



Agricultural Land Commission
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March 16, 2006

Reply to the attention of Brandy Ridout
ALC File #H-36460

Earl & Merilee Hadley
1259 Salmon River Road
Salmon Arm, BC V1E 3H2

Dear Mr. and Mrs. Hadley:

Re: Application to subdivide in the Agriculture Land Reserve

Please find attached the Minutes of Resolution #102/2006 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:

Erik Karlsen, Chair

cc: Columbia Shuswap Regional District - LC2330-D

BR/lv/Encl.: Minutes
Sketch Plan

36460d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 2, 2006 at the Ministry of Agriculture and Lands office located at 4607 - 23rd Street, Vernon, BC.

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

For Consideration

Application # H-36460
Applicant(s) Earl & Merilee Hadley
Proposal To subdivide the 2 ha property into two (2) 1 ha lots. The purpose of the subdivision is to provide the applicants' daughter with one of the lots.
Legal PID: 006-474-187
Lot 2, Section 5, Township 19, Range 10, West of the 6th Meridian, Kamloops Division Yale District, Plan 23359
Location 1259 Salmon River Road, in the Salmon River Valley, between Salmon Arm and Falkland

Site Inspection

A site inspection was conducted on March 2, 2006. Those in attendance were:

- Commissioners: Sue Irvine, Sharon McCoubrey, and Sid Sidhu
- Staff: Brandy Ridout and Martin Collins
- Applicant: Merilee Hadley

Mrs. Hadley confirmed that she had received the staff report dated February 21, 2006 and did not identify any errors.

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

The Commission considered that the property has reasonably good agricultural capability and that subdivision had been refused in the past.

However, the site visit allowed the Commission to assess the agricultural suitability of the property. It believed that the property had little agricultural potential and that subdivision would not have an impact on agriculture on the subject property. It also observed the land use of the surrounding area and noted that subdivision of the property would have little effect on agriculture in the area.

IT WAS

MOVED BY: Commissioner Sidhu
SECONDED BY: Commissioner McCoubrey

THAT the application be approved subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application,
- the construction of a fence around the new 1 ha lot (shown hatched on attached sketch) for the purpose of limiting its impact on the surrounding area. Fencing plans should be submitted to the Commission for approval.

