



**Agricultural Land Commission**  
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October 25, 2006

Reply to the attention of Brandy Ridout  
ALC File #H - 36883

Bob Holtby  
670 – 16<sup>th</sup> Street SE,  
Salmon Arm, B.C. V1E 1W2

Dear Sir:

**Re: Application to subdivide in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution #494/2006 outlining the Commission's decision as it relates to the above noted application.

Be advised it is your responsibility as agent to inform the applicant of the Commission's decision.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

  
Erik Karlsen, Chair

cc: City of Salmon Arm (ALC.303)

TK/lv/Encl.: Minutes  
36883d1

## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 29<sup>th</sup>, 2006 at the Ministry of Agriculture and Lands office located at 4607 - 23<sup>rd</sup> Street, Vernon, BC.

<b>PRESENT:</b>	Sue Irvine	Chair, Okanagan Panel
	Sharon McCoubrey	Commissioner
	Sid Sidhu	Commissioner
	Terra Kaethler	Staff
	Martin Collins	Staff

### For Consideration

Application: # H-36883

Applicant: Ernest Arsenault

Proposal: To subdivide the 15 ha property into seven parcels of approximately 2 ha.

Legal: PID: 014-088-494

The South ½ of the North ½ of the Northwest ¼, Section 8, Township 20, Range 10, W6M, Kamloops Division Yale District, Except Plans 8563 and KAP54055

Location: 6571 - 15<sup>th</sup> Ave SW, Salmon Arm

### Site Inspection

A site inspection was conducted on September 29<sup>th</sup>, 2006. Those in attendance were:

- Commissioners: Sue Irvine, Sharon McCoubrey and Sid Sidhu
- Staff: Terra Kaethler and Martin Collins
- Bob Holtby
- Ernest Arsenault

Bob Holtby confirmed that he received the staff report dated September 11, 2006, and that it did not contain any errors.

The Commission viewed the property and discussed the proposal with the applicant and agent. It was noted that the ALR boundary was established at the based of the mountain slope, and that the arable area of the property lay within the ALR, and the non-arable area lay outside the ALR. The ALR portion of the property was developed as pasture and appeared to be comprised of soils with agricultural capability.

### Discussion

The Commission believed that the ALR portion of the property had very good agricultural capability and that subdivision into two (2) ha lots would result in the development of rural residences, rather than farm properties. As such it was not prepared to consider the subdivision of the developed field area.

However, the Commission appreciated that the non-ALR portion of the property did not lay within its jurisdiction. Therefore it was prepared to consider a revised proposal that retained the homesite with the existing field, but allowed a small portion of ALR east of the homesite for subdivision and access to the non-ALR area.

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**IT WAS**

**MOVED BY:** Commissioner McCoubrey

**SECONDED BY:** Commissioner Sidhu

THAT the application to subdivide the subject property into seven 2 ha lots be refused as proposed on the grounds the ALR portion of the property had good agricultural capability.

**CARRIED**

**RESOLUTION # 494/2006**



**Staff Report**  
**Application # H – 36883**  
**Applicant: Ernest Arsenault**  
**Agent: R G Holtby**  
**Location: Gleneden, Salmon Arm**

**DATE RECEIVED:** August 23, 2006

**DATE PREPARED:** September 11, 2006

**TO:** Chair and Commissioners – Okanagan Panel

**FROM:** Brandy Ridout, Land Use Planner

**PROPOSAL:** To subdivide the 15 ha subject property to create 7 parcels of approximately 2 ha each and an access road.

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

**BACKGROUND INFORMATION:**

**Local Government:**

District of Salmon Arm

**Legal Description of Property:**

PID: 014-088-494

The South ½ of the North ½ of the Northwest ¼, Section 8, Township 20, Range 10, W6M, Kamloops Division Yale District, Except Plans 8563 and KAP54055

**Purchase Date:**

June 2006

**Location of Property:**

6571 – 15 Avenue SW, Gleneden

**Size of Property:**

15 ha (approximately half the property is in the ALR).

**Present use of the Property:**

Hay field, old buildings, undeveloped land

**BACKGROUND INFORMATION (continued):**

**Surrounding Land Uses:**

**WEST:** Crown Land  
**SOUTH:** 15th Ave, rural residential, agricultural  
**EAST:** 60th Street, rural residential, agricultural  
**NORTH:** Rural residential, agricultural

**Agricultural Capability:**

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

**Official Community Plan and Designation:**

City of Salmon Arm OCP Bylaw No. 3000  
Designation: Acreage Reserve

**Zoning Bylaw and Designation:**

City of Salmon Arm Zoning Bylaw No. 2000  
Designation: Zoned A-1 (Agricultural)  
Minimum Lot Size: 8.0 ha

**RELEVANT APPLICATIONS:**

**Application #19721-0**

**Applicant:** Ernest Arsenault  
**Decision Date:** March 12, 1986  
**Proposal:** To exclude 35 ha from the ALR for the purpose of subdivision into 2 ha lots (except the NE corner).  
**Decision:** Refused exclusion but allowed subdivision.

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**Application #19721-1**

**Applicant:** Ernest Arsenault  
**Decision Date:** April 12, 1990  
**Proposal:** To approve the subdivision plan.  
**Decision:** Consented to the subdivision plan subject to the consolidation of the northeasterly two lots into a single 4 ha lot and the registration of a covenant restricting the construction of dwellings on the southerly 50 meters of Lots 5-9.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**City of Salmon Arm Council:** That the application be authorized for submission.

**ATTACHMENTS:**

- ALR Constituent Map 17 – 1:10,000
- Airphoto – submitted by City of Salmon Arm
- Page 1 – 10 of the report prepared by agent for application

**STAFF COMMENTS:**

Staff suggests the Commission consider the following:

- Subdivision of the property to the south into fifteen (15) 2 ha lots and two (2) 4 ha lots was approved in 1990 (one of the 4 ha lots was subsequently approved for subdivision into 2 ha lots). The retention of larger lots along the northern boundary of the property was done so that the adjacent agricultural land would be protected from the impact of the proposed development. If subdivision of the subject property into 2 ha lots is allowed, the buffer issue would be shifted north.
- As part of the property lies outside the ALR, subdivision should be focussed on that portion of the property.

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**END OF REPORT**

  
\_\_\_\_\_  
**Signature**

  
\_\_\_\_\_  
**Date**