



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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December 15, 2005

Reply to the attention of Brandy Ridout

Club Shuswap Golf and R.V. Ltd.
PO Box 147, 5751 TCH
Canoe, B.C. V0E 1K0

Dear Sir/Madam:

Re: Application #H-36314

1. PID: 011-508-191
Lot D, Sec. 31, Twp. 20, R. 9, W6M, KDYD, Plan 1620, EXCEPT Plans 7211, 39896 and H609;
2. PID: 017-872-626
Lot 1, Sec. 31, Twp. 20, R. 9, W6M, KDYD, Plan KAP47838;
3. PID: 017-872-634
Lot 2, Sec. 31, Twp. 20, R. 9, W6M, KDYD, Plan KAP47838;
4. PID: 011-636-882
Lot 1, Sec. 31, Twp. 20, R. 9, W6M, KDYD, Plan 39896.

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to exclude 12 ha (comprising properties # 1-3 noted above) from the ALR and undertake a boundary adjustment between Lot D, Plan 1620 and Lot 1, Plan 39896. A golf course and strata RV Park would be developed on the excluded land. The application was submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you for taking the time to meet with its representatives on Thursday, December 8, 2005. The Commission found the meeting and site visit informative.

The Commission noted that the land proposed for exclusion (though partially in golf course uses) was proposed for a strata RV Park development, and golf course expansion. While the Commission appreciates that a golf course is not agricultural, it can revert to agricultural production should the need arise. Therefore the Commission was not prepared to exclude the existing golf course, or the proposed expansion area.

In addition, the Commission recalled that it allowed the development of the RV Park on about 3 ha of Lot 1, Plan KAP 47838 in 1989, by Resolution # 392/89. While It remains prepared to abide by this previous decision, the Commission is not supportive of the development of a strata RV Park, believing it to be is less desirable than an overnight park, from an agricultural perspective, because it effectively precludes reversion of the land to agriculture by establishing ownership, and residency.

For these reasons, the Commission refused your application as proposed. The decision is recorded as Resolution #663/2005.

However, in an effort to rationalize legal boundaries and recognize long standing (and previously allowed) uses, the Commission is prepared to allow the following, while retaining the land within the ALR.

- 1) The lot line adjustment between Lot 1, Plan 39896 and Lot D, Plan 1620, as proposed
- 2) The expansion of the golf course onto Lot D, Plan 1620, subject to the consolidation of Lot D with the adjoining Lot 1, Plan 47838 (which is also used for golf course purposes).
- 3) The development of a 100 unit RV campground on approximately 3 ha of Lot 1, Plan 47838 (but not as a strata subdivision) to be consistent with the permission provided by Resolution # 392/89. Please provide a draft layout plan for the Commission's review.

If you wish to proceed on the basis of this approval, please send two (2) paper prints of the final survey plans for the lot line adjustment to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,

