



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

March 16, 2006

Reply to the attention of Brandy Ridout
ALC File #V-36388

C & F Land Resources Consultants Ltd.
4383 Happy Valley Road
Victoria, BC V9C 3Z3

Dear Sir/Madam:

Re: Application for exclusion from the Agriculture Land Reserve

Please find attached the Minutes of Resolution #100/2006 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your clients 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. It will also confirm for the Registrar the area excluded from the ALR.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of Okanagan-Similkameen - H-05-00761-000

BR/lv/Encl.: Minutes
Sketch Plan

36388d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 2, 2006 at the Ministry of Agriculture and Lands office located at 4607 - 23rd Street, Vernon, BC.

PRESENT:	Sue Irvine	Chair, Okanagan Panel
	Sharon McCoubrey	Commissioner
	Sid Sidhu	Commissioner
	Brandy Ridout	Staff
	Martin Collins	Staff

For Consideration

Application # V-36388
Applicant(s) Arnie & Dianna Willis
Proposal To exclude 8.5 ha of mainly steep, marginal grazing land from the ALR and include 9.5 ha of irrigated alfalfa field into the ALR. The purpose of the exclusion is to facilitate a 13-lot rural residential subdivision in the upland area of the 73.5 ha subject property.
Legal PID: 014-820-927
District Lot 709, Similkameen Division Yale District, Except Plan A301
Location 600 Similkameen Road East, South of Princeton, Electoral Area 'H'

Site Inspection

No site inspection was conducted.

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

The Commission discussed the agricultural capability of the areas requested for exclusion and inclusion. In its discussion, the Commission considered the comments and photos provided in the soils onsite report prepared by Brian French, P.Ag.. The Commission noted that the land proposed for inclusion has much higher agricultural capability and is larger in area than the land proposed for exclusion. As such, the Commission believed the proposal presented a net benefit to agriculture.

The Commission's main concern was the potential impact of residential development of the excluded area on surrounding agricultural lands. As such, the Commission believed it would be appropriate to fence the proposed exclusion area.

IT WAS

MOVED BY: Commissioner Irvine

SECONDED BY: Commissioner Sidhu

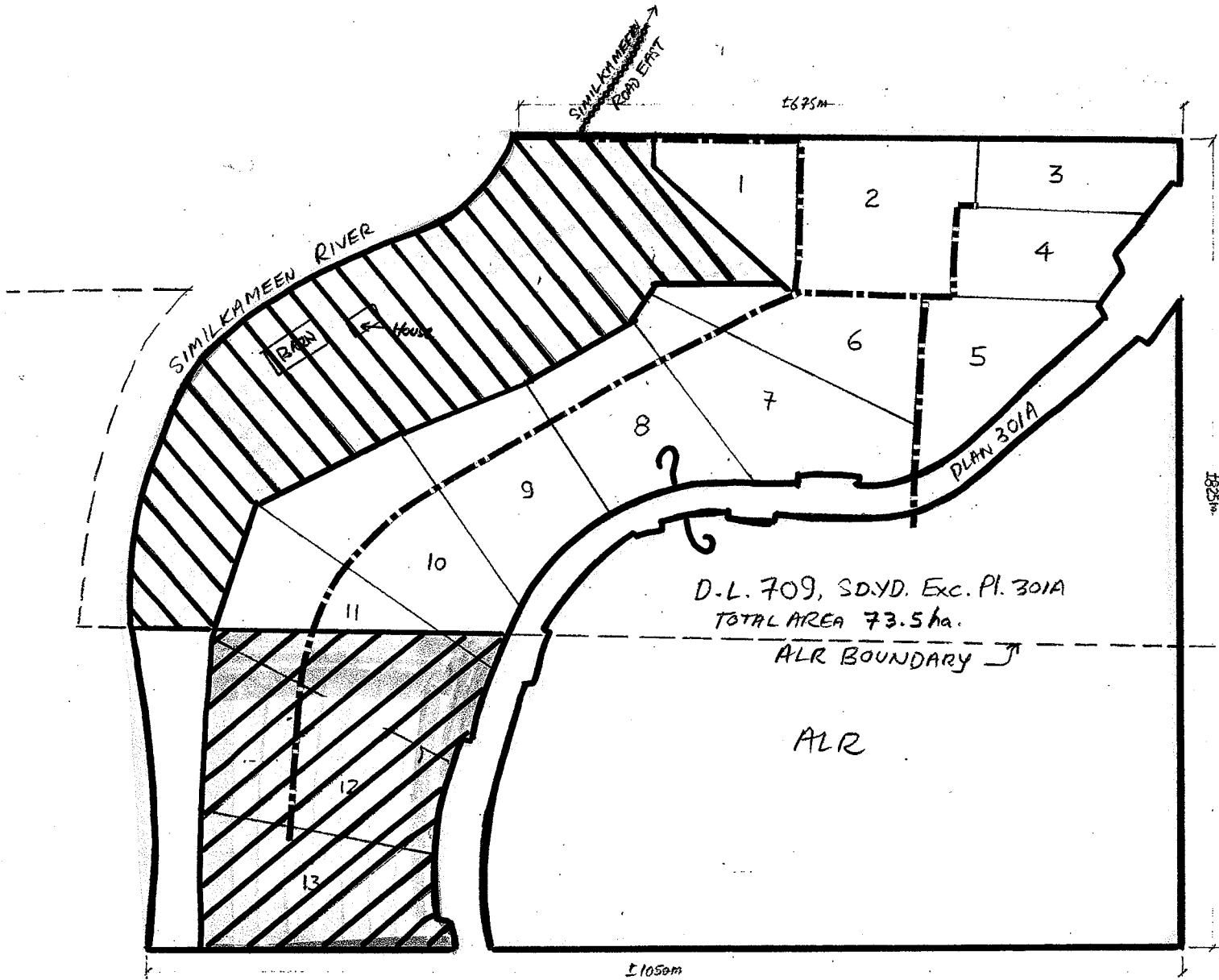
THAT the application be approved subject to the following conditions:

