



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

October 11, 2006

Reply to the attention of Terra Kaethler
ALC File # H - 36885

RG Holtby
670 -17th St, SE
Salmon Arm, BC V1E 1W2

Dear Mr. Holtby:

Re: Application to subdivide in the Agriculture Land Reserve

Please find attached the Minutes of Resolution #473/2006 outlining the Commission's decision as it relates to the above noted application.

Please be advised that a copy of the decision has not been sent to the applicant. As agent it is your responsibility to inform your client.

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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

cc: Columbia Shuswap Regional District (LC2342-D)

TK/lv/Encl.: Minutes
Sketch Plan

36885d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 29, 2006 at the Ministry of Agriculture and Lands office located at 4607 - 23rd Street, Vernon, BC.

PRESENT:	Sue Irvine	Chair, Okanagan Panel
	Sharon McCoubrey	Commissioner
	Sid Sidhu	Commissioner
	Terra Kaethler	Staff
	Martin Collins	Staff

For Consideration

Application # H - 36885
Applicant(s) Mark and Laura Schweb; Agent: RG Holtby

Proposal To subdivide the 13.9 ha subject property along Salmon River Rd and Highway 97 to create 3 parcels (approximately 0.4 ha, 7.2 ha, and 6.3 ha)

Legal PID: 013-675-273
Fractional North West ¼, Section 19, Township 17, Range 10, W6M, Kamloops Division Yale District, Plan B3071, Except 1) Plan b711, b4107, B4287 and KAP75130

Location 3120 Highway 97 – Schwebs Bridge – Intersection of Salmon River Road and Highway 97

Site Inspection

A site inspection was conducted on September 28, 2006. Those in attendance were:

- Commissioners: Sue Irvine, Sharon McCoubrey and Sid Sidhu
- Staff: Terra Kaethler and Martin Collins
- Applicant: Laura Schweb
- Agent: Bob Holtby

Mr. Holtby confirmed that he received the staff report dated September 12, 2006 and did not identify any errors.

The property includes the residence of the applicant and upper and lower hay fields. The property is divided by Hwy 97 and Salmon River Rd and situated at a major intersection. The applicant expressed difficulty moving machinery and farm animals across the roads.

Discussion

The Commission had no objection to the subdivision of the property into three parcels as it recognized the road crossings prevented the property from being used as a singular unit.

IT WAS

MOVED BY: Commissioner Sidhu

SECONDED BY: Commissioner McCoubrey

THAT the application to subdivide the 13.9 ha subject property along Salmon River Rd and Highway 97 to create 3 parcels be approved.

AND THAT the approval is subject to the following conditions:

- The subdivision be in substantial compliance with the attached plan
- Approval is granted to the applicant only and is valid for 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 # 473/2006

