



Agricultural Land Commission
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June 19, 2007

Reply to the attention of Brandy Ridout
ALC File: #H - 37305

Rob Tupper
3011A - 28th Street
Vernon, BC V1T 4Z7

Dear Mr. Tupper:

Re: Application to subdivide in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 280/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Columbia Shuswap Regional District (#LC2352-D)

Enclosure: Minutes

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on June 6, 2007 in Vernon, BC.

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

For Consideration

Application: # H - 37305
Applicant: Henry and Linda Talbot
Agent: Rob Tupper
Proposal: To subdivide the 16.4 ha subject property into two lots of roughly equal size (8.3 ha and 7.8 ha, with a small road allowance).
Legal: PID: 014-058-847
L.S. 8, Section 16, Township 18, Range 12, W6M, Kamloops
Division Yale District
Location: North of Falkland - Chase Falkland Road

Site Inspection

A site inspection was conducted on June 6, 2007. Those in attendance were:

- Sue Irvine Chair, Okanagan Panel
- Monika Marshall Commissioner
- Sid Sidhu Commissioner
- Erik Karlsen Chair, ALC
- Brandy Ridout Staff
- Martin Collins Staff
- Henry and Linda Talbot Applicants
- Rob Tupper Monashee Surveying and Geomatics

Mr. Talbot confirmed that the staff report dated April 24, 2007 was received and no errors were identified.

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

Assessment of Agricultural Capability

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the majority of the soil of the ALR portion of the subject property is Class 5 and 6 (secondary) with the main limitations of topography and stoniness.

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Assessment of Agricultural Suitability

The Commission considered whether the ALR portion of the property was suitable for agriculture. This consideration included details such as property size, surrounding land use and limitations to agriculture. During the site inspection the Commission noted that an area of the property was cleared and used as pasture. As such, despite the fact that portions of the property had challenges to their agricultural use, the Commission did not believe the land was unsuitable for farming.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission noted that the proposed subdivision had been configured to allow road access for the two new lots. However, this configuration would divide the cultivated field in half. As the Commission believed the property did have some agricultural capability, it did not wish to see the agricultural area divided.

Acknowledging that the subdivision of a portion of the property that was less suitable for agriculture (i.e. land to the west of the river) would not negatively impact the agricultural area, the Commission would consider an alternate subdivision configuration that left the field intact. This would be considered if a benefit to agriculture could be provided, such as irrigation rights being made available to the lot on which the field is located.

Conclusions

1. That the land under application has some agricultural capability and is appropriately designated as ALR.
2. Portions of the land under application are suitable for agricultural use.
3. As the proposal puts forth a subdivision plan that divides the agricultural area on the property, it will have a negative impact on agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

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Application # H-37305

IT WAS

MOVED BY: Commissioner Sidhu

SECONDED BY: Commissioner Marshall

THAT the application to subdivide the 16.4 ha subject property into two lots of roughly equal size (8.3 ha and 7.8 ha, with a small road allowance).be refused on the grounds that it will have a negative impact on agriculture as it will divide the most agriculturally capable and suitable portion of the property.

CARRIED

Resolution # 280/2007



Staff Report
Application # H – 37305
Applicant: Henry and Linda Talbot
Agent: Rob Tupper, BCLS
Location: North of Falkland

DATE RECEIVED: March 22, 2007

DATE PREPARED: April 24, 2007

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To subdivide the 16.4 ha subject property into two lots of roughly equal size (8.3 ha and 7.8 ha, with a small road allowance).

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

BACKGROUND INFORMATION:

Local Government:

Columbia Shuswap Regional District (CSRD)

Legal Description of Property:

PID: 014-058-847

L.S. 8, Section 16, Township 18, Range 12, W6M, Kamloops Division Yale District

Purchase Date:

November 1976

Location of Property:

Chase Falkland Road (no house number assigned), North of Falkland

Size of Property:

16.4 ha (Approximately 13.4 ha are in the ALR).

Present use of the Property:

Vacant, minor clearing and forested

BACKGROUND INFORMATION (continued):

Surrounding Land Uses:

WEST: Mainly treed, rural residential, applicant owned property
WEST: Treed Crown Land
EAST: Chase-Falkland Road, rural residential
NORTH: Treed, rural residential

Agricultural Capability:

Data Source: Agricultural Capability Map # 82L/12
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

Salmon Valley Land Use Bylaw No. 2500
Designation: Agricultural

Zoning Bylaw and Designation:

Zoning: Salmon Valley Land Use Bylaw 2500
Designation: R - Rural
Minimum Lot Size: 60 ha

RELEVANT APPLICATIONS:

Application #36790-0

Applicant: Ross Munsey
Decision Date: September 29, 2006
Proposal: To subdivide the property along the base of the hillside to create a 2 ha parcel adjacent to Salmon River Road and to subdivide the remaining upper 11 ha area into two lots.
Decision: Refused as proposed. However, the Commission allowed a two lot subdivision as divided by the escarpment.

Application #36845-0

Applicant: Donald & Joyce Needoba
Decision Date: September 29, 2006
Proposal: To subdivide a 2 ha lot from the 5.8 ha subject property.
Decision: Refused on the grounds of reduced agricultural capability.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

CSRD Board: Forwarded the application with a recommendation of support.

CSRD Development Services Staff: Does not feel that the proposed subdivision would adversely affect the limited agriculture in this area. Recommend approval.

STAFF COMMENTS:

Staff recommends that the Commission consider the following:

- Nearby lands to the south were excluded from the ALR by the Commission through a joint fine tuning exercise undertaken with the Regional District.
- Generally subdivision is perceived as unsupportive of farming because it reduces the livestock carrying capacity and potential income that can be derived from a parcel.

STAFF COMMENTS (continued):

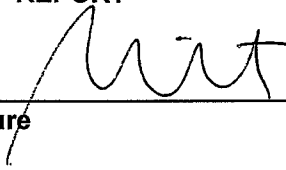
- The applicant owns several adjoining properties which lie partially within (but mostly outside) the ALR. The Commission might explore whether there are any net benefits for agriculture that could be achieved through a revised subdivision/consolidation proposal.
- The property appears to have marginal capability for soil bound agriculture, based on the best soils information.
- A site visit is recommended to assess the land's capability for agriculture and the potential impacts of subdivision on surrounding or nearby farms in the ALR.

ATTACHMENTS:

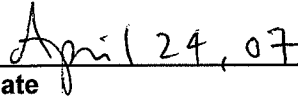
- ALR Map 1:50,000 scale
- Proposed subdivision sketch
- Map of other properties owned by applicant
- CSR Development Services report
- Air photo

END OF REPORT

Signature

A handwritten signature in black ink, appearing to be 'Mint', written over a horizontal line.

Date

A handwritten date 'April 24, 07' in black ink, written over a horizontal line.