- The exclusion be in substantial compliance with the plan submitted with the application.
- The submission of a subdivision plan to delineate the exclusion area.
- The submission of an inclusion application for the 9.5 ha area identified in the application.
- The construction of a fence around the exclusion area for the purpose of limiting its impact on the remaining farm unit. Fencing plans should be submitted to the Commission for approval.




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 #100/2006



Provincial Agricultural Land Commission
Application #V-36388
Resolution #100/2006

-  Subject property
-  8.5 ha area approved for exclusion from the ALR
-  9.5 ha area required to be included in the ALR



Staff Report
Application # V – 36388
Applicant: Arnie & Dianna Willis
Agent: C & F Land Resources Consultants Ltd.
Location: South of Princeton

DATE RECEIVED: November 25, 2005

DATE PREPARED: February 21, 2006

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To exclude 8.5 ha of mainly steep, marginal grazing land from the ALR and include 9.5 ha of irrigated alfalfa field into the ALR. The purpose of the exclusion is to facilitate a 13-lot rural residential subdivision in the upland area of the 73.5 ha subject property.

This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

No previous applications have been considered on the property.

The proposal would create one 11.5 ha lot containing all the prime agricultural land on the subject property, 13 residential lots of approximately 2.4 ha each in the uplands portion of the property, and one approximately 30 ha remainder.

A Soils and Agricultural Capability Assessment prepared by C & F Land Resources Consultants Ltd. (Brian French, P. Ag.) was included with the application. It is noted in the report that almost all of the approximately 11.5 ha of Class 1 to 3 soils on the subject property are currently outside the ALR. In contrast, the area requested for exclusion has an agricultural capability rating of Class 6.

Local Government:

Regional District of Okanagan-Similkameen

Legal Description of Property:

PID: 014-820-927

District Lot 709, Similkameen Division Yale District, Except Plan A301

Purchase Date:

June 1990

BACKGROUND INFORMATION (continued):

Location of Property:

600 Similkameen Road East, South of Princeton, Electoral Area 'H'

Size of Property:

73.5 ha (approximately 30 ha lies within the ALR on the southerly edge of the property)

Present use of the Property:

Residence, barn, irrigated hayfield, forested areas and open grassland

Surrounding Land Uses:

WEST: Similkameen River and forested grazing land in the ALR

SOUTH: Open grassland in the ALR

EAST: Forest and grassland, not in the ALR in the north, in the ALR in the south

NORTH: Rural residential lots outside of the ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 92H/7

The 8.5 ha area proposed for exclusion has secondary ratings (Class 6TR).

Rural Land Use Bylaw Designation:

Electoral Area 'H' Rural Land Use Bylaw No. 1725 (1997)

Designation: RA (Resource/Agriculture)

Minimum lot size 8 ha (a bylaw amendment will be required for the subdivision to proceed)

RELEVANT APPLICATIONS:

Application #33597-0

Applicant: Princeton Stock Ranch Ltd

Decision Date: April 18, 2001

Proposal: To exclude 13 ha of land from the ALR to use as a youth camp for "Young Life of Canada" and to construct a road through District Lot 408 within the ALR to access the proposed guest ranch.

Decision: Refused the application as proposed but allowed the youth camp, access road and parking subject to the binding of titles owned by Young Life of Canada by covenant and inclusion of the cultivated portion of District Lot 1828.

Application #34163-0

Applicant: 623819 BC Ltd.

Decision Date: January 16, 2002

Proposal: To include approximately 13 ha of District Lot 1828 into the ALR, comprising a cultivated field.

Decision: Approved because the land was cultivated for agricultural purposes.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

The **Regional District of Okanagan-Similkameen** forwarded the application without a recommendation (as per policy).

