



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

June 19, 2007

Reply to the attention of Brandy Ridout
ALC File: #H - 37349

R.G. Holtby
670 - 17th St. SE
Salmon Arm, B.C. V1E 1W2

Dear Mr. Holtby:

Re: Application to subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 279/2007 outlining the Commission's decision as it relates to the above noted application. 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 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

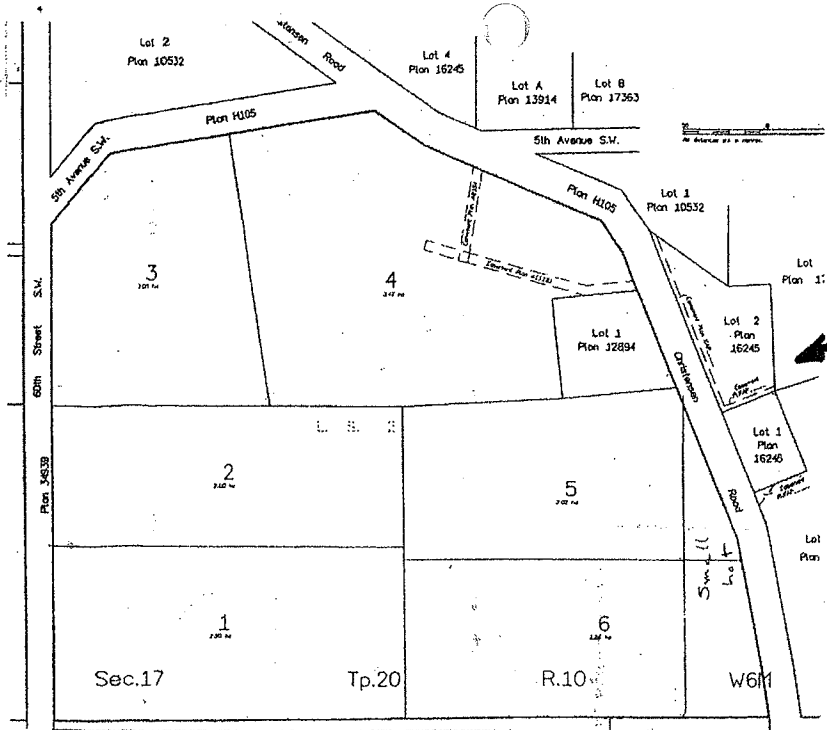
Per:

Erik Karlsen, Chair

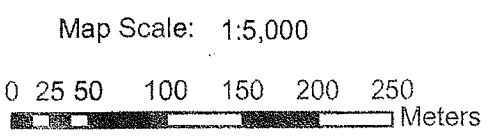
cc: District of Salmon Arm (#ALC.309)

Enclosure: Minutes/Sketch Plan

BR/lv
37349d1



Provincial Agricultural Land Commission
Application #H-37349
Resolution #279/2007



ALC File #:	25-07-37349
Mapsheet #:	82L.064
Map Produced:	May 17, 2007
Regional District:	Columbia Shuswap



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on June 6, 2007 in Vernon, BC.

PRESENT:	Sue Irvine	Chair, Okanagan Panel
	Monika Marshall	Commissioner
	Sid Sidhu	Commissioner
	Brandy Ridout	Staff
	Martin Collins	Staff

For Consideration

Application: # H - 37349
Applicant: Isabella Starink
Agents: Herman Starink and Bob Holtby
Proposal: To subdivide 2 parcels (12.6 ha and 0.7 ha) into 6 lots ranging in size from 2 ha to 3.5 ha.
Legal: 1. PID: 014-078-431
L.S. 1, W ½, Section 17, Township 20, Range 10, W6M, Kamloops Division Yale District, EXCEPT Plans 10532, 12894, 16245, 16383 & 17363
2. PID: 014-078-414
L.S. 2, Section 17, Township 20, Range 10, W6M, Kamloops Division Yale District, EXCEPT Plans 10532, 12894, 16245, 17363 & 34989
Location: 750 – 60 Street SW, Gleneden

Site Inspection

A site inspection was conducted on June 6, 2007. Those in attendance were:

- Sue Irvine Chair, Okanagan Panel
- Monika Marshall Commissioner
- Sid Sidhu Commissioner
- Erik Karlsen Chair, ALC
- Brandy Ridout Staff
- Martin Collins Staff
- Herman Starink Agent
- Bob Holtby Agent

Mr. Holtby read the May 29, 2007 staff report onsite and confirmed that there were no errors.

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They 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.

Discussion

Assessment of Agricultural Capability

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is 70% Class 3 with limitations of topography and stoniness and 30% Class 6 with a limitation of topography.

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Assessment of Agricultural Suitability

The Commission considered whether the property was suitable for agriculture. This consideration included details such as property size, surrounding land use and limitations to agriculture. The Commission noted that the main impediment to farming was the presence of numerous ravines that essentially made farming the property as a unit impractical.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. As the property was divided by ravines, making it difficult to farm as a unit, it did not believe that the proposed subdivision would negatively impact agriculture. However, it believed that it was important not to have lot lines through the two cleared fields but to create a subdivision pattern that kept the fields intact.

Conclusions

1. That the land under application has some agricultural capability and is appropriately designated as ALR.
2. That the suitability of the land under application for agricultural use is challenged by the existence of numerous ravines throughout the property.
3. That the proposal will not negatively impact agriculture.

