



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

August 15, 2007

Reply to the attention of Brandy Ridout  
ALC File: # V - 37279

Linda Ann Van Dyke  
RR1 - Site 4 - Comp 6 - 1725 Highway 40  
Prince George, BC V0X 1W0

Dear Ms. Van Dyke:

**Re: Application to subdivision land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 354/2007 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 Okanagan-Similkameen (#H07-01331-500)

Enclosure: Minutes/Sketch Plan

BR/lv  
37279d1



## **Discussion**

### **Assessment of Agricultural Capability**

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The property is divided by a stream. The soil to the west of the stream has an agricultural capability rating of Class 4 with limitations of stoniness and moisture deficiency. The agricultural capability of the soil to the east of the stream is 70% Class 3 with a limitation of excess water and 30% Class 5 with limitations of excess water and inundation. This is the improved rating if drained.

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

### **Assessment of Agricultural Suitability**

The Commission assessed whether factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission believed that the small size of the property combined with its low agricultural capability rating limited its suitability for agriculture.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long-term goal of preserving agricultural land. As the agricultural suitability of the subject property was viewed by the Commission to be limited, its main concern was how the proposal would impact agriculture in the surrounding area. It noted that as agricultural operations are not extensive in this area, subdivision of the subject property will not have a negative impact on agriculture.

### **Conclusions**

1. That the land under application has some agricultural capability and is appropriately designated as ALR.
2. That the small size of the property combined with its low agricultural capability rating limit its suitability for agriculture.
3. That the proposal will not impact agriculture on the subject property or on surrounding ALR properties.

**IT WAS**

**MOVED BY:** Commissioner Irvine

**SECONDED BY:** Commissioner Marshall

THAT the application to subdivide a 3.5 ha lot from the 11.5 ha subject property be approved

AND THAT the approval is subject to the following conditions:

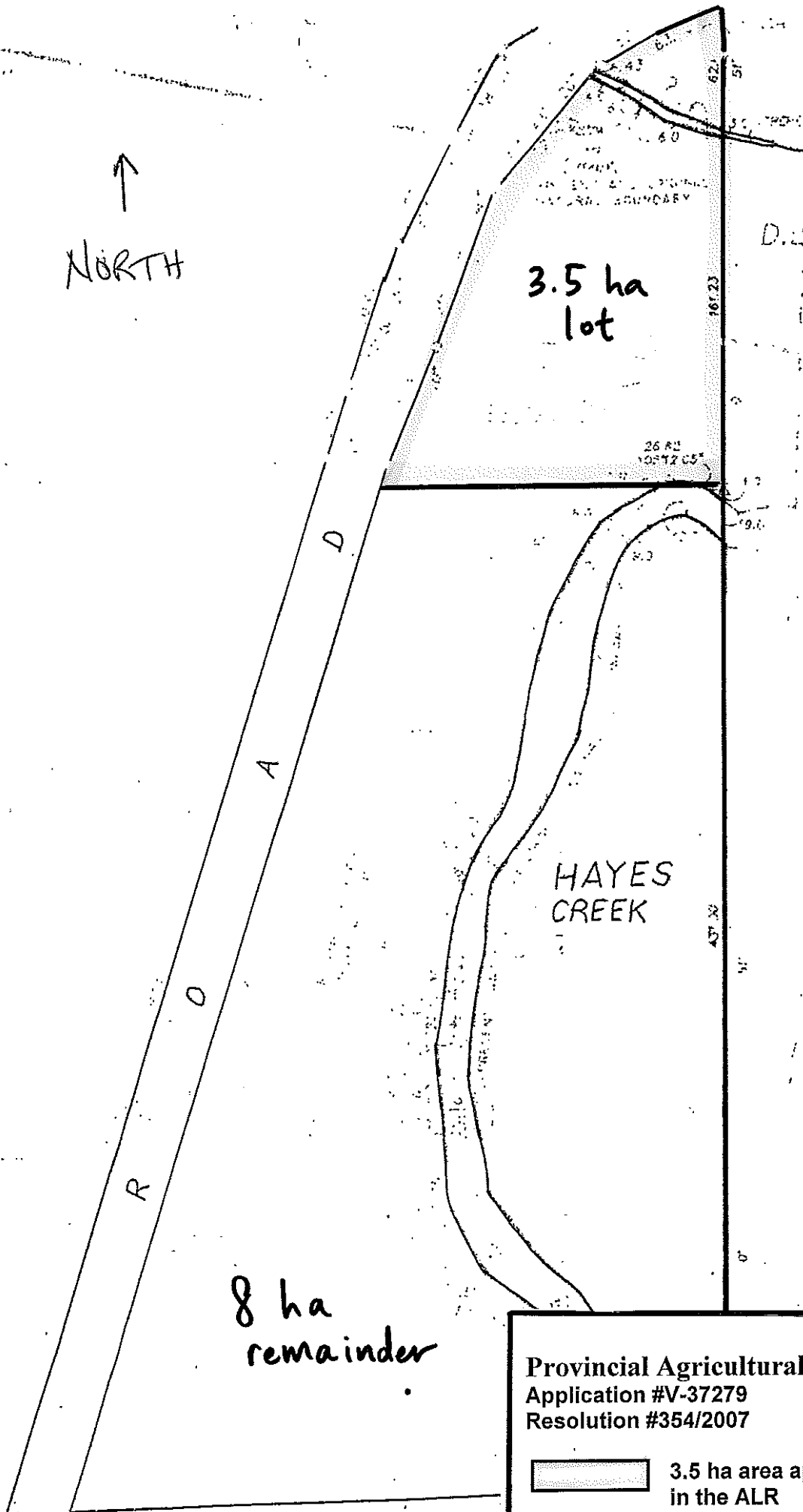
- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.

