



**Agricultural Land Commission**  
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November 30, 2007

Reply to the attention of Brandy Ridout  
ALC File: H-37587

R G (Bob) Holtby  
670 - 17th Street, SE  
Salmon Arm, BC V1E1W2

Dear Mr. Holtby:

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

Please find attached the Minutes of Resolution # 565/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

  
Erik Karlsen, Chair

cc: Columbia Shuswap Regional District (LC2360-C)

Enclosure: Minutes

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## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on November 9, 2007 at the Ministry of Agriculture and Lands offices located at 4607 - 23rd St, Vernon, BC.

**PRESENT:**

Sue Irvine	Chair, Okanagan Panel
Sid Sidhu	Commissioner
Roger Mayer	Commissioner
Brandy Ridout	Staff
Martin Collins	Staff

### For Consideration

Application: # H- 37587  
Applicant: Kathy Bolton  
Agent: R G (Bob) Holtby  
Proposal: To subdivide three 1.6 ha parcels from the 15.4 ha property lying to the south of Nayki Road  
Legal: PID: 008-595-933  
North ½ of the North East ¼, Section 10, Township 22, Range 10, W6M, Kamloops Division Yale District, EXCEPT 1) Parcel A (DD162955F) thereof and 2) Plan KAP77973  
Location: 2525 Nayki Road, White Lake Area

### Site Inspection

A site inspection was conducted on November 8, 2007. Those in attendance were:

- Sue Irvine Chair, Okanagan Panel
- Sid Sidhu Commissioner
- Roger Mayer Commissioner
- Brandy Ridout Staff
- Martin Collins Staff
- John & Kathy Bolton Applicants
- Bob Holtby Agent

Mr. Holtby confirmed that the staff report dated October 25, 2007 was received and no errors were identified.

During the site visit, Mr. Holtby presented the idea that the land would be better used if it was in four smaller lots rather than one large lot. This concept was discussed. It was indicated by the applicants that they had tried various agricultural endeavours on the portion of the property to the south of Nayki Road but that they had all failed for various reasons (i.e. soil to rocky/wet).

## **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 40% Class 4TD, 40% Class 5MT and 20% Class 6TR

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

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.

Subclasses

- M soil moisture deficiency
- D undesirable soil structure
- R shallow soil / bedrock outcroppings
- T topography

### **Assessment of Agricultural Suitability**

The Commission assessed whether the factors have caused or will cause the land to become unsuitable for agriculture. The Commission considered that Nayki Road ran through the property but did not believe that the road was an impediment to farming the subject property as a unit. The Commission did not believe there were any other factors that would 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 recalled the previous decision that had been made on the subject property under application #H-35361. At that time, it had stated that "further subdivision of the areas west of White Lake Road would accelerate rural subdivision pressure in the

area beyond containment and make it more difficult to retain the resulting parcels in large sizes in the long term.” The Commission only allowed the subdivision of the subject property into two lots subject to consolidation of other properties owned by the larger ranching operation.

In discussing the matter of small lot agriculture, the Commission acknowledged the argument that smaller lots would allow more potential farmers to purchase properties to farm and thus the land would be more intensively used for agriculture (i.e. subdivision would improve the probability that improvements such as drainage of the slough would take place). The Commission also recalled its experience that indicates that in general, subdividing lands in the ALR reduces the options available to a farmer, alienates land from possible production by the construction of a house and associated structures (i.e. driveway, garage, shed), and increases the possibility that a non-farmer will purchase the property for non-farm purposes.

In this case, the Commission did not believe it in the interest of agriculture to allow subdivision based on the fact that the current owners had no interest in farming the subject property as a unit.

### **Conclusions**

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal 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.

### **IT WAS**

**MOVED BY:** Commissioner Irvine  
**SECONDED BY:** Commissioner Sidhu

THAT the application to subdivide three 1.6 ha parcels from the 15.4 ha property be refused on the grounds that the parcel is better suited for agricultural use in its present configuration.

### **CARRIED**

**Resolution # 565/2007**