



**Agricultural Land Commission**  
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Burnaby, British Columbia V5G 4K6  
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August 31, 2007

Reply to the attention of Simone Rivers  
ALC File: #ZZ - 37471

R G (Bob) Holtby  
670 - 17th Street, SE  
Salmon Arm, BC V1E 1W2

Dear Mr. Holtby:

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

Please find attached the Minutes of Resolution # 424/2007 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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlisen, Chair

cc: Thompson-Nicola Regional District (ALR-N-85)

Enclosure: Minutes/Sketch Plan

SBR/lv  
37471d1

Approved

Subdivision

R 23 W6M

PLAN #1982

PLAN 31304

130

DISTRICT LOT

CREEK

ASBESTOS  
NOT DETECTED  
UPON INSPECTION  
DATE: 01/15/07

Provincial Agricultural Land Commission

Application # ZZ-37471  
Resolution # 424/2007

PLAN KAP49185

Lot 6  
11.6 ha  
Area: 11.8 ha

Lot 5  
7.0 ha  
Area: 7.0 ha

Lot 4  
3.5 ha  
Area: 3.5 ha

Lot 3  
4.8 ha  
Area: 4.8 ha

Lot 2  
8.6 ha  
Area: 8.6 ha

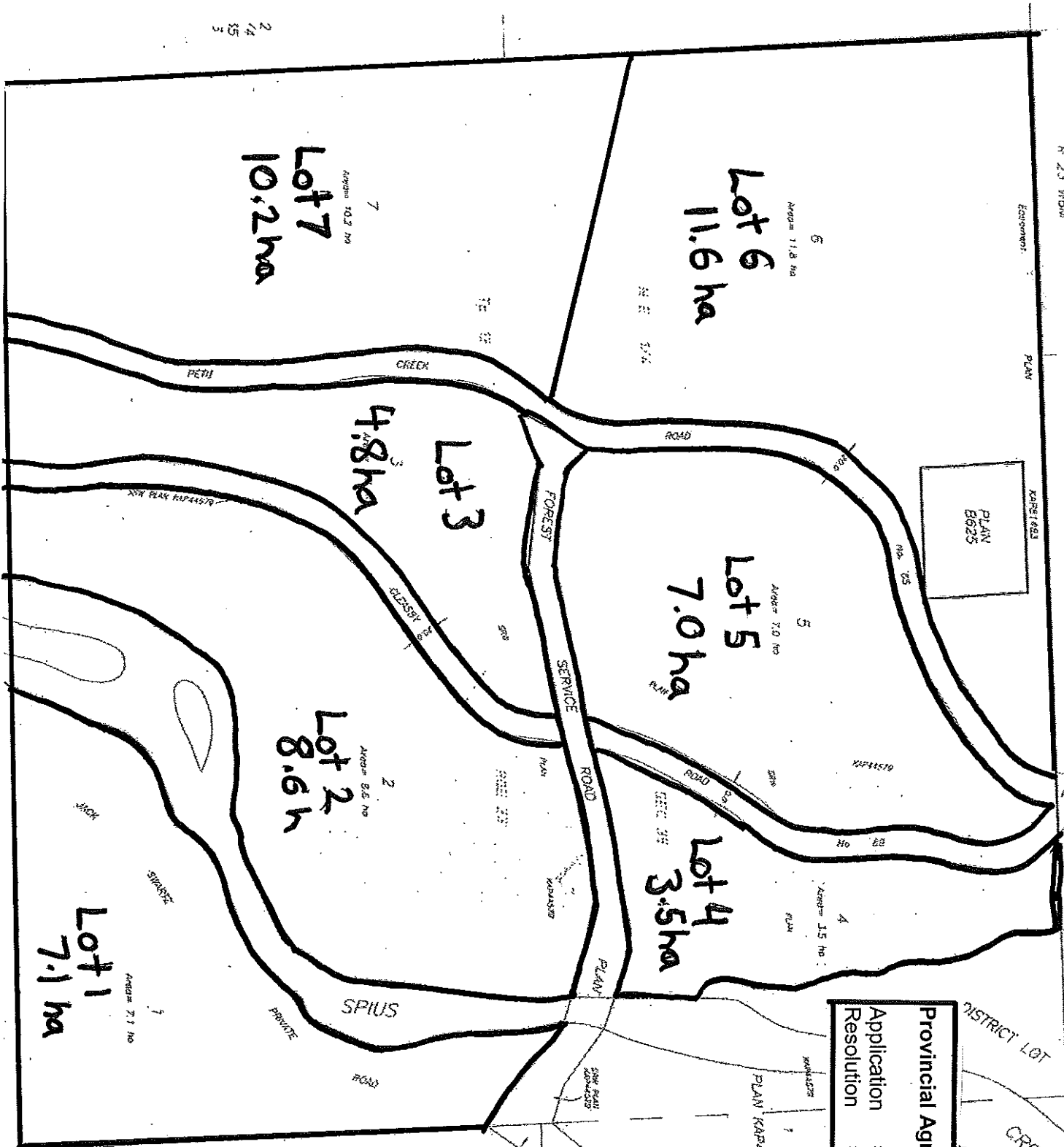
Lot 7  
10.2 ha  
Area: 10.3 ha

Lot 1  
7.1 ha  
Area: 7.1 ha

REB  
LS 12  
SEC 30  
TP 15

Equipment  
30.115 AT10018

KAP46188



2  
1/4  
35  
3



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on August 23, 2007 at the offices of the Ministry of Agriculture and Lands, Kamloops, B.C.

<b>PRESENT:</b>	Grant Huffman	Chair, Interior Panel
	Holly Campbell	Commissioner
	Gordon Gillette	Commissioner
	Simone Rivers	Staff
	Martin Collins	Staff

**For Consideration**

Application: # ZZ- 37471  
Applicant: 250 Investments Ltd.  
Agent: R G (Bob) Holtby  
Proposal: To subdivide the 65 ha parcel into seven (7) lots.  
Legal: PID: 014-533-774  
The Fractional North East 1/4, Section 35, Township 13, Range 23, W6M, Kamloops Division of Yale District, as shown on Plan of Said Township Dated at Ottawa 24/4/1914, EXCEPT Plans B625, KAP46188 and KAP49185  
Location: Canford Area, West of Lower Nicola

**Site Inspection**

A site inspection was conducted on August 22, 2007. Those in attendance were:

- Grant Huffman                      Chair, Interior Panel
- Holly Campbell                    Commissioner
- Gordon Gillette                   Commissioner
- Simone Rivers                     Staff
- Martin Collins                     Staff
- Bob Holtby                         Agent to the Applicant
- Randy Ryzak                       Applicant

The Commission met the applicant on the property and walked and drove over the entire property, noting that;

- 11.5 ha of the property was outside the ALR,
- a portion of the property that was historically used as a sawmill,
