



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 3, 2014

ALC File: #53522

Bill Ross
PO Box 1199
Oliver, BC
V0M 1T0

Dear Sir:

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #172/2014 as it relates to the above noted application. A sketch plan is also attached. As agent, it is your responsibility to notify your client(s) accordingly.

Please send two (2) copies of the final survey plan 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.

Further correspondence with respect to this application is to be directed to Ron Wallace.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution #172/2014
Sketch plan

cc: Regional District of Okanagan Similkameen - File: C06479.100/300

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 28, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53522.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

COMMISSION STAFF PRESENT:

Ron Wallace	Planner
Martin Collins	Regional Planner
Colin Fry	Chief Tribunal Officer

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

SUBDIVISION: To re-subdivide two adjoining 5 ha properties into a 1 ha lot and a 9 ha lot. Each of the proposed lots would contain a residence.

PROPERTY INFORMATION:

Owners: Pamela Luckhurst

Legal: PID: 004-933-796
Lot 4, DL 2450s, SDYD, Plan 26963

PID: 004-933-770
Lot 2, DL 2450s, SDYD, Plan 26963

Location: Ponderosa Road, south of Oliver

Size: Each parcel is approximately 5 ha.

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

6 The following are the purposes of the commission:

(a) to preserve agricultural land;

- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
- (c) 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.

COMMISSION CONSIDERATION

After considering the application information the Commission concluded as follows:

1. The Commission considered the agricultural capability of the subject properties..

Conclusion:

The British Columbia Land Inventory (BCLI) ratings for the subject properties are unimproved capability Class 5A and 6A, with limitations of aridity (A), stoniness (P) and topography (T). The improved soil capability ratings are BCLI Class 3 with irrigation, but with the same stoniness and topographic limitations. These lands are suitable for irrigated grape and tree fruit production, and are currently in grape production.

2. The Commission considered the agricultural impacts of subdivision.

Conclusion:

The Commission discussed the negative and positive implications of the application. The benefit of the proposal is that a larger farm unit is created which has greater agricultural production and the potential for a higher farm income. The negative impact is that a permanent rural residential lot is created, which includes land in production that will be lost to the larger farm parcel. The 1 ha residential lot may also come under further pressure to subdivide, increasing the likelihood of conflict between adjoining farm and residential uses (such as trespass, or the typical noises and odors of farming).

On balance the Commission believed that the benefits of the larger farm parcel outweighed the negative implications of another residential parcel.

IT WAS

MOVED BY: Commissioner Bullock

SECONDED BY: Commissioner Gillette

THAT the proposal to subdivide a 1 ha lot and a 9 ha lot from the adjoining 5 ha properties be approved subject to;

- The subdivision plan must be completed within three (3) years from the date of this decision;

AND FINALLY THAT 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 #172/2014