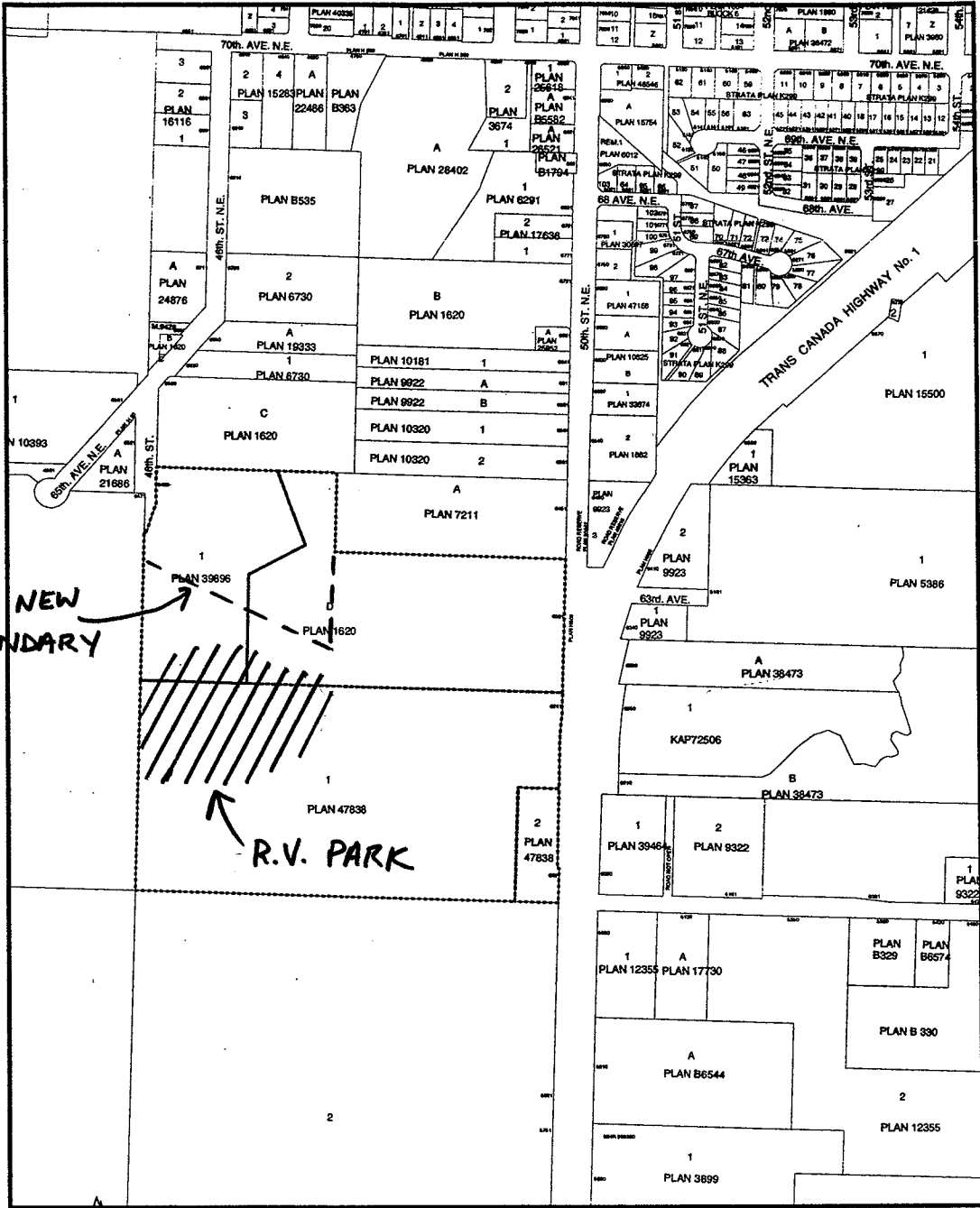
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Shannon's Outdoor Recreations Ltd - Box 147, Canoe, BC, V0E1K0
Denise Renee Binkley - 6400-46th Street, NE, Salmon Arm, BC, V0E1K0
City of Salmon Arm - 293
R G Holtby, 670 - 17th Street, SE, Salmon Arm, BC - V1E1W2

BR/lv/Encl.
36314d1



 Subject Properties

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on Thursday, December 8th, 2005 at Commissioner McCoubrey's home in Lake Country.

PRESENT: Sue Irvine Chair
Sharon McCoubrey Commissioner

ABSENT: Sid Sidhu Commissioner

STAFF: Brandy Ridout, Regional Research Officer
Martin Collins, Planner

For Consideration

Brandy Ridout presented the staff report dated October 17, 2005 regarding application #H-36314. Mr. Holtby confirmed that he received the staff report and did not identify any errors.

Site Inspection

A site inspection was conducted on Thursday, December 8, 2005. Those in attendance were:

- Commissioners Irvine & McCoubrey
- Agricultural Land Commission Staff: Brandy Ridout, Regional Research Officer and Martin Collins, Planner
- Bob Holtby (agent), Trevor Smith (Golf Course Superintendent)

The Commissioners viewed the proposed exclusion areas, and the site for the RV Park., noting that the RV Park site had been terraced.

The site inspection lasted from 8:30 a.m. to 9:00 a.m.

