



**Agricultural Land Commission**  
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November 26, 2007

Reply to the attention of Brandy Ridout  
ALC File: H-37644

Jeffrey Klynsoon  
PO Box 3035  
Mission, BC V2V4J3

Dear Mr. Klynsoon:

**Re: Application to Exclude land from the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 562/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: Columbia Shuswap Regional District (LC2364-F)

Hendrikus and Johanna Klynsoon - c/o PO Box 3035, Mission, BC, V2V4J3  
Robert Klynsoon - c/o PO Box 3035, Mission, BC, V2V4J3  
Gary Klynsoon - c/o PO Box 3035, Mission, BC, V2V4J3

Enclosure: Minutes



A meeting was held by the Provincial Agricultural Land Commission on November 9, 2007 at the Ministry of Agriculture and Lands offices located at 4607 - 23rd St, Vernon, BC.

**PRESENT:** Sue Irvine Chair, Okanagan Panel  
Sid Sidhu Commissioner  
Roger Mayer Commissioner  
Brandy Ridout Staff  
Martin Collins Staff

**For Consideration**

Application: # H- 37644  
Applicant: Jeffrey Klynsoon  
Proposal: To exclude 9.7 ha of the 28 ha subject property to allow for a subdivision. The applicants have provided two subdivision options: 1) 8 lots of 1 ha each and the remainder; 2) 4 lots of 2.4 ha each and the remainder.  
Legal: PID: 003-265-439  
Lot 13, Section 14, Township 23, Range 10, W6M, Kamloops Division  
Yale District, Plan 33042  
Location: Magna Bay Area - 6150 Line 17 Road

**Site Inspection**

A site inspection was conducted on November 8, 2007. Those in attendance were:

- Sue Irvine Chair, Okanagan Panel
- Sid Sidhu Commissioner
- Roger Mayer Commissioner
- Brandy Ridout Staff
- Martin Collins Staff
- Jeffrey Klynsoon Applicant

Mr. Klynsoon confirmed that the staff report dated October 30, 2007 was received and no errors were identified.

**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**

### **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 agricultural capability of the soil of the subject property is approximately 75% Class 4, 15% Class 5 and 10% Class 7. The listed subclasses include soil moisture deficiency, topography, and undesirable soil structure.

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.

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

### **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 did not believe there are factors that render the land unsuitable for agricultural use.

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

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land.

It was noted that a strip of land along Squilax-Anglemont Road had previously been subdivided from the subject property, excluded and further subdivided into small residential lots. This strip of land was separated from the remainder of the property by a steep slope and the Commission noted that in the past, the topographic break had been considered a buffer from the residential lots downslope. Excluding and subdividing another row (or two rows) of lots above the topographic divide, as proposed, would eliminate the buffer and therefore result in potential conflicts between the owners of the new lots and the remainder. Although the applicants presented the idea that having large lots in this area would create a good buffer between the very small and summer home lots along the road and the remainder, the Commission believed that the existing topographic break would provide a better buffer.

In addition, as the property possesses agricultural potential based on its capability ratings, the Commission did not wish to have that potential limited by subdividing the property into smaller lots as subdivision of agricultural land reduces the number of agricultural options available to the farmer.

The applicants noted that the property is jointly owned by 4 family members and that approval of their application would allow a division of the interests in the property. It was also noted that the Commission must weigh an applicant's personal circumstances against its legislated responsibility to preserve agricultural land. In this case, the

Commission believed that exclusion and subdivision would have a negative impact on agriculture and would be inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

**Conclusions**

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will have a negative impact on agriculture.

**IT WAS**

**MOVED BY:** Commissioner Irvine

**SECONDED BY:** Commissioner Mayer

THAT the application be refused.

**CARRIED**

**Resolution # 562/2007**