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 # 354/2007**

NORTH  
↑



**Provincial Agricultural Land Commission**  
Application #V-37279  
Resolution #354/2007

 3.5 ha area approved for subdivision  
in the ALR



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August 15, 2007

Reply to the attention of Brandy Ridout  
ALC Files: #V-37473, #V-37279 & #V-37477

Susanne Theurer  
Planning Services Manager  
Regional District of Okanagan-Similkameen  
101 Martin Street  
Penticton, BC V2A 5J9

Dear Ms. Theurer:

**Re: Agricultural Land Reserve Applications**

During its last trip, the Commission dealt with three applications in the Princeton area. Please find the decisions enclosed.

Letters of non-support for the two subdivision applications were received from the Director of Electoral Area 'H'. Issues cited included lot size, neighbourhood characteristics, views, and random development patterns. While the Commission appreciates all comments from local governments, it approved the requested subdivisions as it did not believe that there would be a negative impact on agriculture due to the limited agricultural capability of the soil and the small size of the parcels.

Each decision of the Commission is qualified by the following statement: "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." As such, an application that has been approved by the Commission can be refused by a local government by exercising zoning powers. In addition, at the beginning of the application process, if applications do not meet with planning, local governments are able to not forward them to the Commission.

The Commission welcomes the opportunity to discuss this matter with members of the local government at the next Union of British Columbia Municipalities (UBCM) meeting.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Gerri Logan, Director, Electoral Area 'H',

BR/lv/Enclosure: Minutes  
37473d1



**Staff Report**  
**Application # V – 37279**  
**Applicant: Linda Ann Van Dyke**  
**Location: northeast of Princeton**

**DATE RECEIVED:** March 9, 2007

**DATE PREPARED:** April 16, 2007

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

**FROM:** Brandy Ridout, Land Use Planner

**PROPOSAL:** To subdivide a 3.5 ha lot from the 11.5 ha subject property. The 8 ha remnant would contain the existing farm home and outbuildings

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

**BACKGROUND INFORMATION:**

**Local Government:**

Regional District of Okanagan-Similkameen (RDOS)

**Legal Description of Property:**

Lot 5, District Lot 3775, Plan KAP51323

**Purchase Date:**

May 2002

**Location of Property:**

1725 Princeton-Summerland Road, 17 km north of Princeton

**Size of Property:**

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

**Present use of the Property:**

Residence (modular home), barn and garden area, 4 ha used for exercise and some pasture for four horses. Pasture area is fenced to protect Hayes Creek. Remaining property is not currently being used as there is no access over the creek and no adequate fencing.