Commission Discussion

The Commission did not support the exclusion of these lands because of concerns that they might be used for other than golf course or RV Park uses. In addition the Commission was not prepared to support a "strata" RV Park development because it believed the multiple ownership model made it less effective as a recreational facility and more like residences. A strata development also precluded a return to farm uses should the golf course and RV Park land be needed for food production in the future.

The Commission had no objection to the proposed boundary adjustment, as it made sense from a topographic perspective.

IT WAS

MOVED BY: Commissioner S. Irvine

SECONDED BY: Commissioner S. McCoubrey

THAT the staff report be received and the application to exclude 12 ha (comprising three lots and largely in golf course use), and develop a strata RV Park on a portion of Lot 1, Plan 47838, be refused, on the grounds the land had capability for agriculture and could revert to agricultural uses if the need arises.

However, in view of the existing legal boundaries and long standing uses, the Commission is prepared to allow the following, while retaining the land within the ALR.

- 1) The lot line adjustment between Lot 1, Plan 39896 and Lot D, Plan 1620, as proposed
- 2) The expansion of the golf course onto Lot D, Plan 1620, subject to the consolidation of Lot D with the adjoining Lot 1, Plan 47838 (which is also used for golf course purposes).
- 3) The development of a 100 unit RV campground on approximately 3 ha of Lot 1, Plan 47838 (but not a strata subdivision) to be consistent with the permission provided by Resolution # 392/89.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



663/05

Staff Report
Application # H – 36314
Applicant: Club Shuswap Golf and R.V. Ltd
Agent: R G Holtby
Location: Canoe

DATE RECEIVED: October 17, 2005

DATE PREPARED: November 21, 2005

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To do a boundary line adjustment and subsequent exclusion of one of the newly created lots (4 ha) and to exclude two existing lots (7.7 ha and 0.4 ha) to allow for the development of a more comprehensive facility consisting of strata recreation sites.

This application is made pursuant to sections 21(2) and 30(1) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The proposed boundary line adjustment would be between Lot 1, Plan 39896 (2.3 ha) and Lot D, Plan 1620 (4 ha) to facilitate the construction of a golf hole on the southwest corner of the new proposed Lot B. Although the configuration and names of the lots would be different, they would remain the same sizes - Lot A (2.3 ha) and Lot B (4 ha). Lot B would then be excluded from the ALR to allow for an expansion of the strata recreation site and other non-farm uses.

The exclusion of Lots 1 (7.7 ha) and 2 (0.4 ha), Plan KAP47838 are proposed to allow the conversion of previously approved recreational sites (application #22339-1) to be sold as strata titled lots.

Local Government:

District of Salmon Arm

Legal Description of Properties:

1. Lot D, Section 31, Township 20, Range 9, W6M, Kamloops Division Yale District, Plan 1620, EXCEPT Plans 7211, 39896 and H609 (PID: 011-508-191)
2. Lot 1, Section 31, Township 20, Range 9, W6M, Kamloops Division Yale District, Plan KAP47838 (PID: 017-872-626)
3. Lot 2, Section 31, Township 20, Range 9, W6M, Kamloops Division Yale District, Plan KAP47838 (PID: 017-872-634)
4. Lot 1, Section 31, Township 20, Range 9, W6M, Kamloops Division Yale District, Plan 39896 (PID: 011-636-882)

BACKGROUND INFORMATION (continued):

Purchase Dates:

Lot D, Plan 1620 – April 2004 (owned by Club Shuswap and RV Ltd.)
Lot 1, Plan 47838 – September 1994 (owned by Club Shuswap and RV Ltd.)
Lot 2, Plan 47838 – August 2004 (owned by Club Shuswap and RV Ltd.)
Lot 1, Plan 39896 – September 2004 (owned by Denise Renee Binkley)

Location of Properties:

6021, 6241 and 6381 50th Street NE, Salmon Arm

Size of Properties:

14.3 ha (All of the properties are in the ALR).

