



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

May 5, 2006

Reply to the attention of Brandy Ridout
ALC File #G-36563

Jerry & Kathleen Schlosser
1901 Bartley Road
Kelowna, BC V1Z 2M6

Dear Mr. and Mrs. Schlosser:

Re: Application for inclusion into the Agriculture Land Reserve

Please find attached the Minutes of Resolution #201/2006 outlining the Commission's decision as it relates to the above noted application.

It is the Commission's understanding that the Integrated Land Management Bureau will inform the Registrar of Land Titles of the ALR status of the property when the title is transferred.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'E. Karlsen', is written over the printed name.

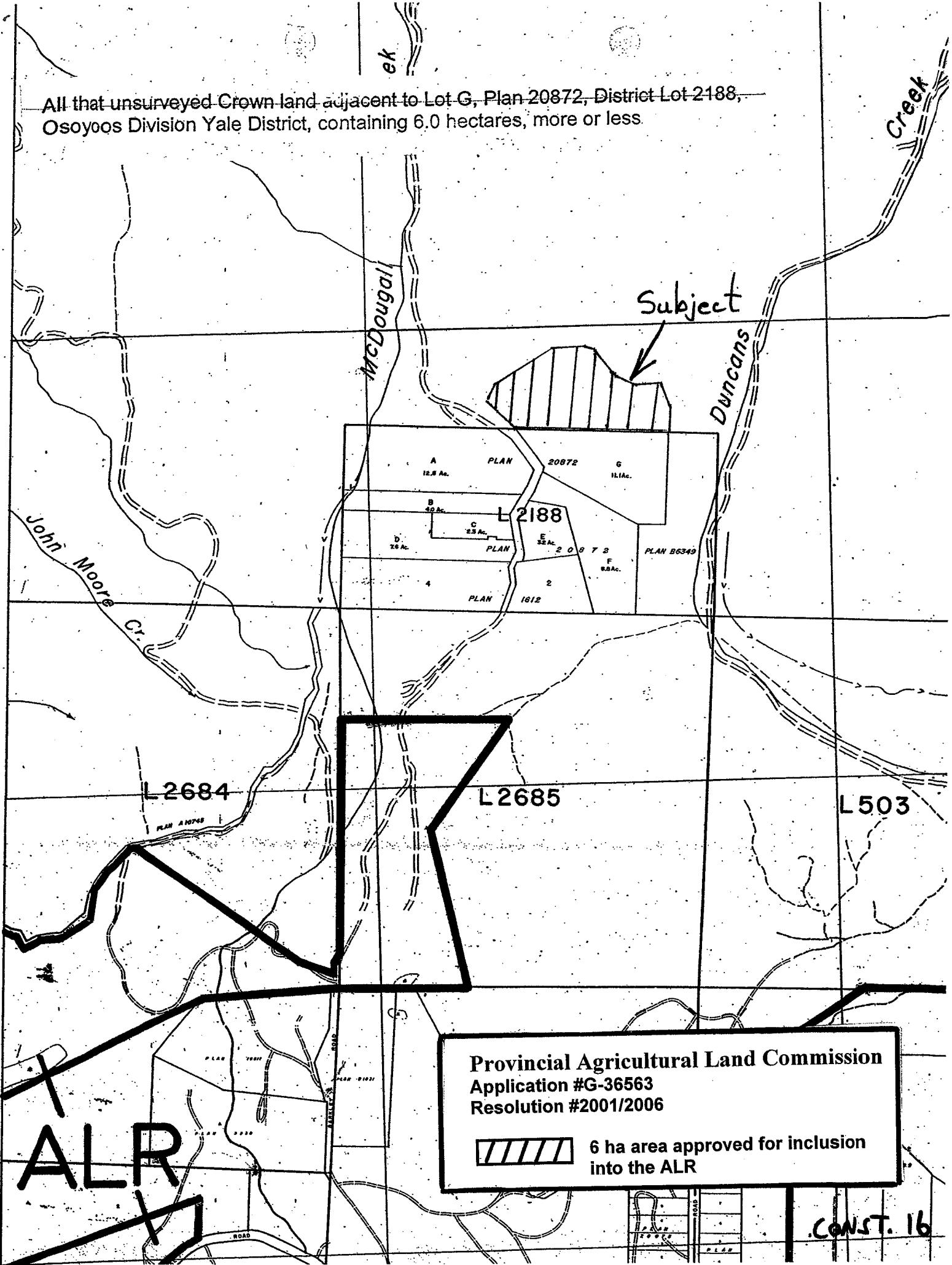
Erik Karlsen, Chair

cc: Regional District of Central Okanagan, File#A-06-04
Ministry of Agriculture and Lands, 3rd Floor, 145-3rd Ave, Kamloops V2C 3M1,
Your File #3411090

BR/lv/Encl.: Minutes
Sketch Plan

36563d1.

All that unsurveyed Crown land adjacent to Lot G, Plan 20872, District Lot 2188, Osoyoos Division Yale District, containing 6.0 hectares, more or less.