IT WAS

MOVED BY: Commissioner Irvine

SECONDED BY: Commissioner Sidhu

THAT the application to subdivide 2 parcels (12.6 ha and 0.7 ha) into 6 lots ranging in size from 2 ha to 3.5 ha be approved on the grounds that it will not negatively impact agriculture

AND THAT the approval is subject to the following conditions:

- the subdivision plan to be in substantial compliance with the plan submitted with the application. The final subdivision plan must not show lot lines through the cleared fields but must keep each of the cleared fields intact (together on one lot or each on a separate lot).
- the subdivision must be 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 # 279/2007



Staff Report
Application # H – 37349
Applicant: Isabella Starink
Agent: Herman Starink & Bob Holtby
Location: Salmon Arm

DATE RECEIVED: April 16, 2007

DATE PREPARED: May 29, 2007

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To subdivide 2 parcels (12.6 ha and 0.7 ha) into 6 lots ranging in size from 2 ha to 3.5 ha.

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

BACKGROUND INFORMATION:

Local Government:

City of Salmon Arm

Legal Description of Properties:

1. PID: 014-078-431
L.S. 1, W ½, Section 17, Township 20, Range 10, W6M, Kamloops Division Yale District, EXCEPT Plans 10532, 12894, 16245, 16383 & 17363
2. PID: 014-078-414
L.S. 2, Section 17, Township 20, Range 10, W6M, Kamloops Division Yale District, Except Plans 10532, 12894, 16245, 17363 & 34989

Purchase Date:

June 1979

Location of Properties:

750 – 60 Street SW, Gleneden

Size of Properties:

12.6 ha and 0.7 ha (both properties are in the ALR).

Present use of the Properties:

Residence, 2 small fields

Surrounding Land Uses:

WEST: small holdings
SOUTH: small holdings
EAST: escarpment, small holdings
NORTH: small holdings

Agricultural Capability:

Data Source: Agricultural Capability Map # 82L/11
The majority of the property is identified as having mixed prime and secondary ratings.

Official Community Plan and Designation:

City of Salmon Arm OCP Bylaw No. 3000
Designation: Acreage Reserve

Zoning Bylaw and Designation:

City of Salmon Arm Zoning Bylaw No 2000
Designation: A-2 (Rural Holding)
Minimum Lot Size 4 ha

RELEVANT APPLICATIONS:

Application #33808-0

Applicant: George Hohmann
Decision Date: May 28, 2001
Proposal: To subdivide a 16 ha parcel into 5 lots ranging in size from 2 ha to 6.2 ha and to extend access road through western side of property.
Decision: Refused as proposed but allowed the subdivision of the property into four lots on the grounds that the parcel is limited due to steep slopes and rockiness.

Application #23042-0

Applicant: Audrey Fawkes
Decision Date: April 5, 1989
Proposal: To subdivide a 2 ha lot from the 8 ha property for a new homesite.
Decision: Allowed the subdivision of the 2 ha lot from the 8 ha property subject to the consolidation of the 6 ha remnant with an adjoining property.

Reconsideration 1: To subdivide the 8 ha property into three lots; 2 ha, 2.3 ha and 3.7 ha. The Commission allowed the subdivision as proposed, subject to the consolidation of the 3.7 ha area with an adjoining property.

Reconsideration 2: To subdivide a 2 ha lot from the 8 ha property as divided by a cliff.
Allowed.

Reconsideration 3: To subdivide the 5.9 ha property into a 2.2 ha lot and a 3.7 ha lot, as divided by the escarpment. The applicant has offered to register a covenant against the 3.7 ha lot restricting the siting of the home away from the lowland area. Allowed, subject to a covenant registered against the 3.7 ha lot restricting the placing of the home to the remaining upland (lower capability) area.

RELEVANT APPLICATIONS (continued):

Application #34716-0

Applicant: Les & Janet Whitford
Decision Date: February 28, 2003
Proposal: To subdivide a 4 ha rural residential property into two 2 ha lots.
Decision: Refused because the creation of two 2 ha lots would eliminate the agricultural potential of the property.

Application #35066-0

Applicant: Al & Barbara Horsman
Decision Date: November 4, 2003
Proposal: To subdivide the 8.1 ha subject property into one approximately 2 ha lot and an approximately 6 ha remainder.
Decision: Refused as proposed, but allow an alternate subdivision alignment which retains the maximum amount of agricultural land in one lot.

Application #36883-0

Applicant: Ernest Arsenault
Decision Date: September 29, 2006
Proposal: To subdivide the 15 ha subject property to create 7 parcels of approximately 2 ha each and an access road.
Decision: Refused on the grounds the land had good agricultural capability.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

City of Salmon Arm Council: Moved that the application be authorized for submission.

Salmon Arm Development Services: The proposal will likely have little, if any, impact on any adjoining agricultural operations.

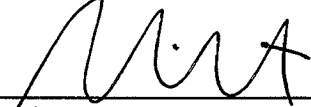
STAFF COMMENTS:

This property was not in the area considered by the Commission under application #H-16644 for residential development in the Gleneden area.

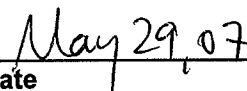
ATTACHMENTS:

- ALR map (1:50,000)
- Regency Consultants Ltd. report
- Air photo

END OF REPORT



Signature



Date