Not yet received at writing of staff report

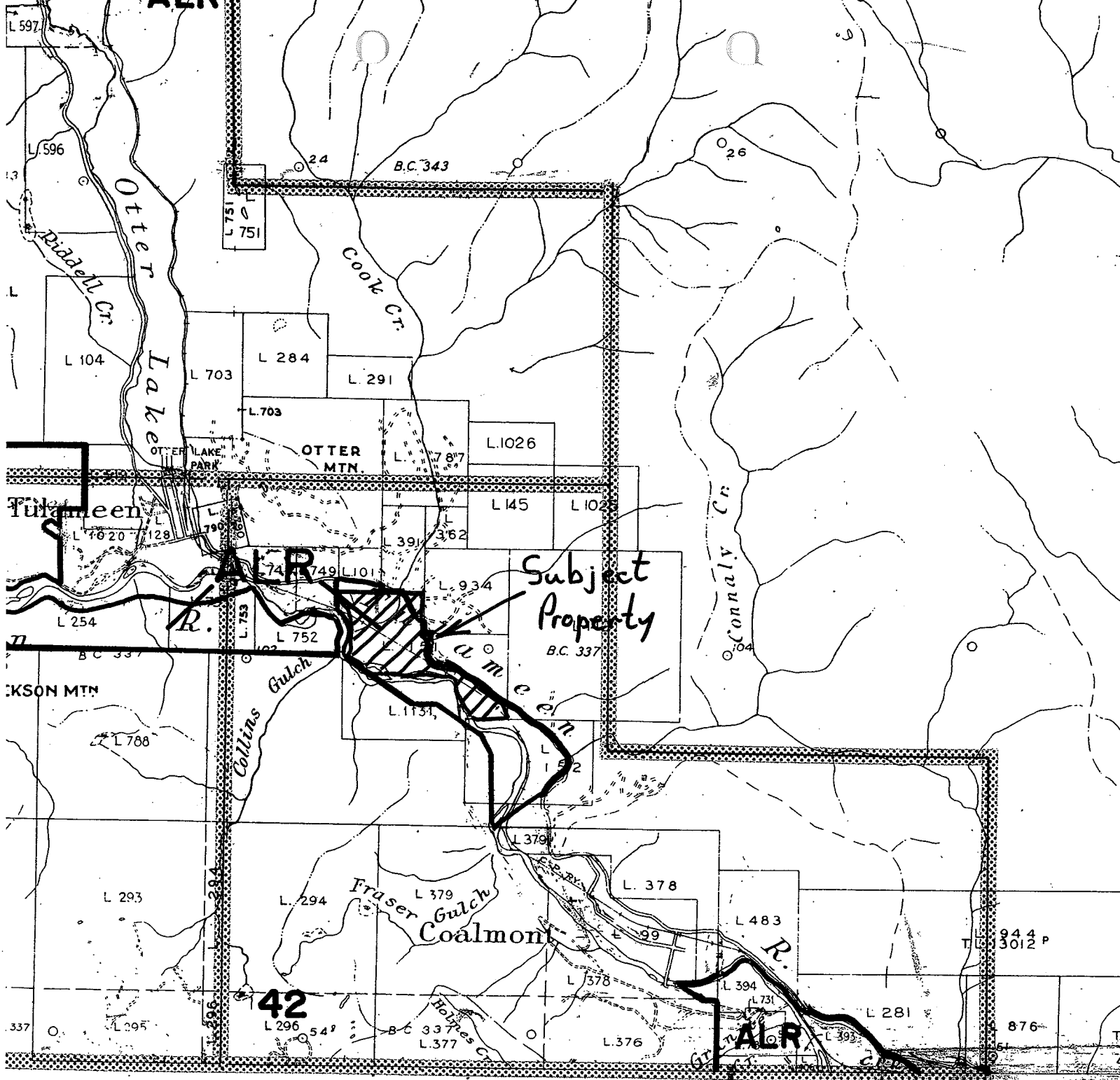
**Planning and Building Inspection Department:** the Rural Land Use Bylaw (RLUB) outlines that the Board will encourage the recognition, protection and preservation of heritage features and sites.

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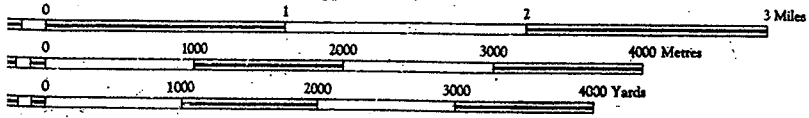
**END OF REPORT**

  
\_\_\_\_\_  
**Signature**

*04 October 2005*  
\_\_\_\_\_  
**Date**



Scale 1:50,000  
1.25 Inches to 1 Mile approximately



Base  
Map # 92H/10

Scale: 1:50,000

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