Subject

Provincial Agricultural Land Commission
Application #G-36563
Resolution #2001/2006



6 ha area approved for inclusion into the ALR

ALR

CONST. 16

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on April 20, 2006 at the Ministry of Agriculture and Lands office located at 1690 Powick Rd, Kelowna, BC.

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

ABSENT:	Sid Sidhu	Commissioner
----------------	-----------	--------------

For Consideration

Application #	G – 36563-0
Applicant(s)	Jerry & Kathleen Schlosser
Proposal	To include 6 ha into the ALR
Legal	Unsurveyed Crown Land Adjacent to District Lot 2188, Osoyoos Division Yale District
Location	1901 Bartley Road, Kelowna

Site Inspection

No site inspection was conducted.

Discussion

As per the Memorandum of Understanding between the Commission and the Integrated Land Management Bureau, the Commission accepted the inclusion application for Crown Land intended to be granted for agricultural purposes. The Commission believed that although the property did not have prime agricultural capability ratings, it could be suitable for some forms of agriculture.

IT WAS

MOVED BY: Commissioner McCoubrey

SECONDED BY: Commissioner Irvine

THAT the application be approved

AND THAT the approval is subject to the inclusion area being as outlined in the sketch submitted with the application.

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 #201/2006



Staff Report
Application # G – 36563-0
Applicant: Jerry & Kathleen Schlosser

DATE RECEIVED: February 27, 2006

DATE PREPARED: March 30, 2006

TO: Chair and Commissioners – Okanagan Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To include 6 ha into the ALR

This application is made pursuant to section 17(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The applicants intend to purchase 6 ha of Crown land in order to expand their existing vineyard located on adjacent land. They will use approximately 4 ha to grow grapes. The existing vineyard is not within the ALR.

Comments from the Regional District of Central Okanagan state that the applicant has utilized all arable land (approximately 0.8 ha out of the 4.4 ha property) within their own private holdings adjacent to this property.

The report further states that the vast majority of the subject Crown Land has a southern exposure and sandy soils with a similar compositional profile to the existing 0.8 ha vineyard that is suitable for grape production.

Local Government:

Regional District of Central Okanagan

Legal Description of Property:

Unsurveyed Crown Land Adjacent to District Lot 2188, Osoyoos Division Yale District

Location of Property:

1901 Bartley Road, Kelowna

Size of Property:

6 ha

Present use of the Property:

Vacant Crown land

Surrounding Land Uses:

WEST: Vacant Crown land (non-ALR)
SOUTH: Applicants' residence and vineyard (non-ALR)
EAST: Vacant Crown land (non-ALR)
NORTH: Vacant Crown land (non-ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 82E/13
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

Official Community Plan Bylaw No. 1050 designates the property as Rural Resource

Zoning Bylaw and Designation:

Zoning Bylaw 871 designates the property as RU1 Rural Residential
Minimum parcel size 30 ha.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional District of Central Okanagan Board: The Regional Board passed the following resolution: That the inclusions be conditionally supported subject to

- *The property owner to apply to the Regional District to rezone the subject Crown Land from RU1 Rural 1 to A1 and with the Ministry of Transportation to consolidate the Crown parcel with Lot G, Plan 20872.*
- *Property owner to apply to the Regional District to address the Development Permit provisions of the Official Community Plan, as per the comments of the RDCO Environmental staff dated December 7, 2005.*
- *Installation of appropriate interface boundary fencing to the satisfaction of the Ministry of Forests and Range.*
- *And that the Regional Board recommend to the Commission that should the referral application be approved that the property be considered for inclusion in the ALR.*

Agricultural Advisory Committee: *"very supportive and encouraged by the application and recommend approval"*

Westside South Advisory Planning Commission: Recommend Support

STAFF COMMENTS:

Agricultural Capability: The CLI agricultural capability mapping gives the property the following ratings:

70% Class 7 TR - 30% Class 6 TR

Class 6 - Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Class 7 - Land in this class has no capability for arable or sustained natural grazing

Subclasses :

T - Topography

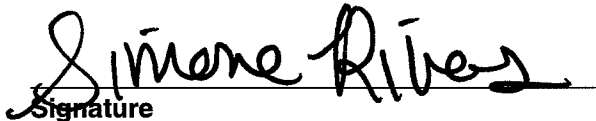
R - Shallow soil / bedrock outcroppings

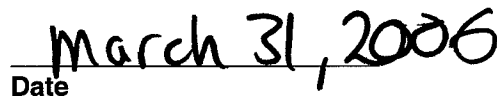
Notwithstanding the CLI ratings, the Local Government Report states that the land is suitable for cultivation of grapes.

Application for inclusion of Crown Land to be granted for agricultural purposes has been a long standing policy based on the Memorandum of Understanding between the Commission and the Integrated Land Management Bureau (and its predecessors).

Staff recommend a site visit to determine if the land has agricultural capability.

END OF REPORT


Signature


Date