



**Agricultural Land Commission**  
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October 5, 2007

Reply to the attention of Brandy Ridout  
ALC File: # H - 37438

Carl Bannister, Chief Administrative Officer  
City of Salmon Arm  
PO Box 40  
Salmon Arm, B.C. V1E 4N2

Dear Sir:

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

Please find attached the Minutes of Resolution # 469/2007 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 'E. Karlsen', is written over the 'Per:' label. The signature is fluid and cursive.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

BR/lv  
37438d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on September 20, 2007 in Oliver, BC.

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

### For Consideration

Application: # H- 37438  
Applicant: Government of Canada  
Proposal: To use 10 ha of the 34 ha property for a future municipal cemetery for the City of Salmon Arm, and to allow the remaining 22.7 ha to be used for potential public uses permitted under the current P-1 zoning of the parcel.  
Legal: PID: 014-072-491  
The East ½ of the South East ¼ of Section 12, Township 20, Range 10, W6M, Kamloops Division Yale District  
Location: 2700 - 20th Avenue, SE, Salmon Arm

### Site Inspection

A site inspection was conducted on September 19, 2007. Those in attendance were:

- Sue Irvine Chair, Okanagan Panel
- Sid Sidhu Commissioner
- Monika Marshall Commissioner
- Brandy Ridout Staff
- Martin Collins Staff
- Kevin Pearson City of Salmon Arm (Planner)
- Carl Bannister City of Salmon Arm (Administrator)
- Corey Paiement City of Salmon Arm (Director of Development Services)

Mr. Pearson confirmed that the staff report dated September 5, 2007 was received and no errors were identified. However, Mr Pearson did distribute a copy of the City of Salmon Arm staff report for the Commission's perusal. The staff report provided detailed rationale as to why the existing municipal cemetery was unsuitable for expansion.

### 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 on the ALR portion of the subject property is improvable to 70% Class 1 and 30% Class 2 with irrigation.

Class 1 – Land in this class either has no or only very slight limitations that restrict its use for the production of common agricultural crops.

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

While the agricultural capability of the property was very good, the land had never been cleared and improved for agriculture, and is currently under forest cover. Adjoining lands with similar soil capability are developed for agriculture.

### **Assessment of Agricultural Suitability**

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does 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. The Commission believes that a cemetery would likely have little impact on adjoining agriculture, provided a substantial forested buffer were retained against the ALR boundary, and a trespass inhibiting fence constructed around the active portions of the cemetery.

### **Assessment of Other Community Issues**

The Commission noted that while there were constraints on the expansion of the existing cemetery facility, there are other potential sites in the community (on currently undeveloped land). However, it appreciated that these sites were likely to be more costly and designated for other purposes, and that the City also had an interest in using the remainder of the 22 ha property for other public uses.

While the Commission believed the cemetery use could be accommodated in the ALR it was not prepared to allow, at this time, any of the uses permitted by the current P-1 zoning that were not already permitted by ALC Regulation #171/2002 (for example a natural park, or wildlife or environmental reserve). In fact the Commission would prefer that the remnant were cleared and developed for agriculture by a farmer on a long term lease from the City of Salmon Arm. However, it was not prepared to make this a condition of approval as it may be the City's intent to retain the remainder of the property for a natural park as permitted by Regulation.

### Conclusions

1. That the land under application has good agricultural capability and is appropriately designated as ALR and is suitable for agricultural use.
2. That the City of Salmon Arm is somewhat constrained in its supply of land suitable for cemetery uses.
3. That the cemetery use, while permanently alienating potential agricultural land, will not substantively impact adjoining agriculture provided it is buffered and fenced from the westerly farm property. However, the Commission does not endorse any other uses permitted by the P-1 zoning designation with the exception of those permitted by B.C. Regulation 171/2002.