STAFF COMMENTS:

Staff suggests that the Commission consider the following;

- The land proposed for inclusion has much higher agricultural capability and is larger in area than the land proposed for exclusion. As such, the proposal presents a net benefit to agriculture.
- The proposed exclusion will result in potential rural/residential conflicts. However, much of the proposed subdivision (10 lots) could be achieved without the Commission's approval. If approved, fencing the excluded area is recommended.
- The proposal is similar to the nearby application for Young Life of Canada, which resulted in a similar amount of higher capability land included into the ALR for the exclusion of lower capability land

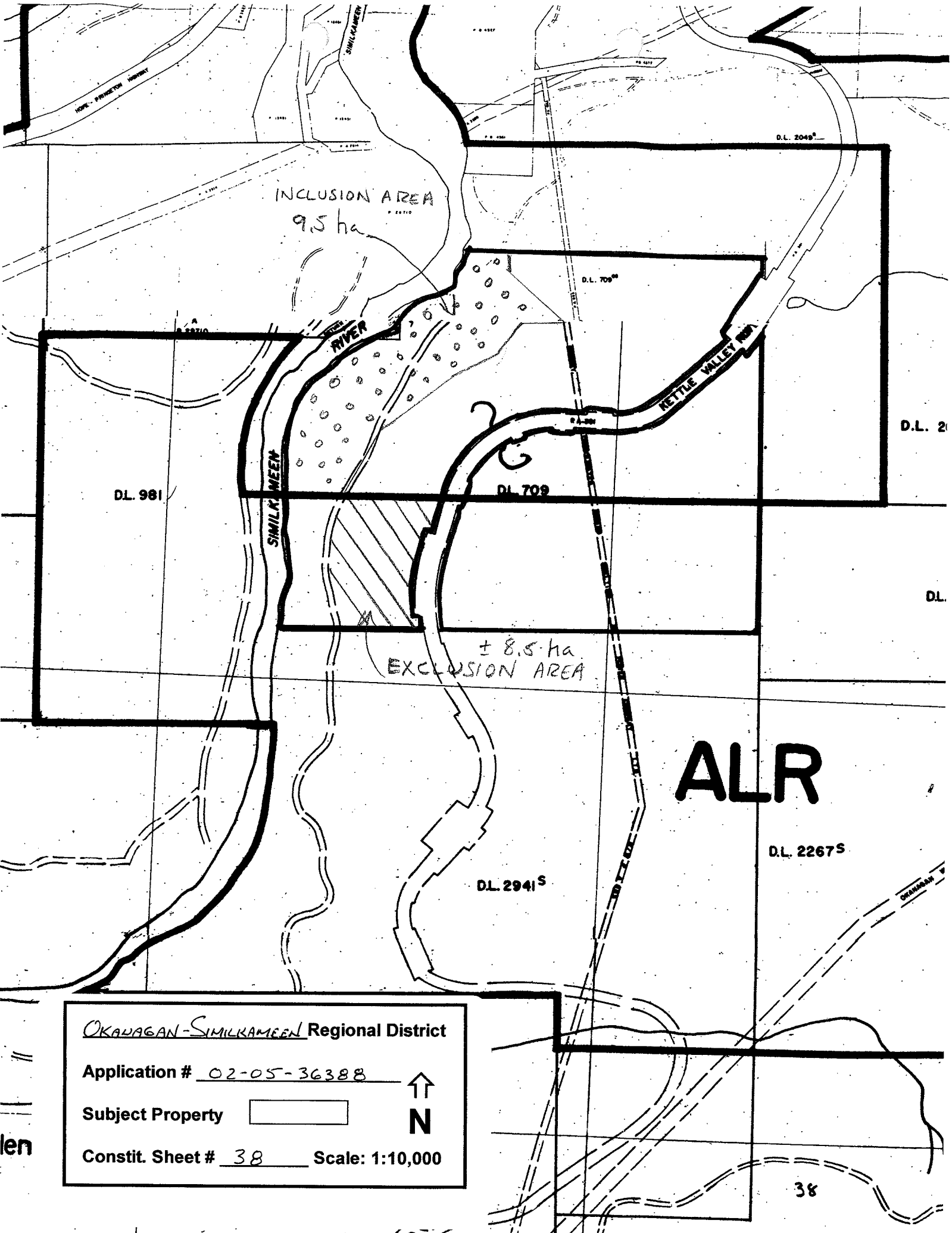
END OF REPORT

Signature

A large, stylized handwritten signature, possibly reading 'G3', written in black ink over a horizontal line.

Date

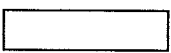
Feb 22/06



OKANAGAN-SIMILKAMEEN Regional District

Application # 02-05-36388

Subject Property



Constit. Sheet # 38 Scale: 1:10,000