



Agricultural Land Commission
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June 27, 2007

Reply to the attention of Brandy Ridout
ALC File: #G - 22162

W.E. Collinson
#100 -1100 Lawrence Avenue
Kelowna, BC V1Y 6M4

Dear Mr. Collinson:

Re: **Reconsideration request**

Please find attached the Minutes of Resolution # 297/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client 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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

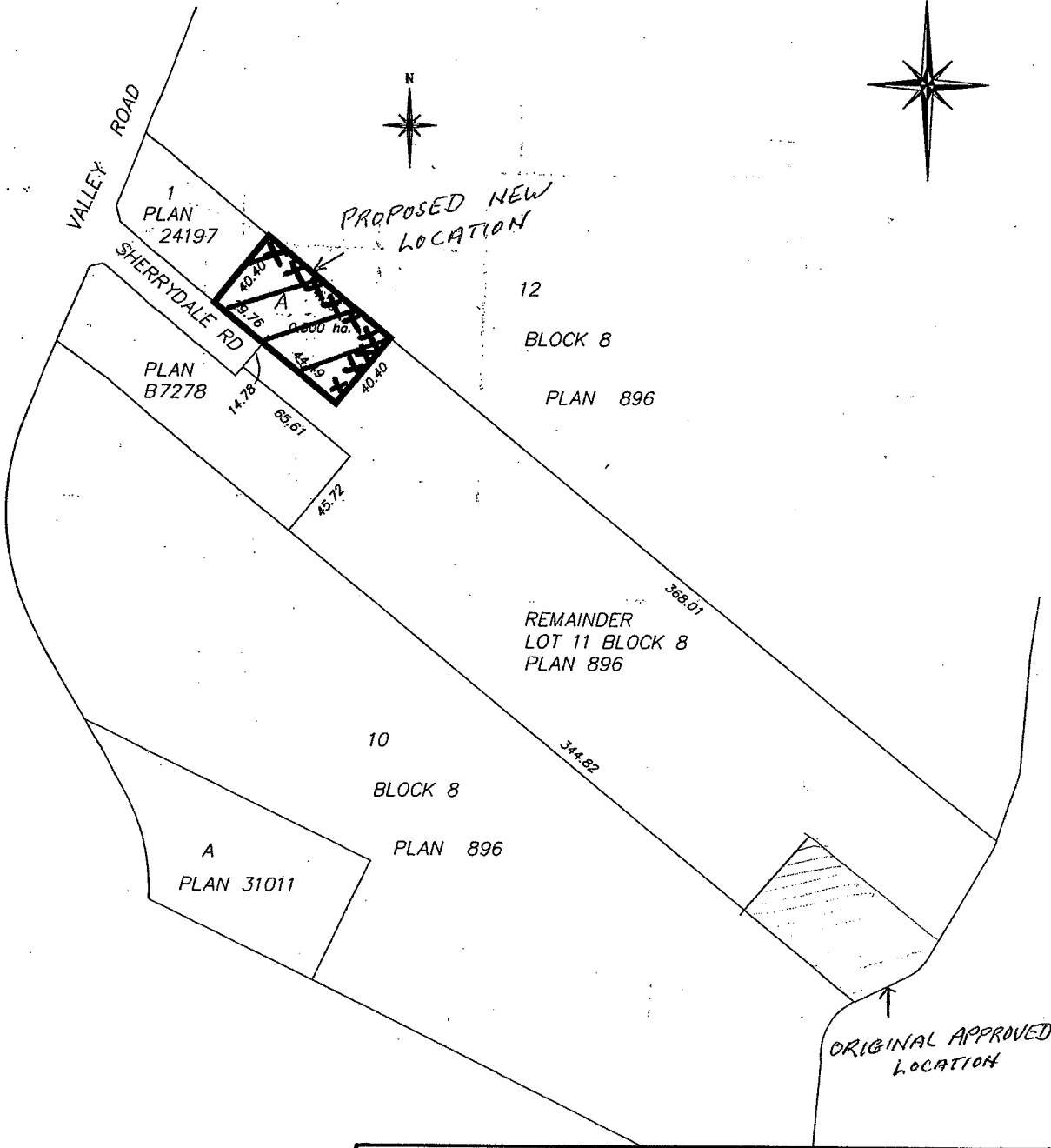
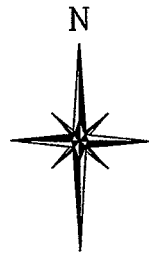
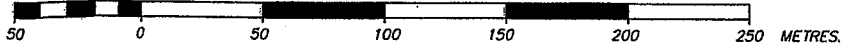
cc: City of Kelowna (#A88-102)

Enclosure: Minutes/Sketch Plan


BR/lv
22162d2


**PROPOSED SUBDIVISION OF PART OF LOT 11 BLOCK 8 PLAN 896
SEC. 32 TP. 26 O.D.Y.D. EXCEPT PLANS B7278 AND 24197**

SCALE 1:2000



Provincial Agricultural Land Commission
Application #G-22162
Resolution #297/2007

 0.3 ha area approved for subdivision in the ALR

 Location of fencing & buffer vegetation



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on June 6, 2007 in Vernon, BC.

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

For Consideration

Application:	# G - 22162
Applicant:	Marlene Collinson
Original Proposal:	To subdivide a 0.3 ha lot under the <i>Homesite Severance Policy</i> .
Decision:	Allowed subject to legal access being available from the eastern edge of the property as the Commission was not prepared to allow the homesite if a panhandle was required through ALR lands.
Current Proposal:	To change the location of the homesite lot as access to the approved lot was not possible.
Legal:	Lot 11, Block 8, Plan 896, except those portions of Plans "B" 7278 and 24197
Location:	Valley Road, Kelowna

Site Inspection

A site inspection was not conducted for the reconsideration.

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 believed that as the new location of the homesite lot was on Sherrydale Crescent and adjacent to another residential lot, it would have a smaller impact on the remainder than the originally approved homesite lot.

IT WAS

MOVED BY: Commissioner Irvine
SECONDED BY: Commissioner Sidhu

THAT the request to change the location of the homesite lot as access to the approved lot was not possible be approved as it would have less impact on agriculture than the originally approved location.

AND THAT the approval is subject to the following conditions:

- The rescission of Resolution #674/1988.
- The subdivision be in substantial compliance with the plan submitted with the reconsideration request.
- The construction of a fence and planting of vegetative buffering for the purpose of limiting the impact of the new lot on adjacent agricultural operations.
- Compliance with the *Homesite Severance Policy*.
- The subdivision must be completed within 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 # 297/2007