



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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www.alc.gov.bc.ca

October 11, 2006

Reply to the attention of Terra Kaethler  
ALC File # T - 36891

Dean and Colleen Schonheiter  
22 Crossman Rd  
Enderby, BC V0E 1V3

Dear Mr. and Mrs. Schonheiter:

**Re: Application to subdivide land in the Agriculture Land Reserve (ALR)**

Please find attached the Minutes of Resolution #476/2006 outlining the Commission's decision as it relates to the above noted application.

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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

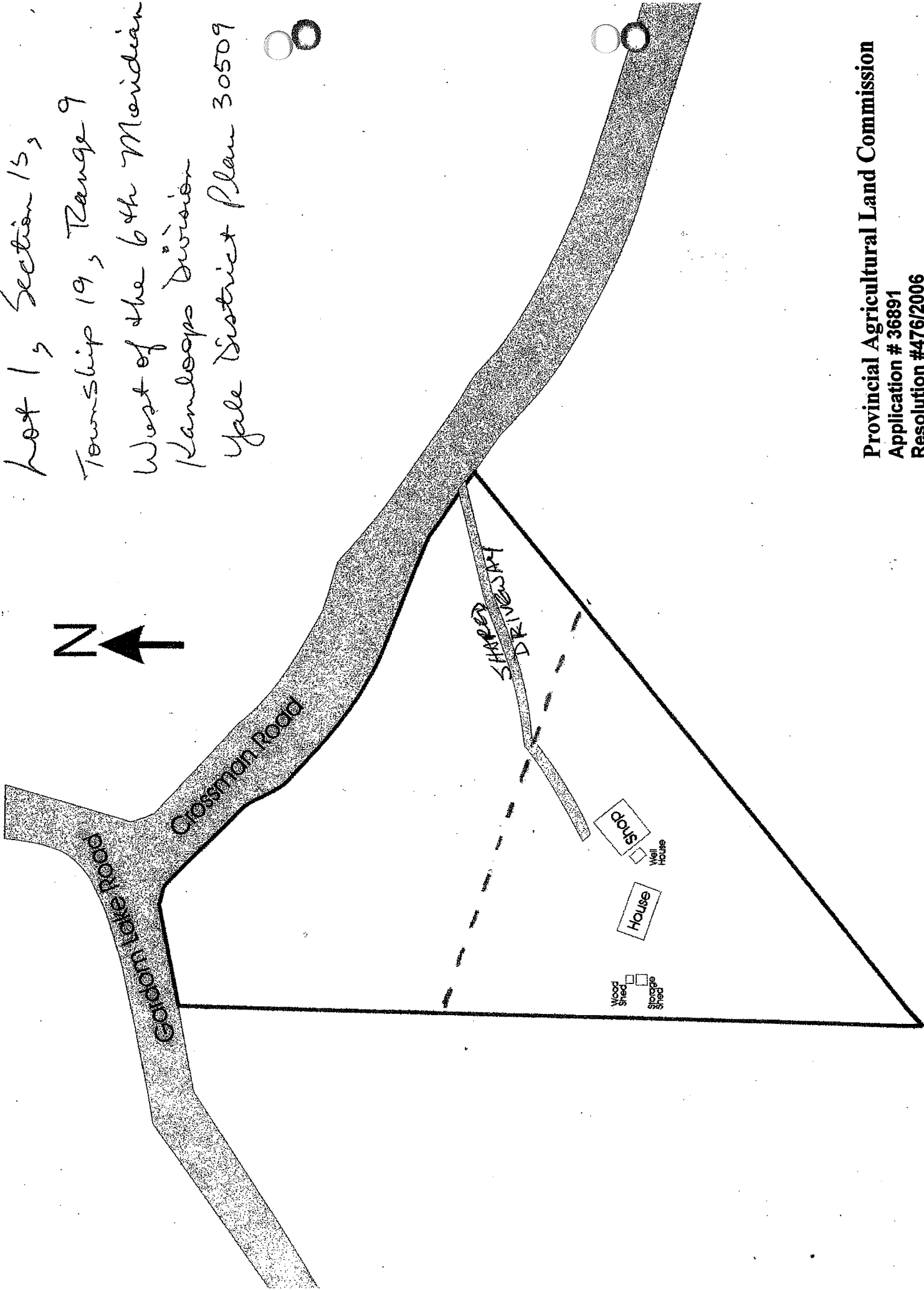
Erik Karlsen, Chair

cc: Regional District of North Okanagan (06-0298-F-ALR)

TK/lv/Encl.: Minutes  
Sketch Plan

36891d1

lot 1, Section 13,  
Township 19, Range 9  
West of the 6th Meridian  
Kamloops Division  
Yale District Plan 30509



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 29, 2006 at the Ministry of Agriculture and Lands office located at 4607 - 23<sup>rd</sup> Street, Vernon, BC.

<b>PRESENT:</b>	Sue Irvine	Chair, Okanagan Panel
	Sharon McCoubrey	Commissioner
	Sid Sidhu	Commissioner
	Terra Kaethler	Staff
	Martin Collins	Staff

### For Consideration

Application # T - 36891

Applicant(s) Dean and Colleen Schonheiter

Proposal To subdivide the 4 ha parcel into two 2 ha parcels. The second parcel would be sold to the applicants' son.

