



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

May 5, 2006

Reply to the attention of Brandy Ridout
ALC File #H-36385

Hamid Saatchi
1101 Silver Creek Road
Salmon Arm, BC V1E 4M1

Dear Mr. Saatchi:

Re: Application to subdivide in the Agriculture Land Reserve

Please find attached the Minutes of Resolution #202/2006 outlining the Commission's decision as it relates to the above noted application.

If you wish to pursue the Commission's alternate approval, 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 'E. Karlsen', written over a white background.

Erik Karlsen, Chair

cc: Regional District of Columbia Shuswap - LC2324-D

BR/lv/Encl.: Minutes
Sketch Plan

36385d1

The Commission would also consider further subdivision west of Salmon River Road subject to the consolidation of the remnants of the two subject properties and/or other properties owned by the applicant.

IT WAS

MOVED BY: Commissioner Irvine

SECONDED BY: Commissioner McCoubrey

THAT the application be refused as proposed

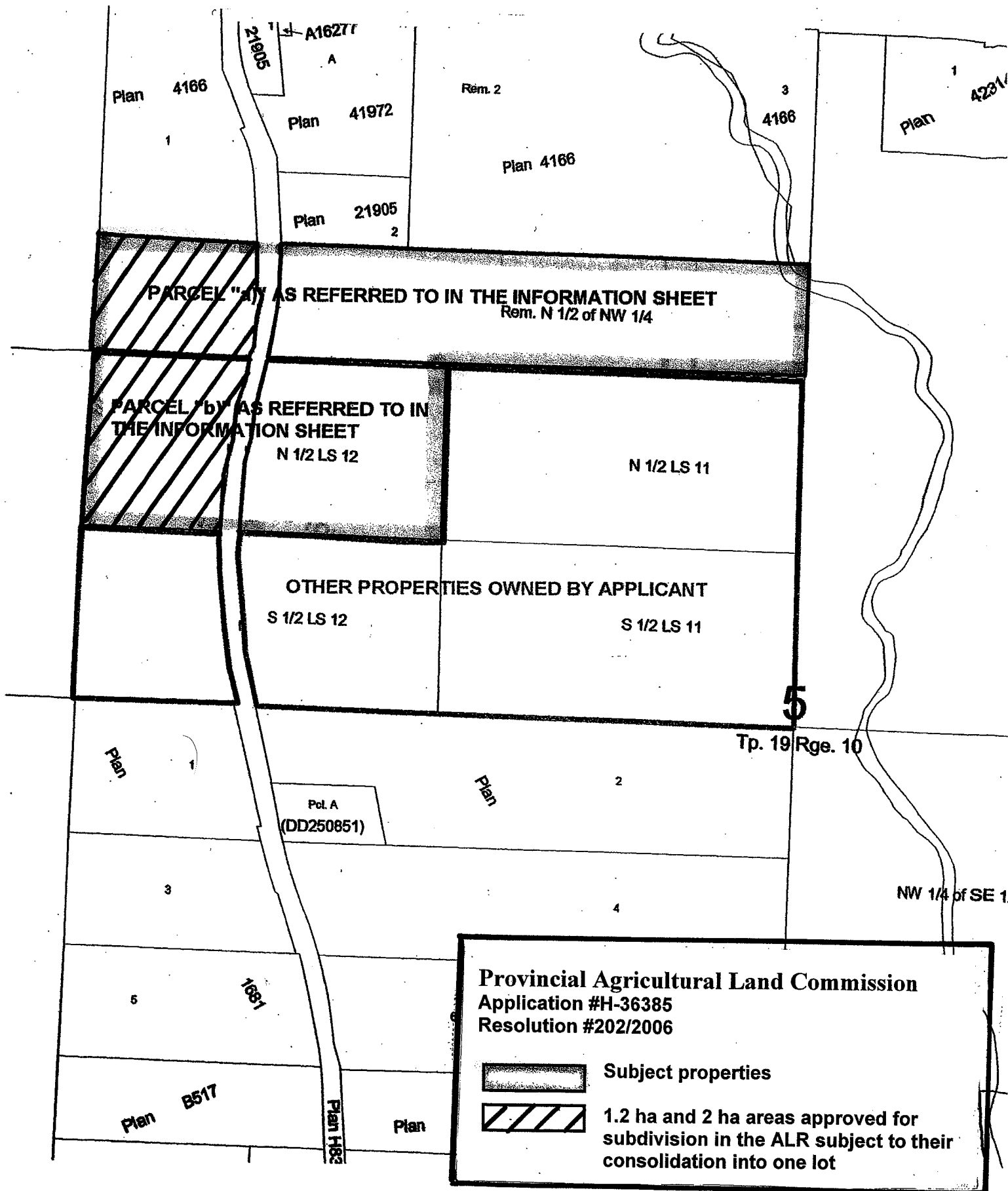
AND THAT the Commission would approve the proposed subdivision subject to the following conditions:

- The subdivision be in substantial compliance with the attached sketch, and
- The consolidation, by legal survey, of the two new lots lying west of Salmon River Road.