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 #102/2006

ALR

SEC 5

TP. 19 R. 10 W6M

R I V E R

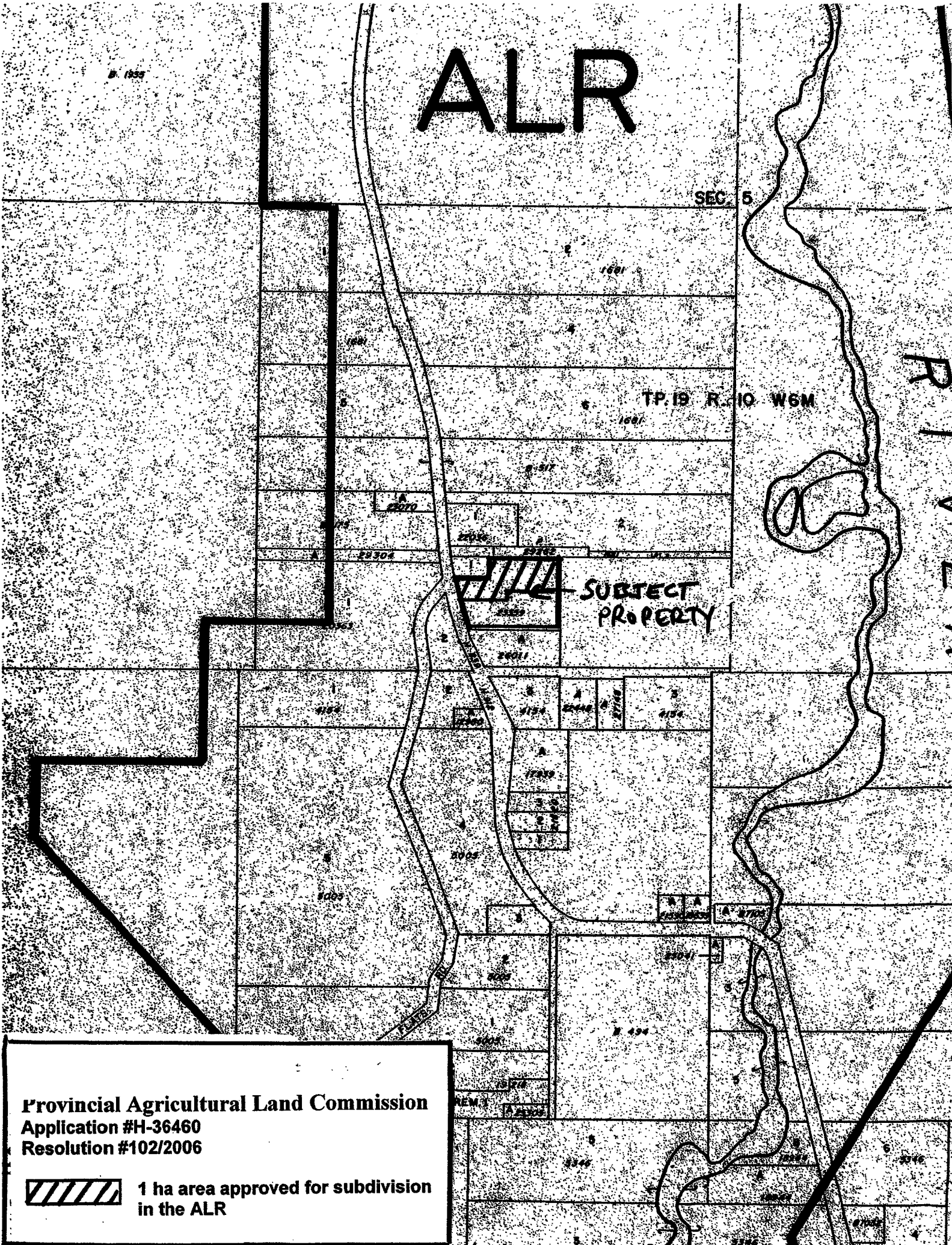


SUBJECT PROPERTY

Provincial Agricultural Land Commission
Application #H-36460
Resolution #102/2006



1 ha area approved for subdivision
in the ALR





Staff Report
Application # H – 36460
Applicant: Earl & Merilee Hadley
Location: Salmon River Valley – Yankee Flats

DATE RECEIVED: January 25, 2006

DATE PREPARED: February 21, 2006

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To subdivide the 2.0 ha property into two (2) 1.0 ha lots. The purpose of the subdivision is to provide the applicants' daughter with one of the lots.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The Commission has refused two previous subdivision applications involving the subject property.

Local Government:

Columbia Shuswap Regional District

Legal Description of Property:

PID: 006-474-187
Lot 2, Section 5, Township 19, Range 10, West of the 6th Meridian, Kamloops Division Yale District, Plan 23359

Purchase Date:

October 1991

Location of Property:

1259 Salmon River Road, in the Salmon River Valley, between Salmon Arm and Falkland

Size of Property:

2.0 ha (The entire property is in the ALR)

Present use of the Property:

Rural residence with a single-family dwelling, a mobile home and outbuildings

BACKGROUND INFORMATION (continued):

Surrounding Land Uses:

WEST: Rural residential, hillside areas in the ALR
SOUTH: 1.0 ha lots in the ALR
EAST: Trailer park in the ALR
NORTH: Mixed parcels, ranging from 0.5 ha to 4.0 ha in the ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 82 L/11
The majority of the property is identified as having mixed prime and secondary ratings.

Official Community Plan and Zoning Designation:

Salmon Valley Rural Land Use Bylaw No. 2500
Designation: RH - Rural Holdings
Minimum lot size: 8 ha

PREVIOUS APPLICATIONS:

Application # 01962
Applicant: E. Wedel
Decision Date: August 18, 1976
Proposal: To subdivide the 2.0 ha property into two (2) 1.0 ha lots.
Decision: Refused - subdivision would reduce potential for agriculture uses.

Application #14151-0
Applicant: Dwayne & Virginia Hunt
Decision Date: June 2, 1982
Proposal: To subdivide a 0.2 ha lot from the 2.0 ha property for the applicants' son.
Decision: Refused - subdivision was considered incompatible with agriculture use, and would reduce agricultural options.

RELEVANT APPLICATIONS:

Application #16340-0
Applicant: Earl & Derrill Brown
Decision Date: May 10, 1983
Proposal: To exclude the 6.2 ha property to expand the 24-unit mobile home park to its fullest potential - 1.6 ha is undeveloped
Decision: Refused as proposed. However, since 75% of the property had already been alienated by the existing land use the Commission approved an additional 16 sites on the 1.6 ha undeveloped portion

Application #16340-1
Applicant: Earl & Derrill Brown
Decision Date: January 27, 1999
Proposal: To expand the 39-unit mobile home park (through in-filling) to 42 units
Decision: Allowed.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

The **Columbia Shuswap Regional District** forwarded the application with a recommendation of support.

