



**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

June 13, 2012

Reply to the attention of Ron Wallace  
ALC File: 52592

Brad Elenko  
Urban Connections  
PO Box 313  
Osoyoos, B.C.  
V0H 1V0

Dear Sir:

**Re: Application to Subdivide within the Agricultural Land Reserve**

Please find attached the Minutes of Resolution #216/2012 and a sketch plan outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) 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.

Other approvals may be necessary and we suggest you contact the Regional District of Okanagan Similkameen for further information.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: A handwritten signature in blue ink, appearing to read 'Brian Underhill', is written over the printed name.

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Regional District Okanagan Similkameen File: C11-06576.965



## PROVINCIAL AGRICULTURAL LAND COMMISSION

---

A meeting was held by the Provincial Agricultural Land Commission on May 17<sup>th</sup>, 2012 at the Commission offices located at #133, 4940 Canada Way, Burnaby, B.C.

### COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner

### COMMISSION STAFF PRESENT:

Ron Wallace	Land Use Planner
Colin Fry	Executive Director

---

### APPLICATION: #52592

**PROPOSAL:** To subdivide a 1 ha lot from the 5.6 ha property containing the existing residence and consolidate the 4.6 ha remainder with the adjoining 36.4 ha vineyard property (resulting in a 41 ha consolidated vineyard parcel owned by Hester Creek Winery).

(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

**Legal:** PID 024-551-465 Lot B, LD 2450s SDYD, plan KAP64769

---

### COMMISSION CONSIDERATION:

Section 6 of the *Agricultural Land Commission Act* identifies the purposes of the Commission 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.

After review of all file information presented the Commission concluded as follows:

1. The application represents a benefit for agriculture because the 4.6 ha remnant is cultivated for grapes and will be consolidated with the adjoining ~36 ha Hester Creek Winery property, enhancing its agricultural potential. The existing homesite does not provide any benefit to the winery and is best retained as a stand alone residential parcel
2. The creation of a 1 ha residential lot does not benefit agriculture, but represents an acceptable intrusion into the ALR when balanced against the benefit of a larger farm property.

3. Both the subject property and the adjoining winery property have very good agricultural potential for vineyard and tree fruit production, with BCLI ratings of Class 2 and 3 with limitations of aridity, stoniness and topography.
4. The proposal will not alienate any agricultural land that is currently utilized for farm production. No residences or structures are anticipated to be constructed on the consolidated area.

**IT WAS**

**MOVED BY:** Commissioner Sylvia Pranger

**SECONDED BY:** Commissioner Jennifer Dyson

THAT the application to subdivide a 1 ha lot from the 5.6 ha parcel be allowed subject to the following conditions:

- 1) The consolidation of the 4.6 ha remainder with the adjoining ~36 ha vineyard property.
- 2) That the subdivision/consolidation be completed within three years of the 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 # 216/2012**



ALC APPLICATION # 52592  
RESOLUTION # 216/2012

SKETCH PLAN