Provincial Agricultural Land Commission

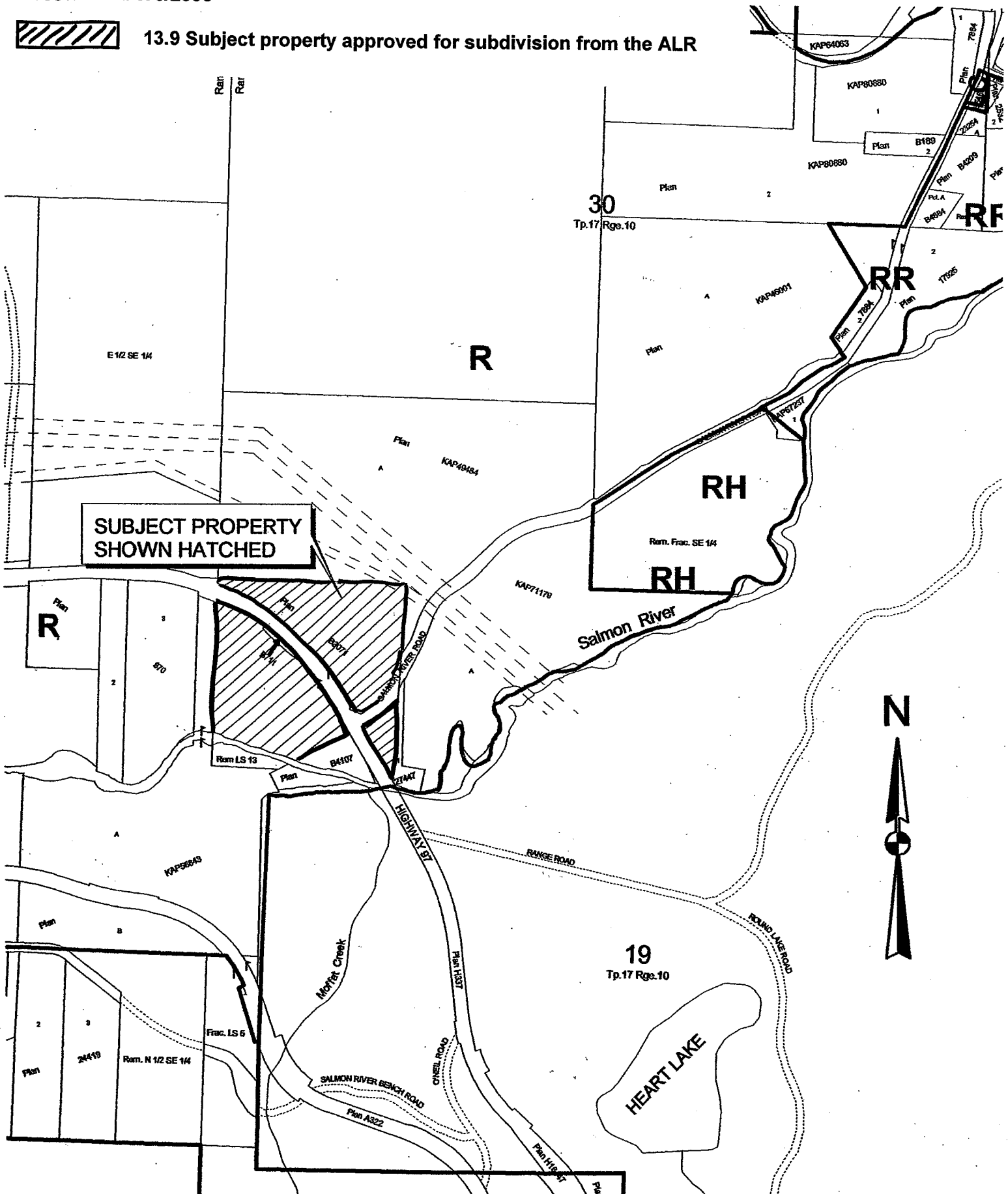
Application # 36885

Resolution #473/2006

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13.9 Subject property approved for subdivision from the ALR





Staff Report
Application # H – 36885
Applicant: Mark Schweb
Agent: R G Holtby
Location: East of Falkland

DATE RECEIVED: August 23, 2006

DATE PREPARED: September 12, 2006

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To subdivide the 13.9 ha subject property along Salmon River Road and Highway 97 to create 3 parcels (approximately 0.4 ha, 7.2 ha and 6.3 ha).

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Local Government:

Columbia Shuswap Regional District

Legal Description of Property:

PID: 013-675-273

Fractional North West ¼, Section 19, Township 17, Range 10, W6M, Kamloops Division Yale District, Plan B3071, Except 1) Plans B711, B4107, B4287 and KAP75130, 2) Parcels "E" and "F" Plan A836

Purchase Date:

June 1991

Location of Property:

3120 Highway 97 - Schwes Bridge - Intersection of Salmon River Road and Highway 97

Size of Property:

13.9 ha (The entire property is in the ALR).

Present use of the Property:

Homesight/outbuildings, hay field, mobile home on pasture land

BACKGROUND INFORMATION (continued):

Surrounding Land Uses:

WEST: Hobby farms
SOUTH: Agriculture, rural residential, First Nation land
EAST: Agriculture
NORTH: Agricultural - cattle

Agricultural Capability:

Data Source: Agricultural Capability Map # 82L/6
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

Salmon Valley Land Use Bylaw No. 2500
Designation: R - Rural
Minimum Lot Size: 60 ha

RELEVANT APPLICATIONS:

Application #19501-0

Applicant: Richard Stanley
Decision Date: March 11, 1986
Proposal: To subdivide the 16 ha property as divided by McTavish Road.
Decision: Allowed.

Application #20521-0

Applicant: Ruby, Kathleen
Decision Date: October 22, 1986
Proposal: To subdivide a 37.2 ha property into two lots of 12 and 25 ha.
Decision: Allowed.

Application #34019-0

Applicant: Herbert & Daina Schindelka
Decision Date: February 6, 2002
Proposal: To subdivide a 19 ha property as divided by the Salmon River Road.
Decision: Approved on the grounds that it was consistent with previous decisions.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Columbia Shuswap Regional District Board: Concur with Development Services staff report.

CSRD Development Services: Where properties are within the ALR, staff would like to support maintaining relatively large parcel sizes to ensure that they may be used to their agricultural potential. However, the subject property is split by two roads and is situated at a major intersection, making it difficult to move machinery and animals. Recommends approval.

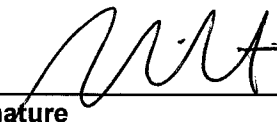
STAFF COMMENTS:

Staff suggests the Commission a site visit to determine the impact of the road on the agricultural use of the property as a unit.

ATTACHMENTS:

- ALR Base Map: 82L/6 - 1:50,000
- ALR Constituent 15c
- Page 1 – 6 of the report prepared by the agent for the application
- Columbia Shuswap Regional District Development Services Staff Report

END OF REPORT



Signature

Sept 13, 06

Date