### IT WAS

MOVED BY: Commissioner Irvine  
SECONDED BY: Commissioner Marshall

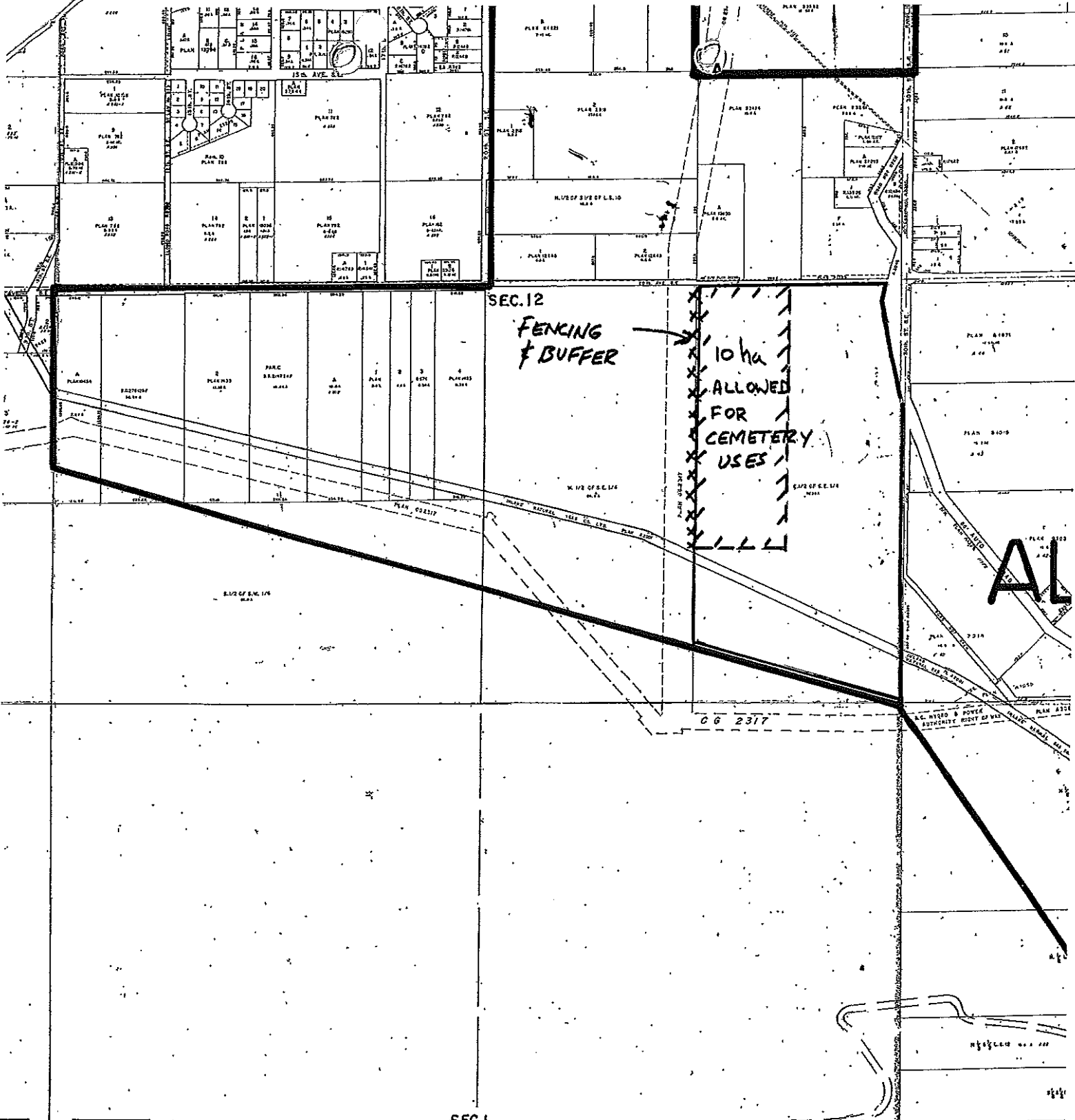
THAT the application to use up to 10 ha of the 32 ha property for cemetery uses be allowed subject to the following conditions;

