



**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

October 5, 2007

Reply to the attention of Brandy Ridout  
ALC File: #H - 37497

Randy and Rosina Widmer  
3424 Springview Place  
Armstrong, BC V0E 1B8

Dear Mr. and Mrs. Widmer:

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

Please find attached the Minutes of Resolution # 488/2007 outlining the Commission's decision as it relates to the above noted application.

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', is written over the 'Per:' label.

Erik Karlsen, Chair

cc: Columbia Shuswap Regional District (#LC2357-D)

Enclosure: Minutes/Sketch Plan

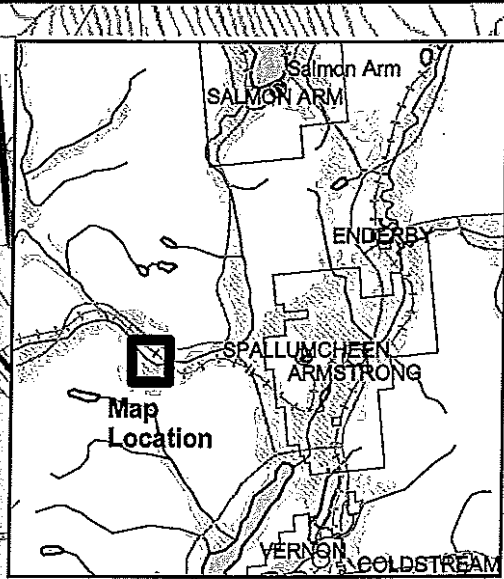
BR/lv  
37497d1

119°30'0"W

**Provincial Agricultural Land Commission**  
Application #H-37497  
Resolution #488/2007



area approved for subdivision  
(1.6 ha in the ALR)



50°28'0"N

**Subject Property**

**ALR**

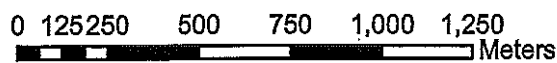
Hwy 97

119°30'0"W



ALC Context Map

Map Scale: 1:20,000



ALC File #: 21-07-37497

Mapsheet #: 82L.043

Map Produced: Jul 11, 2007

Regional District: Columbia Shuswap



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on September 20, 2007 in Oliver, BC.

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

### For Consideration

Application: # H - 37497  
Applicant: Randy and Rosina Widmer  
Proposal: To subdivide the 52 ha subject property into two parcels (30 ha and 22. ha), as divided by Highway 97. About 1.6 ha of the 22 ha area lying north of Highway 97 lies within the Agricultural Land Reserve. The 30 ha portion lying South of Highway 97 lies entirely within the Agricultural Land Reserve.  
Legal: PID: 013-974-556  
Northeast ¼, Section 19, Township 17, Range 11, W6M, Kamloops Division of Yale District, EXCEPT Plans A322 and KAP65292  
Location: 4885 Highway 97 - Located west of Heywood Corner and Southeast of Falkland, in the Cedar Hill area.

### Site Inspection

A site inspection was not conducted.

### 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 majority of the soil of the 30 ha portion of the subject property south of Highway 97 is 60% Class 4 with limitations of topography and stoniness and 40% Class 6 with a limitation of topography. This area is in the ALR.

Class 4 – Land in this class has limitations that require special management practices or severely 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.

The agricultural capability of the soil of 1.6 ha ALR portion north of Highway 97 is Class 6 with a limitation of topography and bedrock near the surface.

#### **Assessment of Agricultural Suitability**

The Commission assessed whether the factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission noted that Highway 97 could be an impediment to farming the property as a unit.

#### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. It noted that only a small portion (1.6 ha) of the 52 ha subject property lying north of the highway is in the ALR. It also noted that the agricultural capability of this 4 ha area is Class 6.

As such, the Commission did not believe that subdividing the property along the highway would have a negative impact on existing or potential agricultural use of the subject property or surrounding lands.

#### **IT WAS**

**MOVED BY:** Commissioner Sidhu

**SECONDED BY:** Commissioner Irvine

THAT the application be approved on the grounds that subdividing the property along the highway would not have a negative impact on existing or potential agricultural use of the subject property or surrounding lands.

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 # 488/2007**



**Staff Report**  
**Application # H – 37497**  
**Applicant: Randy and Rosina Widmer**  
**Location: Highway #97 East of Falkland**

**DATE RECEIVED:** June 19, 2007

**DATE PREPARED:** September 5, 2007

**TO:** Chair and Commissioners – Okanagan Panel

**FROM:** Martin Collins, Regional Planner

**PROPOSAL:** To subdivide the 52 ha subject property into two parcels (30 ha and 22. ha), as divided by Highway 97. About 4 ha of the 22 ha area lying north of Highway 97 lies within the Agricultural Land Reserve. The 30 ha portion lying South of Highway 97 lies entirely within the Agricultural Land Reserve.

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: 013-974-556  
NorthEast 1/4, Section 19, Township 17, Range 11, W6M, Kamloops Division Yale District,  
EXCEPT Plans A322 and KAP65292

**Purchase Date:**

2007-01-01

**Location of Property:**

4885 Highway 97 - Located west of Heywood Corner and Southeast of Falkland, in the Cedar Hill area.

**Size of Property:**

52 ha (about 34 ha lies within the ALR).

**BACKGROUND INFORMATION (continued):**

**Present use of the Property:**

South of Highway #97 - residence, barn, shelter, shed, hay crop and pasture.  
North of Highway 97 - forested land with no development

**Surrounding Land Uses:**

**WEST:** Large farming operation in the ALR  
**SOUTH:** Farming operations in the ALR  
**EAST:** Highway #97, forested non ALR hillside  
**NORTH:** Highway #97, forested non ALR hillside

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82L/5  
The majority of the property is identified as having mixed prime and secondary ratings.

**Official Community Plan and Zoning Designation:**

(Rural Land Use Bylaw) Salmon Valley Land Use Bylaw No. 2500 Designation: R - Rural  
which permits a minimum lot size of 60 ha.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

Columbia Shuswap Regional District Board: the Regional Board forwarded the application with a recommendation of support.

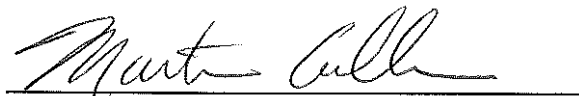
**STAFF COMMENTS:**

Staff recommends that the application be allowed as proposed because Highway #97 is a significant impediment to farming, and the 4 ha ALR area lying north of the highway is not an integral part of the farm operation.

**ATTACHMENTS:**

- 1:20,000 scale ALR map
- Airphoto

**END OF REPORT**

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date