



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

June 19, 2007

Reply to the attention of Brandy Ridout
ALC File: #H - 37325

Lori Wilbur
Salmon Arm Roots and Blues Festival
PO Box 21
490 - 5th Avenue, SW
Salmon Arm, BC V1E 4N2

Dear Ms. Wilbur:

Re: Application for non-farm use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 278/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify the landowner accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

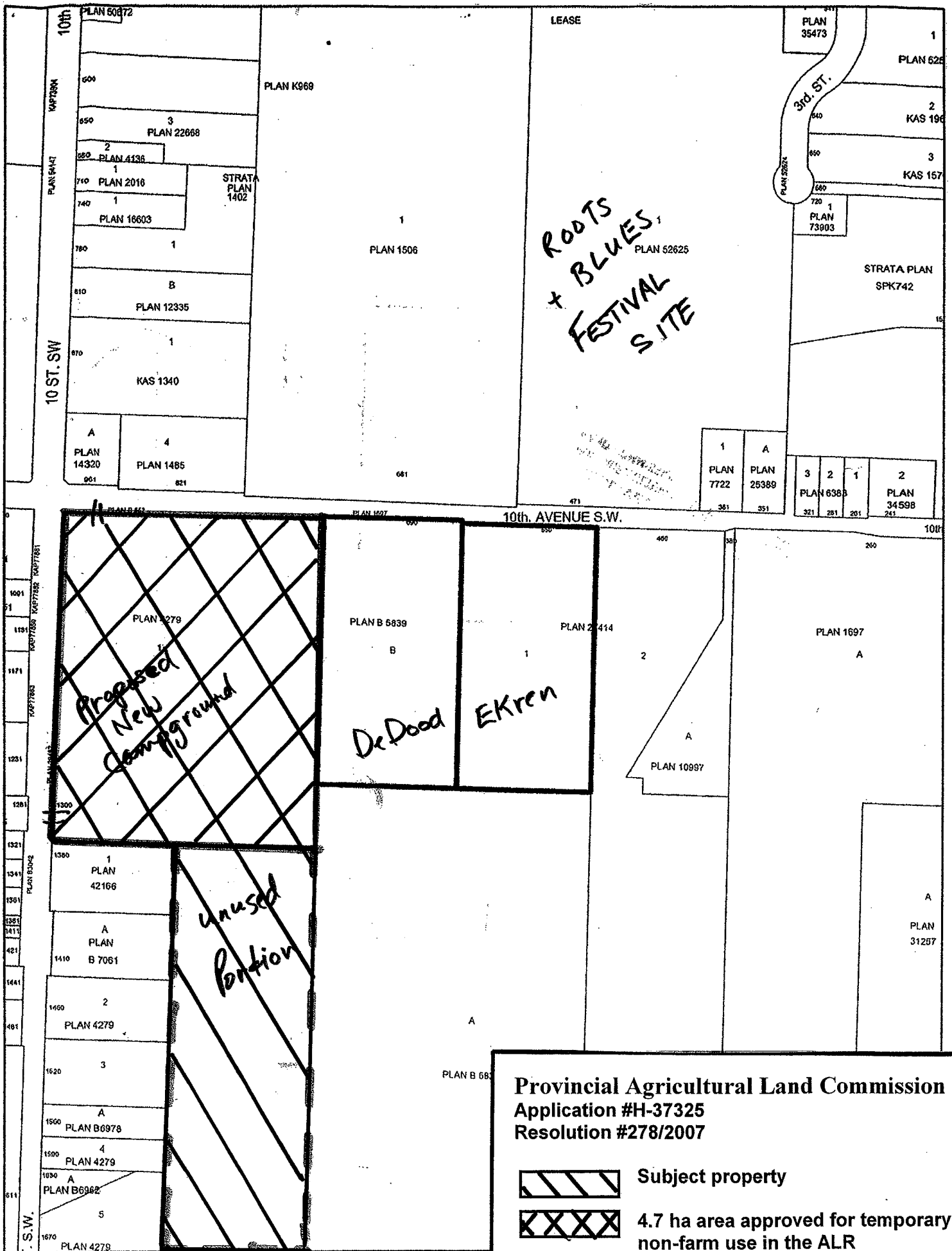
A handwritten signature in black ink, appearing to read 'EKARLSEN', written over a white background.

