



Agricultural Land Commission
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November 30, 2007

Reply to the attention of Brandy Ridout
ALC File: H-37585

R G (Bob) Holtby
670 - 17th Street, SE
Salmon Arm, BC V1E1W2

Dear Mr. Holtby:

Re: Application to subdivide in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 581/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly.

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 (LC2358-D)

Enclosure: Minutes

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 9, 2007 at the Ministry of Agriculture and Lands offices located at 4607 - 23rd St, Vernon, BC.

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

For Consideration

Application: # H- 37585
Applicant: Warren and Trudy Schweb
Agent: R G (Bob) Holtby
Proposal: To subdivide an 8 ha lot in the northeast corner of the 64 ha property, adjacent to the Salmon River Road.
Legal: PID: 013-685-783
South East 1/4, Section 7, Township 18, Range 10, W6M, Kamloops Division Yale District, EXCEPT Plans H8247 and KAP72516
Location: Vacant - no house number assigned, Silver Creek Area - North of Heywood Corner

Site Inspection

A site inspection was conducted on November 9, 2007. Those in attendance were:

- Sue Irvine Chair, Okanagan Panel
- Sid Sidhu Commissioner
- Roger Mayer Commissioner
- Brandy Ridout Staff
- Martin Collins Staff
- Warren & Trudy Schweb Applicants
- Bob Holtby Agent

Mr. Holtby confirmed that the staff report dated October 25, 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

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 subject property is 60% Class 4TP and 40% Class 5TM. There is a ridge through the property that is Class 6T and a strip nearest the highway that is 60% Class 2X and 40% Class 3TM.

Classes:

- Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
- Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
- Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.
- Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.
- Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Subclasses:

- M soil moisture deficiency
- P stoniness
- T topography
- X cumulative and minor adverse

The Commission noted Mr. Holtby's report which indicates that, in his opinion, none of the upper landform is arable due to its topography constraints and although there is some grazing capability it is constrained by the absence of water.

Assessment of Agricultural Suitability

The Commission assessed whether factors have caused or will cause the land to become unsuitable for agriculture. The Commission noted that the subdivision of the previous homesite severance on the property had resulted in the separation of the field areas by a residential lot. This was due to that fact that the flat area along the highway is quite narrow and the topography rises quite steeply behind the homesite.

While it recognized that access to the two fields held challenges, the Commission did not believe that the road was so busy as to be a complete impediment to moving farm equipment from one field to the other. It also believed that if necessary, an alternate solution could be found to the issue of access. As such, despite the separation of the two fields, the Commission believed that the property could be operated as a single unit.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land.

Although the applicant's agent stated that he expects that both fields would continue to be farmed under separate ownership, the Commission believed that the 2.5 ha field was better left with the larger parcel as it would be less likely to be farmed if it was on its own title. It believed that the likelihood of a farmer investing in haying equipment for a 2.5 ha field was limited and that the area would likely either be farmed by a neighbour (meaning that equipment would have to be moved across the road) or not farmed at all.

The Commission believed that the property was better suited for agriculture in its present configuration. It believed that subdividing an 8 ha lot from the 64 ha property would remove an arable 2.5 ha hayfield from the parent property, thereby reducing its suitability for agriculture.

In addition, the Commission does not consider the provision of financing for the remainder of the farm as appropriate rationale for subdividing agricultural properties.

Conclusions

1. The land under application has agricultural capability and is appropriately designated as ALR.
2. Although challenged by access issues, the land under application is suitable for agricultural use as a unit.
3. That the proposal will have a negative impact on agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Sidhu

SECONDED BY: Commissioner Irvine

THAT the application to subdivide an 8 ha lot in the northeast corner of the 64 ha property be refused.

CARRIED

Resolution # 581/2007