Legal PID: 033-876-322  
Lot 1, Section 15, Township 19, Range 9, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan 30509

Location 22 Crossman Rd

### Site Inspection

Ms. Schonheiter confirmed that she received the staff report dated September 14, 2006 and did not identify any errors.

A site inspection was conducted on September 28th, 2006. Those in attendance were:

- Commissioners: Sue Irvine, Sid Sidhu, and Sharon McCoubrey
- Staff: Terra Kaethler and Martin Collins
- Applicant: Colleen Schonheiter

The property includes the applicants' residence and a shop used for wood-working and repairs. The property is steeply sloped, mostly treed, and at a high elevation.

### Discussion

The applicants applied to create a 2 hectare panhandle lot, which would include their existing residence and wood shop, with a 2 hectare remaining lot, which was undeveloped and treed. The remainder lot would be sold to the applicants' son for his residence.

The property had limited agricultural capacity, as it was steeply sloped, at high elevation and largely treed. The property was zoned "Country Residential" which establishes the minimum lot size of 2 ha. There are several parcels of 2 ha in the area and no significant agricultural development in the vicinity.

Therefore the Commission had no objection to the proposed subdivision on the grounds that a subdivision would not have significant negative impact on the agricultural capacity of the property or surrounding area.

**IT WAS**

**MOVED BY:** Commissioner Irvine

**SECONDED BY:** Commissioner McCoubrey

THAT the application to subdivide the 4 ha parcel into two 2 ha parcels be allowed.

AND THAT the approval is subject to the following conditions:

- The subdivision be in substantial compliance with the attached plan
- Approval is granted to the applicant only and is valid for three (3) years from the date of this decision.

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 # 476/2006**



**Staff Report**  
**Application # T – 36891**  
**Applicant: Dean and Colleen Schonheiter**

**DATE RECEIVED:** August 24, 2006

**DATE PREPARED:** September 14, 2006

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

**FROM:** Simone Rivers, Land Use Planner

**PROPOSAL:** To subdivide the 4 ha parcel into two 2 ha parcels. The second 2 ha parcel would be sold to the applicants' son for his residence.

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

**BACKGROUND INFORMATION:**

**Local Government:**

Regional District of North Okanagan

**Legal Description of Property:**

PID: 003-876-322  
Lot 1, Section 15, Township 19, Range 9, West of the 6<sup>th</sup> Meridian, Kamloops Division Yale District, Plan 30509

**Purchase Date:**

March 1980

**Location of Property:**

22 Crossman Road

**Size of Property:**

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

**Present use of the Property:**

Residence, shop used for woodworking and mechanical repairs

**Surrounding Land Uses:**

**WEST:** Residential  
**SOUTH:** Residential  
**EAST:** Residential  
**NORTH:** Residential

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82L/11  
The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

Electoral Area "F" Bylaw No. 1934 (2004) designates the property as Agricultural, Major Road

**Zoning Bylaw and Designation:**

Zoning: Bylaw No. 1888 (2003) designates the property as Country Residential Zone (C.R.)  
Minimum Lot Size: 2 ha

**PREVIOUS APPLICATIONS:**

**Application #74-0557-0**

**Applicant:** Knight, William  
**Decision Date:** February 20, 1975  
**Proposal:** To subdivide the property  
**Decision:** Refused on the grounds that the land is capable of agricultural production.

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**Application #12051-0**

**Applicant:** Knight, William & Irene  
**Decision Date:** July 07, 1981  
**Proposal:** To subdivide the property into six 2 ha lots  
**Decision:** Refused due to impact

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**Application #12051-1**

**Applicant:** Knight, William & Irene  
**Decision Date:** August 20, 1981  
**Proposal:** To subdivide the property into six 2 ha lots  
**Decision:** Allowed in view of limited agricultural capability

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**Application #19012-0**

**Applicant:** Caplette, Norman  
**Decision Date:** May 28, 1985  
**Proposal:** To subdivide the the 11.8 hectare property into two 2 hectare lots and one 7.8 hectare lot.  
**Decision:** Allowed.

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**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Regional District of North Okanagan Board:** The Regional Board forwarded the application without a recommendation.

**Electoral Area Services Commission:** The EASC authorized the application for submission to the ALC.

**Development Services Recommendation:** The Development Services Department recommended that the application not be authorized for submission to the ALC. "In considering this application based on Official Community Plan Policies IV.3 and IV.10 the Development Services Department recommends that this application not be authorized to the Agricultural Land Commission

**Advisory Planning Commission "F":** recommends the application be sent to the ALC as the property has steep slopes and poor soils.

**ATTACHMENTS:**

- Regional District of North Okanagan - Staff Report (3 pages) dated June 27, 2006
- Sketch of proposal (Submitted by the applicant)
- ALC Context Map - RDNO Constituent 29 1:800'

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**END OF REPORT**

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**Signature**

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**Date**