Present use of the Property:

Golf course

Surrounding Land Uses:

WEST: RV Park
SOUTH: Golf course, small holdings
EAST: Trans Canada Highway
NORTH: North Canoe Elementary School

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 Official Community Plan Bylaw No. 3000
Designation: Acreage Reserve

Zoning Bylaw and Designation:

City of Salmon Arm Zoning Bylaw No. 2000
Designation: Park & Recreation (P-1) and Rural Holding (A-2)
Minimum Lot Size: P-1, 0.2 ha, A-2, 2.0 ha

PREVIOUS APPLICATIONS:

Application #18374-0

Applicant: Marie Bonivitch
Decision Date: August 24, 1984
Proposal: To subdivide the property into two lots of 2.0 ha and 4.4 ha based on the topography of the property.
Decision: Allowed (became Lot 1, Plan 39896 and Lot D, Plan 1620).

PREVIOUS APPLICATIONS (continued):

Application #22339-0

Applicant: Garry Shannon
Decision Date: October 21, 1988
Proposal: To develop a 100 unit campground on the 7.7 ha property (Lot 1, Plan 47838).
Decision: Refused due to impact

Application #22339-1

Applicant: Garry Shannon
Decision Date: March 3, 1989
Proposal: To reconsider based on letters of request from the local M.L.A., the Mayor of Salmon Arm, and a representative from Tourism Shuswap.
Decision: Refused - would allow if the campground was located to the west of the trout ponds, subject to submission of sites plans and relocation of the washroom facility

Application #25637-0

Applicant: Garry Shannon
Decision Date: December 18, 1991
Proposal: To realign boundaries between two properties in order to stop golf balls going into Mr. Rasmunson's property and allow applicant to operate as a single unit rather than separated by Mr. Rasmunson's property.
Decision: Allowed (new Lots 1 and 2, Plan 47838)

Application #30883-0

Applicant: Narcisse Welsh
Decision Date: December 11, 1996
Proposal: To subdivide a 0.9 ha lot on 50th Street to be used for RV sales and service (Lot D, Plan 1620).
Decision: Refused - due to reasons of impact and reasonable agricultural capability.

Application #30883-1

Applicant: Narcisse Welsh
Decision Date: October 22, 1998
Proposal: New information provided - Council is in support of the proposal (previous Council was opposed) and it is suggested that there are no alternative locations available.
Decision: Refused - due to reasons of impact and agricultural capability

Application #30883-2

Applicant: Narcisse Welsh
Decision Date: April 16, 1999
Proposal: To use the area identified in previous requests for subdivision as an RV storage area instead.
Decision: Refused due to impact

RELEVANT APPLICATIONS:

Application #13187-0

Applicant: Garry Shannon
Decision Date: December 10, 1981
Proposal: To expand the existing recreational park by adding 9 holes to the 9 hole par 3 course, increase the number of driving range pads to 18, relocate and add to the trampolines, and add to and refurbish the mini golf course (to 18 holes).
Decision: Allowed

RELEVANT APPLICATIONS (continued):

Application #31783-0

Applicant: Shannon's Outdoor Recreations Ltd

Decision Date: March 26, 1998

Proposal: To exclude the 15.4 ha subject property to expand an adjacent golf course, RV park/campground, and residential development between 65th Avenue and the north property boundary at a future date.

Decision: Allowed - subject to a leave strip on the southwest corner of the property or otherwise should the natural vegetation not remain healthy that it be replaced with Commission-endorsed vegetative buffering.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

City of Salmon Arm Council: Application authorized for submission.

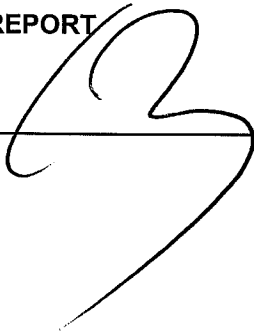
STAFF COMMENTS:

Staff suggests the Commission consider the following:

- The majority of the subject properties have class 1 improved soil capability ratings.
- The Commission has previously allowed a 100-unit campground facility to be developed on the northern portion of one of the subject properties (Lot 1, Plan 47838).

END OF REPORT

Signature



Date

Nov 23/05