**BACKGROUND INFORMATION (continued):**

**Surrounding Land Uses:**

**WEST:** Highway 40, 8 ha recreational properties not in the ALR  
**SOUTH:** rented residential, and recreational retreat in the ALR  
**EAST:** DL 934 – large farm property in the ALR  
**NORTH:** Highway 40, part-time residents/hobby farm, horses (12) not in the ALR

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92H/9  
The majority of the property is identified as having mixed prime and secondary ratings.

**Official Community Plan and Designation:**

Electoral Area "H" Princeton Rural RLUB:  
Designation: Resource Area (RA)  
Minimum Lot Size: 8 ha

**PREVIOUS APPLICATIONS:**

**Application #26605-0**

**Applicant:** Hayes Creek Valley Enterprises Ltd.  
**Decision Date:** September 21, 1992  
**Proposal:** To exclude the 28 ha ALR portion of the 62 ha property from the ALR to facilitate the subdivision of five 8 ha lots lying west of Highway 40.  
**Decision:** Refuse as proposed, but allowed exclusion of 14 ha lying west of highway 40 to permit the subdivision of the five lots. The subdivision has been concluded.

**RELEVANT APPLICATIONS:**

**Application #34442-0**

**Applicant:** Sandra Dixon  
**Decision Date:** September 19, 2002  
**Proposal:** To subdivide an 8 ha lot from a 125 ha property.  
**Decision:** Refused on the grounds that the subdivision would separate the more fertile valley bottom land from the hillside grazing land.

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**Application #34803-0**

**Applicant:** Larson, Roy & Ida  
**Decision Date:** July 16, 2003  
**Proposal:** To subdivide two 8 ha parcels from their 31 property. Each of the parcels is for their children who would use the land for small farming operations.  
**Decision:** Refused as submitted on the grounds of impact, but allowed the subdivision of the proposed Lot B.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**RDOS Board:** No comments or recommendations, as per policy.

**RDOS Planning Staff:** Has concerns with the application because it represents a significant increase in density in this area (which is zoned to allow parcels no smaller than 8 ha).

**Electoral Area Director (G. Logan):** "Until (the) Official Community Plan is completed, I will be cautious with regards to this type of application. The area (Hwy 40) is already a jumble of properties scattered here and there. I am not in favour at this time."



**STAFF COMMENTS:**

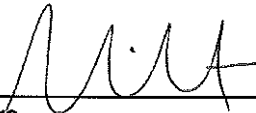
- Subdivision is generally not supportive of agricultural development. The applicants have not provided an agricultural rationale for subdividing the property.
- The ALR in this area follows the narrow valley and many parcels are only partly within the ALR. As such, the property is part of an agricultural corridor.
- There have been significant subdivision pressures in the valley over the past decades. Under application #V-26605, the 28 ha portion of the property lying to the west of the highway was excluded and subdivided into five 8 ha lots.
- The primary agricultural limitation for the property is excessive wetness and periodic inundation. It appears that Hayes Creek almost bisects the property from north to south.
- A site visit may assist the Commission in determining the impact the proposed subdivision would have on the subject property and the surrounding ALR lands.

**ATTACHMENTS:**

- ALR Base Map (1:50,000)
- Regional District map (Schedule X)
- Applicant's sketch plan
- Air photo

**END OF REPORT**

Signature



Date

