



Agricultural Land Commission
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August 10, 2006

Reply to the attention of Brandy Ridout
ALC File #T-36759

Jim & Larry Segboer
PO box 991
Salmon Arm, BC - V1E4P2

Dear Sirs:

Re: Application to subdivide in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #394/2006 outlining the Commission's decision as it relates to the above noted application.

Furthermore, thank you for the fax of August 3, 2006 that contained an excerpt from the North Okanagan Regional District (NORD) staff report. As NORD's staff report was prepared for your application, the information had previously been supplied to the Commission.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

BR/eg/Encl.: Minutes

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on August 1, 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

For Consideration

Application # T – 36759
Applicants Jim & Larry Segboer
Proposal To subdivide the 10.6 ha subject property along Old Sicamous Road to create a 3.7 ha lot and a 6.9 ha remainder.
Legal PID: 024-694-967
Location Lot B, District Lot 526, Kamloops Division Yale District, Plan KAP66151
394 Old Sicamous Road

Site Inspection

A site inspection was conducted on August 1, 2006. Those in attendance were:

- Commissioners: Sue Irvine, Sharon McCoubrey and Sid Sidhu
- Staff: Brandy Ridout
- Applicant: Larry Segboer

Mr. Segboer confirmed that he had received the staff report dated July 17, 2006 and did not identify any errors.

Discussion

During the site visit, the Commission noted that a large cattle operation had taken place on the property in the past. This was evidenced by the remaining infrastructure and information presented by the applicant.

Also during the site visit, the issue of agricultural capability was discussed. The applicant noted that a soils report had been done for the subject property and that the information would be provided. The Commission noted that the improved Canada Land Inventory ratings for the property are 7:5T-3:4TM and 6:4FW-4:6W. It also noted that unless the agricultural capability assessment report showed a significant difference in agricultural capability ratings, the issue would not appreciably factor in its decision.

The Commission believed that subdivision would negatively affect agriculture in that it would reduce the agricultural options available to the owner of the property in the future. It also believed that other types of agriculture (i.e. non-soil bound agriculture), could take place on the property. In addition, the Commission believed that allowing subdivision would add an additional homesite to the area and increase the potential conflict between 'urban' and rural residents.

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The Commission did not believe that the road was an impediment to the use of the subject property as a single unit.

IT WAS

MOVED BY: Commissioner McCoubrey

SECONDED BY: Commissioner Sidhu

THAT the application be refused on the grounds that subdivision would reduce the agricultural options available to the owner of the property in the future.

CARRIED

RESOLUTION #394/2006



Staff Report
Application # T – 36759
Applicant: Jim & Larry Segboer
Agent: Browne Johnson & Associates

DATE RECEIVED: June 15, 2006

DATE PREPARED: July 17, 2006

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To subdivide the 10.6 ha subject property along Old Sicamous Road to create a 3.7 ha lot and a 6.9 ha remainder.

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

BACKGROUND INFORMATION:

Under application #T-32633, the property lying southwest of the subject property was approved for subdivision along the ALR boundary (which coincides with Old Sicamous Road).

The applicant's agent notes that the subject property is currently vacant and owned by two brothers. It is the owners' intention to each operate a hobby farm on one of the proposed lots. They propose to enhance the agricultural capabilities and improve the farm buildings.

Local Government:

Regional District of North Okanagan

Legal Description of Property:

PID: 024-694-967
Lot B, District Lot 526, Kamloops Division Yale District, Plan KAP66151

Purchase Date:

June 2004

Location of Property:

394 Old Sicamous Road

Size of Property:

10.6 ha (The entire property is in the ALR).

BACKGROUND INFORMATION (continued):

Present use of the Property:

Portion lying east of Old Sicamous Road is mostly cleared and used as hayfield. The portion lying west of the road is mostly cleared pasture land and has several agricultural buildings. There are no dwellings on the property.

Surrounding Land Uses:

WEST: Non-ALR
SOUTH: Large parcels, varying agricultural uses
EAST: Large parcels, varying agricultural uses
NORTH: Large parcels, varying agricultural uses

Agricultural Capability:

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

Official Community Plan and Designation:

Electoral Area 'A' Bylaw No. 1934 (2004)
Designation: Non-Urban/Major Road

Zoning Bylaw and Designation:

Zoning Bylaw No. 1888 (2003)
Designation: Non-Urban Zone (N.U.)
Minimum lot size: 7.2 ha

RELEVANT APPLICATIONS:

Application #32633-0

Applicant: Frank & Mary Dangel
Decision Date: April 20, 1999
Proposal: To subdivide the property along the ALR boundary to create one 5.2 ha non-ALR parcel and one 1.9 ha ALR parcel.
Decision: Allowed as it was felt that there would be no net impact.

Application #33747-0

Applicant: 482821 BC Ltd
Decision Date: May 28, 2001
Proposal: To subdivide the 8.7 ha property along the ALR boundary to create one 6.1 ha non-ALR parcel and one 2.6 ha ALR parcel.
Decision: Allowed - on the grounds that there would be no negative impact on agricultural production in the area and it would be consistent with other relevant decisions in the area.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional District of North Okanagan Board: Application be authorized for submission.

Electoral Area Services Commission: Application be authorized for submission.

STAFF COMMENTS:

Staff suggest the Commission consider the following:

- There have been two applications in the area in which subdivision along the ALR boundary was approved. This application requests subdivision along a road rather than along the ALR boundary.
- A site visit may help determine if the road poses an obstacle to farming and what impact subdivision would have on the parcel.

END OF REPORT

Signature



Date

July 17, 06

60 Ac.

159 Ac.

9 W6

TP.19 R8 W.6

RP 4980

48.12 ac

2765.8

730

33247

69
P. 1010
21.5 Ac.

70
P. 1010
29.0 Ac.

68
P. 1010
21.2 Ac.

67
P. 1010
17.5 Ac.

32633

66
P. 1010
11.5 Ac.

71
P. 1010
11.9 Ac.

72
P. 1010
9.9 Ac.

65
P. 1010
15.9 Ac.

62
P. 1010
28.7 Ac.

62
P. 1010
28.7 Ac.

PB 1762
11.8 Ac.

61
PB. 1905
11.8 Ac.

65
P. 1010
15.9 Ac.

SHUSWAP RIVER

D.L. 527

PT. NE 1/4 S. 30

Part 1955

P. 2145

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527

3

Constituent

Map # 30 & 31

Scale: 1:10,000

