



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
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www.alc.gov.bc.ca

February 6, 2008

Reply to the attention of Brandy Ridout  
ALC File: #T-37740

Doug Lemiski  
Nixon Wenger  
3201 - 30th Ave  
Vernon, BC V1T2C6

Dear Mr. Lemiski:

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

Please find attached the Minutes of Resolution #12/2008 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client accordingly. Attached is a sketch plan showing the Commission's decision. Also attached is a copy of the Commission's *Homesite Severance Policy*.

Prior to approaching the Registrar of Land Titles to register the subdivision, please submit the following to this office:

1. Two (2) paper prints of the final subdivision plans.
2. A recent State of Title Certificate.
3. "Transfer of an Estate in Fee Simple" document indicating the transfer of the remainder of the property from the applicant to the purchaser. Alternately, a real estate listing or a signed purchase agreement would meet this condition.
4. The applicant's signed commitment that the homesite lot will not be sold for five (5) years except in the case of estate settlement.
5. Photographic evidence that conditions of approval, such as fencing, have been complete.

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 (07-0395-C-ALR)

Enclosure: Minutes/Sketch Plan/*Homesite Severance Policy*

BR

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**Provincial Agricultural Land Commission**  
**Application #T-37740**  
**Resolution #12/2008**

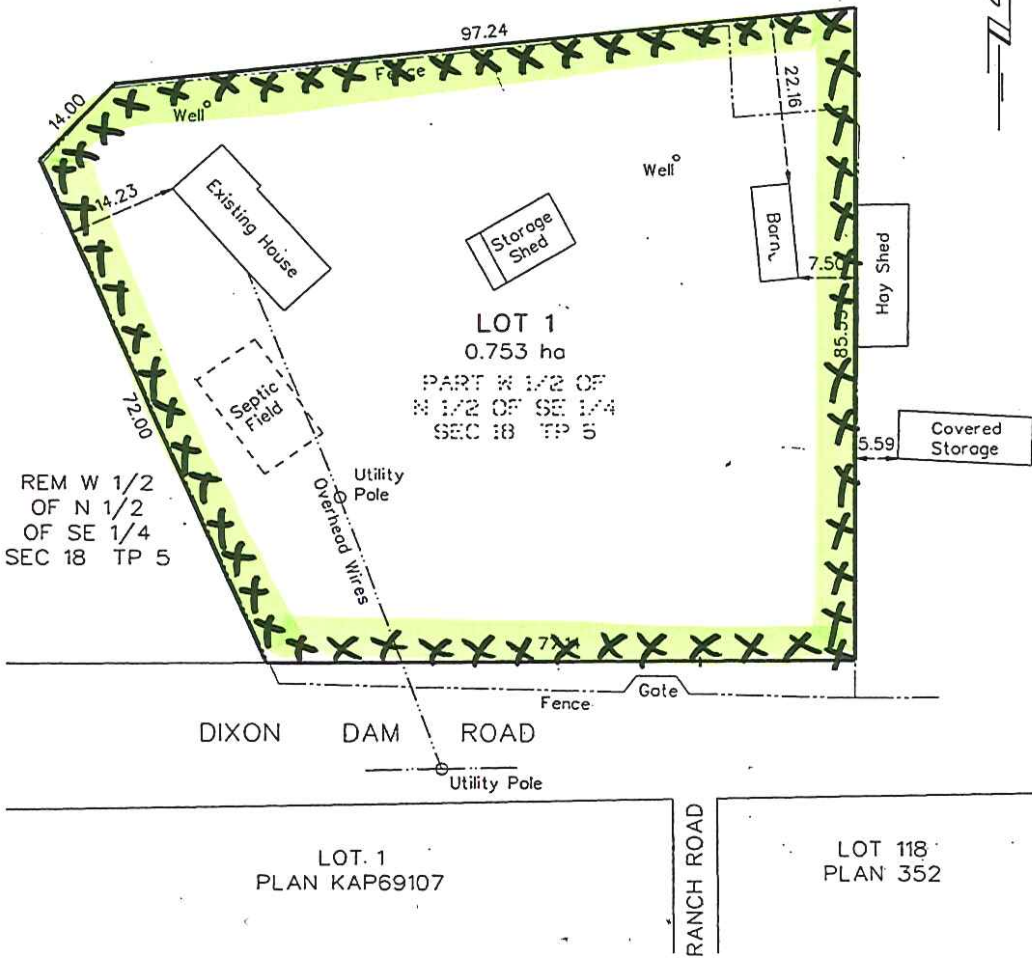


0.753 ha area approved for subdivision in the ALR



Location of fencing

ALL DISTANCES ARE IN METRES.



PLAN OF PROPOSED SUBDIVISION OF  
 PART OF THE W 1/2 OF THE N 1/2  
 OF THE SE 1/4 SEC. 18, TP. 5, O.D.Y.D.

SCALE: 1 : 750	OUR FILE: R8242
DATE: 8 Mar. 07	DRAWN: MH/RB
Desimone	
<b>WILLIAM E. MADDOX</b> B.C. LAND SURVEYOR 3500 - 30th STREET VERNON, B.C. V1T 5E8 TELEPHONE (250)542-4343	

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### **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 does 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. Although the proposed homesite lot is larger than typically preferred, in this case, the Commission did not believe that the subdivision of a 0.8 ha lot would have a negative impact on agriculture.

### **IT WAS**

**MOVED BY:** Commissioner Irvine

**SECONDED BY:** Commissioner Sidhu

THAT the application to subdivide a 0.8 ha lot from the 16.2 ha subject property under the *Homesite Severance Policy* be approved subject to the following conditions:

- The subdivision be in substantial compliance with the plan submitted with the application.
- The construction of a fence for the purpose of limiting the impact of the homesite on the agricultural remainder.
- Compliance with the *Homesite Severance Policy*.
- Commission approval be obtained for an increase in the size of the homesite lot or a change in its location deemed necessary by other approval agencies.
- The subdivision must be completed within three (3) years from the date of this decision.

Approval for a homesite severance subdivision is granted for the sole benefit of the applicant and is non-transferable.

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 #12/2008**