Erik Karlsen, Chair

cc: District of Salmon Arm (#308)

Enclosure: Minutes/Sketch Plan

BR/lv
37325d1



Roots + Blues Festival Site

Proposed New Campground

DeDood EKren

Unused Portion

Provincial Agricultural Land Commission
 Application #H-37325
 Resolution #278/2007

Legend:
 ▨ Subject property
 ▩ 4.7 ha area approved for temporary non-farm use in the ALR



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 - 37325
Applicant: Salmon Arm Roots and Blues Festival
Proposal: Non-farm use to create a temporary overflow campsite on the northern 4.7 ha portion of the 8.6 ha subject property for the Salmon Arm Roots and Blues Festival.
Legal: PID: 009-460-411
Lot 1, Section 11, Township 20, Range 10, W6M, Kamloops Division
Yale District, Plan 4279, EXCEPT Parcel A on Plan B7061, Plans 29487 and 42166
Location: 1300 - 10th Street, SW Salmon Arm

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
- Lori Wilbur Applicant
- Hugo Rampen Administrator, Salmon Arm Roots and Blues Festival

Ms. Wilbur confirmed that the staff report dated May 29, 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 subject property is Class 2.

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

Assessment of Agricultural Suitability

The Commission considered whether the property was suitable for agriculture. This consideration included details such as property size, surrounding land use and limitations to agriculture. The Commission did not believe there are external factors that render the land unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. As the two adjacent properties to the east had been used for a temporary campground for the Festival since 2005 (approved under application #H-35986), the Commission was familiar with the operation and had been satisfied with the past performance of the applicant.

With regard to the subject property, the Commission noted that the proposed use was temporary, would only be used as overflow, would construct no permanent structures on the property, and would not negatively affect the agricultural operation as the cattle that graze the property would be moved to the southern portion of the property for the duration of the festival. As such, the Commission did not believe the proposal would impact existing or potential agricultural use of the subject property or surrounding lands.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR and is suitable for agricultural use. However, the proposal will not permanently remove the land from agricultural use.
2. Due to the fact that the proposal is for a temporary use, no permanent structures will be built on the property, and the agricultural operation will not be hindered, the proposal will not negatively impact agriculture.

IT WAS

MOVED BY: Commissioner Sidhu

SECONDED BY: Commissioner Irvine

THAT the application be approved subject to the following conditions:

- The use being restricted to the 4.7 ha area identified on the attached plan.
- The use being restricted to approximately 10 days each year in August (including set-up, festival days, and clean-up) and being for overflow camping only.
- no permanent facilities being placed or constructed.
- The land being returned to its pre-festival condition each year.
- The submission of an annual status report (including photos) from the landowners verifying the return of the land to a good state following the campground use.
- The approval being reviewed in December 2008 when application #H-35986 is reviewed.

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 # 278/2007



Staff Report
Application # H – 37325
Applicant: Salmon Arm Roots and Blues Festival
Agent: Salmon Arm Roots and Blues Festival

DATE RECEIVED: March 30, 2007

DATE PREPARED: May 29, 2007

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: Non-farm use to create a temporary overflow campsite on the northern 4.7 ha portion of the 8.6 ha subject property for the Salmon Arm Roots and Blues Festival.

This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

A 3.5 ha area of the two 2.1 ha properties directly to the east is currently used for camping for the festival. This has been approved under application #H-35986.

The cattle that graze the property will be moved to the southern portion of the property for the duration of the festival.

Local Government:

District of Salmon Arm

Legal Description of Property:

PID: 009-460-411
Lot 1, Section 11, Township 20, Range 10, W6M, Kamloops Division Yale District, Plan 4279,
EXCEPT Parcel A on Plan B7061, Plans 29487 and 42166

Purchase Date:

July 1991

Location of Property:

1300 - 10th Street, SW Salmon Arm (southeast corner of 10th street and 10th Avenue)

Size of Property:

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

BACKGROUND INFORMATION (continued):

Present use of the Property:

Cattle Pasture

Surrounding Land Uses:

WEST: Street
SOUTH: Residence
EAST: Cattler Pasture/S.A. Roots & Blues Campground - 3rd weekend of August
NORTH: Street

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 Designation:

OCP: N/A
Designation: Acreage Reserve and Temporary Commercial Use Permit Area

Zoning Bylaw and Designation:

Zoning: N/A
Designation: A-2 (Rural Holding Zone)
Minimum Lot Size: 4.0 ha

PREVIOUS APPLICATIONS:

Application #07167-0

Applicant: A.E. & L.M. Evashkevich
Decision Date: 1978
Proposal: To subdivide the 9.1 ha subject property into three lots (0.2 ha, 4 ha and 4.9 ha)
Decision: Refused on the grounds that the land had agricultural capability, had been considered for exclusion during a block exclusion application and refused, and a previous subdivision of 0.2 ha had been allowed.

Application #15555-0

Applicant: A.E. & L.M. Evashkevich
Decision Date: November 24, 1982
Proposal: To exclude 2.7 ha of the 9.4 ha subject property for the purpose of subdividing approximately 13 residential lots. The grounds for the request are based on the Class 4 rating and due to severe wetness limitations (surface ponding).
Decision: Refused on the grounds that the majority of the property has good potential for agricultural purposes. However, the Commission would be prepared to reconsider the application to exclude the westerly 2.7 ha if a new proposal with the following provisions was submitted: (1) an effective drainage ditch (or alternative system) is established along the easterly boundary of the area requested for exclusion and along the northerly boundary of the area to be retained and (2) consolidation of the remainder of the property with an adjoining agricultural operations.

