



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

December 18th, 2007

Reply to the attention of Martin Collins
ALC File: G-37738

R. Percy Tinker
1573 Ellis Street
Kelowna, BC
V1Y2A7

Dear Sir/Madam:

Re: Application to Subdivide Land within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 658/2007 outlining the Commission's decision as it relates to the above noted application. A map depicting the Commission's decision is also attached. 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 the plan is consistent with its decision, 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 Central Okanagan (A-07-04)

Enclosure: Minutes/Sketch Plan

Discussion

Assessment of Agricultural Capability

In assessing agricultural capability, the Commission concurred with the H. Luttmerding Soils and Land Capability for Agriculture report, dated October 11, 2006 which indicated that the 4 ha proposed (westerly lot) was comprised of primarily Class 6 soils, with topographic and climate limitations.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission noted that the proposed 4 ha "Lot A" lies at the extreme westerly edge of the ALR unit. The proposed 3.4 ha "Lot B", has greater capacity for agricultural use and abuts improved pasture areas lying to the south. The Commission believed the proposal would not affect the existing or potential agricultural use of surrounding lands.

Conclusions

1. That the land of the proposed 4 ha lot (Lot A) has very limited agricultural capability, and is largely unsuitable for agricultural uses.
2. That the subdivision proposal will not affect agriculture.

IT WAS

MOVED BY: Commissioner R. Mayer

SECONDED BY: Commissioner S. Irvine

THAT the application to subdivide a 4 ha lot from the 7.4 ha property be allowed.

The decision is subject to the subdivision being 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

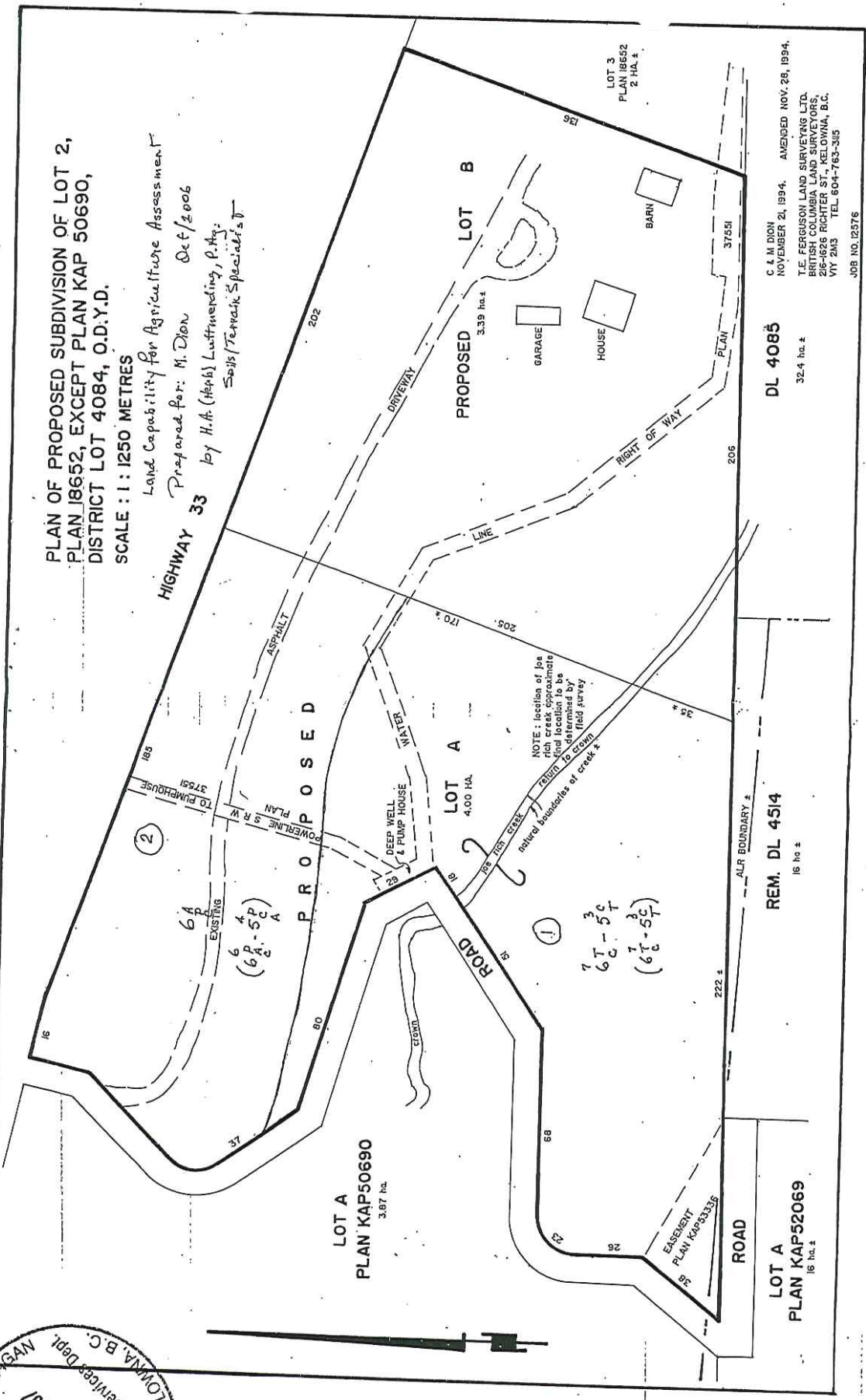
Resolution # 658/2007



PLAN OF PROPOSED SUBDIVISION OF LOT 2,
 PLAN B652, EXCEPT PLAN KAP 50690,
 DISTRICT LOT 4084, O.D.Y.D.
 SCALE : 1 : 1250 METRES

Land Capability for Agriculture Assessment
 Prepared for: M. Dion Oct/2006
 by H.A. (Heidi) Luftmending, P.Eng.
 Soils/Terrain Specialist

HIGHWAY 33



C. & M. DION
 NOVEMBER 21, 1994. AMENDED NOV. 28, 1994.
 T.E. FERGUSON LAND SURVEYING LTD.
 218-1826 RICHTER ST., KELLOWNA, B.C.
 V1Y 2M3 TEL: 604-763-315

DL 4085
 32.4 ha.

REM. DL 4514
 16 ha.

LOT A
 PLAN KAP52069
 16 ha.

APPLICATION # 6-37738
 RESOLUTION # 658/2007

JOB NO. 12376