- the cemetery use is located as per the attached sketch plan.
- the construction of a trespass inhibiting fence around the active portion of the cemetery to ensure there is no interaction between cemetery users and the adjoining farm lying to the west.
- the retention of a 20 meter wide forested buffer on the westerly boundary of the property to ensure a visual, particle and spray buffer between the farm operation and the cemetery.
- the cemetery use must be commenced within ten (10) years from the date of this decision or the permission granted by this decision ceases.
- approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

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 # 469/2007



SEC. 12

FENCING & BUFFER

10 ha  
ALLOWED  
FOR  
CEMETERY  
USES

AL

SEC. 1

APPLICATION # H-37438 RESOLUTION # 469/2007

Constituent

Map # 21

Scale: 1:10,000

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**Staff Report**  
**Application # H – 37438**  
**Applicant: Government of Canada**  
**Agent: City of Salmon Arm**

**DATE RECEIVED:** May 16, 2007

**DATE PREPARED:** September 5, 2007

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

**FROM:** Martin Collins, Regional Planner

**PROPOSAL:** To use 10 ha of the 32 ha property for a future municipal cemetery, and to allow the remaining 22.7 ha to be used for potential public uses permitted under the parcel's current P-1 zoning.

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

**BACKGROUND INFORMATION:**

The property is currently owned by the federal government and was used as rifle range for many years (which accounts for the P1 zoning)

The City indicates that the existing cemetery will likely run out of space in the next decade, and that there are no realistic non ALR options. Expansion of the existing cemetery is unsuitable because of topographic constraints and surrounding land uses.

**Local Government:**

City of Salmon Arm

**Legal Description of Property:**

PID: 014-072-491

The East 1/2 of the South East 1/4 of, Section 12, Township 20, Range 10, W6M, Kamloops Division Yale District

**Purchase Date:**

1937-01-01

**Location of Property:**

2700 - 20th Avenue, SE, Salmon Arm

**BACKGROUND INFORMATION (continued):**

**Size of Property:**

32.7 ha (About 30 ha of the property is in the ALR).

**Present use of the Property:**

No buildings exist on the property, which under mature forest cover. There is main trail accessing from 20th Avenue SE leading to a small clearing. A natural gas right-of-way traverses the southern portion of the property from east to west.

**Surrounding Land Uses:**

**WEST:** ALR Farm operation with land in cultivation and greenhouses  
**SOUTH:** Non ALR Crown forest land/ Mount Ida  
**EAST:** ALR Rural acreages and cultivated land  
**NORTH:** 20th Avenue SE and ALR rural acreages with dwellings and accessory buildings

**Agricultural Capability:**

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

**Official Community Plan and Designation:**

OCP Designation: Acreage Reserve

**Zoning Bylaw and Designation:**

Zoning: Bylaw No. 2303 (1995) Designation: P-1 (Park and Recreation Zone)  
Minimum Lot Size: 0.2 ha

The existing zoning permits campgrounds, all types of parks, ranging from wildlife reserves to bowling greens, exhibition grounds, public assembly halls and other (unspecified) cultural and entertainment facilities.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

Council for the City of Salmon Arm forwarded the application with a recommendation of support.

**STAFF COMMENTS:**

Staff suggests that the Commission consider the following:

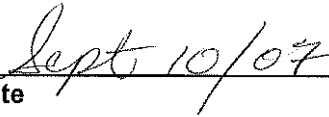
- The soils on the property appear to have very good agricultural capability
- The previous shooting range use does raise the question as to whether portions of the property are contaminated with lead bullets. Contamination might render the soils unsuitable for agriculture without expensive remediation.
- Cemetery uses can be compatible with adjoining agricultural uses
- No specific information has been provided as to what other uses might be anticipated on the ~10 ha of flat remaining land. However, playing fields are a permitted use in the P1 zone, and typically communities find these uses difficult to locate outside the ALR because of the high cost of land. A natural park might also be contemplated.
- Should the Commission be favorably disposed to the cemetery request, consideration might be given to requiring that the remainder be cleared and leased for agricultural purposes.

**ATTACHMENTS:**

- ALR 1:20,000 scale map
- Airphoto showing the location of the cemetery site

**END OF REPORT**

  
Signature

  
Date