- gravel has also been removed from portions of the subject property,
- the property was divided into six distinct sections by three roads and a creek.

Mr. Bob Holtby confirmed that the staff report dated August 2, 2007 was received and no errors were identified.

## **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**

The agricultural capability of the soil of the subject property varied throughout the property from improved ratings of Class 3 (with limitations of moisture deficiency and stoniness) to Class 6 TP (limitations of topography and stoniness) for the portion of the property outside of the ALR). The site visit largely confirmed (or even downgraded) the soil capability ratings.

The Commission noted that proposed Lots 6 and 7 were only partially in the ALR and largely consisted of steep hillside with bedrock outcroppings. The ALR boundary did not accurately match the topographic features and even the ALR designated areas of Lots 6 and 7 are likely not arable.

### **Assessment of Agricultural Suitability**

Lot 2 has very limited agricultural capability because of gravel extraction and previous sawmill uses. Although the sawmill burned down about 100 years ago, there is widespread evidence of past industrial activity, ranging from building foundations to rusty equipment.

Proposed Lot 1 was separated from the remainder of the property by Spius Creek. Lots 2-5 are divided from each other by existing roads.

### **Assessment of Other Factors**

The Commission recalled that although it recently refused several applications for subdivision in this area, it evaluates each application on its own merits. The Commission believes this property has several unique limitations to agricultural development that are not present on nearby properties. The unique characteristics include; multiple roads and a creek that divide the property; the significant non arable and non-ALR portions of the property; the previous industrial use and gravel removal. Although one limiting factor does not necessarily make the land unsuitable for agriculture, the combination of multiple severe and unique limitations suggests to the Commission that the property has very limited capacity for agricultural development.

**Conclusions**

1. That the land under application has limited agricultural capability
2. That the land under application is not suitable for agricultural use.
3. That the proposal will not impact agriculture.

**IT WAS**

**MOVED BY:** Commissioner Huffman

**SECONDED BY:** Commissioner Campbell

THAT the application be allowed.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- 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 # 424/2007**