STAFF COMMENTS:

Staff suggests that the Commission consider the following;

- The property has reasonably good agricultural capability from a soils perspective.
- The Commission has previously refused subdivision of this property on two separate occasions.
- The agricultural suitability of the property could be limited because of its size (2.0 ha). A site visit would help to assess the level of agricultural potential.
- The nearby and adjoining properties are approximately 1.0 ha in size, and a 42-unit mobile home park borders the property to the east.

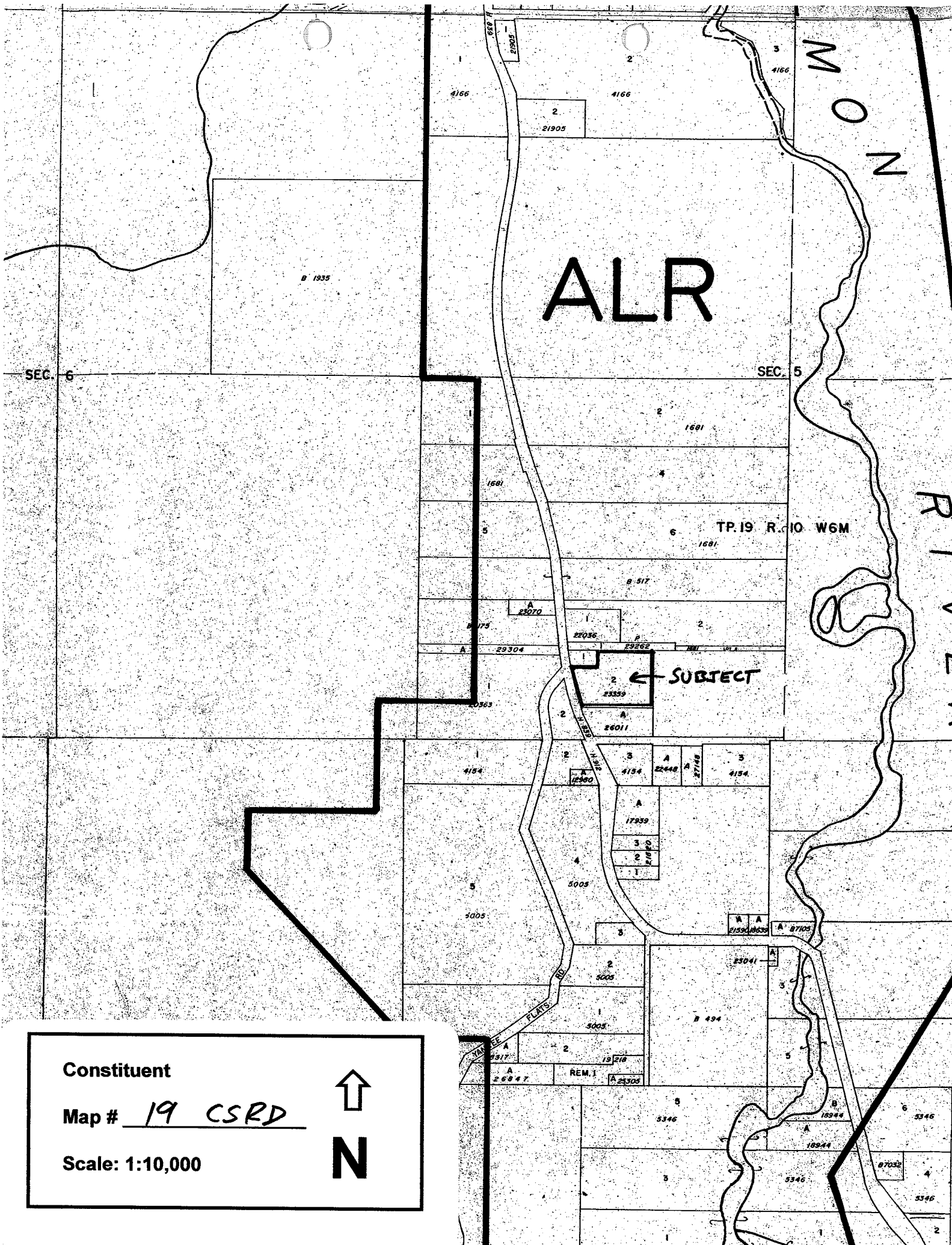
END OF REPORT

Signature

A large, stylized handwritten signature, possibly reading 'L3', written in black ink over a horizontal line.

Date

Feb 22/06



Constituent
Map # 19 CSRD
Scale: 1:10,000