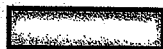
This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

RESOLUTION #202/2006



Provincial Agricultural Land Commission
Application #H-36385
Resolution #202/2006



Subject properties



1.2 ha and 2 ha areas approved for subdivision in the ALR subject to their consolidation into one lot



Staff Report
Application # H – 36385
Applicant: Hamid Saatchi
Agent: Dave McDonald
Location: Salmon Arm

DATE RECEIVED: November 25, 2005

DATE PREPARED: December 30, 2005

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To subdivide off the westerly portions, as divided by Salmon River Road, of the two 10 ha subject properties creating two new lots - one 1.2 lot and one 2 ha lot.

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 Properties:

1. PID: 014-105-977
The NorthWest ¼, Section 5, Township 19, Range 10, W6M, Kamloops Division Yale District, EXCEPT 1) Plans 4166 and H839 2) The South ½ of the NorthWest ¼ thereof;
2. PID 014-106-060
The North ½ of Legal Subdivision 12, Sec. 5, Twp. 19, R. 10, W6M, KDYD

Purchase Date:

1974

Location of Properties:

One property has no civic address, the other is 1061 Salmon River Road, south of Salmon Arm

Size of Property:

Each of the subject lots is 10 ha and they lie entirely within the ALR

BACKGROUND INFORMATION (continued):

Present use of the Property:

Silver Creek Dairy Farm. The NW¼ lot is mainly pasture and hayfields and dairy barn, the N½ lot has pasture, hayfields, dairy barn, single family dwelling and accessory buildings.

In addition to the two properties under application, the applicant owns three other adjoining properties, each about 10 ha in size.

Surrounding Land Uses:

This area is a productive agricultural community with dairy farms and beef cattle being the predominant uses. Most of the smaller lots in the area were created prior to the creation of the ALR.

- WEST:** Forested hillside outside the ALR
- SOUTH:** 10 ha lot, also owned by applicant and used for the Dairy operation
- EAST:** Farmlands in the ALR, straddling the Salmon River
- NORTH:** Mixed parcel sizes, one of which contains a Federally inspected abattoir

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 Zoning Designation:

Salmon Valley Land Use Bylaw No. 2500
Designation: Rural Holdings (RH), minimum lot size: 8 ha

PREVIOUS APPLICATIONS:

Application #18459-0

- Applicant:** Ahmad Saatchi
- Decision Date:** November 29, 1984
- Proposal:** To construct a slaughterhouse on the property.
- Decision:** Allowed.

RELEVANT APPLICATIONS:

Application #33350-0

- Applicant:** Riverside Meats
- Decision Date:** June 20, 2000
- Proposal:** To re-open an existing slaughter house and meat processing facility
- Decision:** Allowed as the proposed use will benefit local producers. The building already exists and there will be no impact.

Application #19915-0

- Applicant:** William & Irene McNary
- Decision Date:** May 16, 1986
- Proposal:** To construct an abattoir for process local cattle. The facility would be the only federally inspected facility in the Interior. The existing abattoir would be demolished
- Decision:** Allowed but without subdivision.

RELEVANT APPLICATIONS (continued):

Application #19915-5

Applicant: William & Irene McNary

Decision Date: June 23, 1988

Proposal: To subdivide a 2.9 ha lot from the property and build an abattoir

Decision: Allowed subject to vegetative screening on the north and west sides on the proposed lot, access is to be provided off of Salmon River Road, and that the subdivision plans will be authorised for registration when the plant is operational.
The plant was constructed and the subdivision finalised.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

The Columbia Shuswap Regional District: Forwarded in concurrence with the Staff Report from Development Services.

Development Services: Recommend approval and that the ALC register a covenant against the remainder of the two properties currently under application as well as the North ½ of Legal Subdivision 11 so that the lots cannot be sold separately.

STAFF COMMENTS:

Staff suggests the Commission consider the following:

- The proposed subdivision would result in pasture and grazing lands being removed from the farm operation and an increase in rural residential density.
- If consolidation was possible, there would be no increase in the number of lots and the critical farm parcels would be consolidated into a single unit
- The issue of consolidation has been broached with the applicant by Development Services' staff. Although the applicant was not in full agreement with the recommendation, he was in agreement that the application proceed to the ALC.
- There may be opportunity to discuss further subdivision west of Salmon River Road, and consolidation east of the road during the site visit (on the applicant's other properties).

END OF REPORT



Signature



Date