Application #19451-0

Applicant: A.E. & L.M. Evashkevich
Decision Date: 1985
Proposal: To subdivide a 0.8 ha lot from the 8.2 ha subject property to establish a church.
Decision: Refused on the grounds of agricultural capability, history of property being used as a farm, history of applications being refused on this property, property acquired by owner after the formation of the Agricultural Land Commission.

PREVIOUS APPLICATIONS (continued):

Application #19720-0

Applicant: A.E. & L.M. Evashkevich

Decision Date: 1985

Proposal: To exclude 2.7 ha of which 0.8 ha was to be donated for a church and the remainder subdivided into residential lots.

Decision: Allowed subject to receipt of building permits for a church.
Reconsidered - the owner wanted to subdivide off his homesite prior to exclusion of the area permitted by the original decision.
Allowed the exclusion of the 0.4 ha homesite subject to rescinding the previous decision to permit the exclusion of the 2.7 ha area for the church and building lots.

Application #26131-0

Applicant: Shawnigan Lake Mobile Home

Decision Date: March 10, 1992

Proposal: To exclude approximately 9 ha from the ALR to develop a mobile home park.

Decision: Refused. In the Commission's experience a high density non-farm use such as proposed is counter-productive and would not only eliminate the agricultural potential of the property itself but also increase the expectations of other properties in the area for further development.

RELEVANT APPLICATIONS:

Application #35986-0

Applicant: Salmon Arm Roots & Blues Festival

Decision Date: April 27, 2005

Proposal: To establish a temporary campground on 2.9 ha of the combined 4.2 ha area of the two subject properties. The campground would accommodate 217 campsites and be used for the Salmon Arm Annual Roots and Blues Festival held each year in August.

Decision: Allowed the establishment of a temporary campground for August 7 to 16, 2005 on 2.9 ha of the combined 4.2 ha area of the two properties subject to the submission of a report (including photos) from the landowners following the festival verifying that the land has been returned to an adequate state. The Commission will consider extending the approval to subsequent years pending receipt of a favorable report.

Application #35986-1

Applicant: Salmon Arm Roots & Blues Festival

Decision Date: July 22, 2005

Proposal: To expand the approved temporary camping area by approximately 0.6 ha (from 2.9 ha to 3.5 ha) as this land is no longer required for pasturing cattle.

Decision: Allowed subject to the submission of a report (including photos) from the landowners following the festival verifying that the land has been returned to an adequate state. The Commission will consider extending the approval to subsequent years pending receipt of a favorable report.

Application #35986-2

Applicant: Salmon Arm Roots & Blues Festival

Decision Date: December 8, 2005

Proposal: To extend the Commission's approval for the temporary campground on 3.5 ha of the combined 4.2 ha area of the two subject properties for multiple years. The campground would be used for the Salmon Arm Annual Roots and Blues Festival held each year in August.

Decision: Allowed subject to:
- the use being restricted to the approximately 3.5 ha area and facilities identified on the attached plan.

- the use being restricted to approximately 10 days each year in August (including set-up, festival days, and clean-up),
- no permanent facilities being placed or constructed,
- the submission of an annual status report (including photos) from the landowners verifying the return of the land to a good state following the campground use,
- the submission of a \$3,000 letter of credit in favour of the Commission to ensure that the properties are returned to a state suitable for agriculture after each festival, and
- the approval being reviewed in three years.

Application #35986-3

Applicant: Salmon Arm Roots & Blues Festival

Decision Date: May 23, 2006

Proposal: To remove the condition of the submission of a \$3,000 letter of credit in favour of the Commission to ensure that the properties are returned to a state suitable for agriculture after each festival.

Decision: Allowed as the Commission believed that the Festival had mechanisms in place to repair potential damages to the agricultural properties and that requiring a bond would cause an unnecessary hardship to the Festival.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

City of Salmon Arm Council: Moved to authorize the application for submission.

Salmon Arm Development Services Department: Support because the use will occur during a two week period and the applicant has demonstrated good stewardship of the adjacent ALR lands to the east (which have previously been used for the primary festival campground).

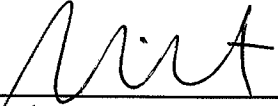
STAFF COMMENTS:

- The proposed use is for a two week period in August every year.
- A portion of the two 2.1 ha properties to the east has been used for the festival two years. The properties have been returned to their agricultural condition after the festival.
- Staff is concerned that the festival will continue to get larger and future requests will be received for the use of additional farmland.

ATTACHMENTS:

- ALR map (1:50,000)
- Letter from Salmon Arm Roost & Blues Festival
- Sketch of proposal and existing uses
- Sketch of proposed campground
- Example of campground layout on adjacent property
- Air photo showing subject property and properties with approved non-farm use

END OF REPORT



Signature



Date