



Agricultural Land Commission
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December 20, 2007

Reply to the attention of Brandy Ridout
ALC File: H-37711

David Bentley
Box 329
Celista, BC V0E1L0

Dear Mr. Bentley:

Re: Application to subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 561/2007 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: Columbia Shuswap Regional District (LC2363-F)

Enclosure: Minutes/Sketch Plan

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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- 37711
Applicant: David Bentley
Agent: Browne Johnson Land Surveyors
Proposal: To subdivide three 2.3 ha and a 4 ha lot from the 30 ha property (leaving a remainder of 18.7 ha).
Legal: PID: 004-529-120
Lot A, Section 23, Township 23, Range 11, W6M, Kamloops Division
Yale District, Plan 28542
Location: North of Celista

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
- David Bentley Applicant

As Mr. Bentley had not yet received a copy of the staff report dated November 5, 2007, a copy was provided during the onsite inspection. No errors were identified.

The Commission viewed the property and noted that it was not currently used for agriculture, was mainly treed and was challenged by topography and the presence of steep surrounding mountains (restrictions to sunlight).

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 soil of the subject property is approximately 60% Class 3 with a limitation of soil moisture deficiency and 40% Class 4 with limitations of stoniness and soil moisture deficiency.

- Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

The agrologist report submitted with the application stated that "while the land is arable the classifications have, in my opinion, overstated the potential range of crops that could be grown on the property. Irrigation is not feasible since there are no water licences available and no chance of public provision of water."

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 did not believe the proposal would impact existing or potential agricultural use of the subject property or surrounding lands.

IT WAS

MOVED BY: Commissioner Mayer

SECONDED BY: Commissioner Sidhu

THAT the application to subdivide three 2.3 ha and a 4 ha lot from the 30 ha property (leaving a remainder of 18.7 ha) be approved on the grounds that the proposed subdivision would not impact agriculture in the long term.

AND THAT the approval is subject to the following conditions:

- The subdivision be in substantial compliance with the plan submitted with the application.
- The subdivision must be completed within three (3) years from the date of this decision.

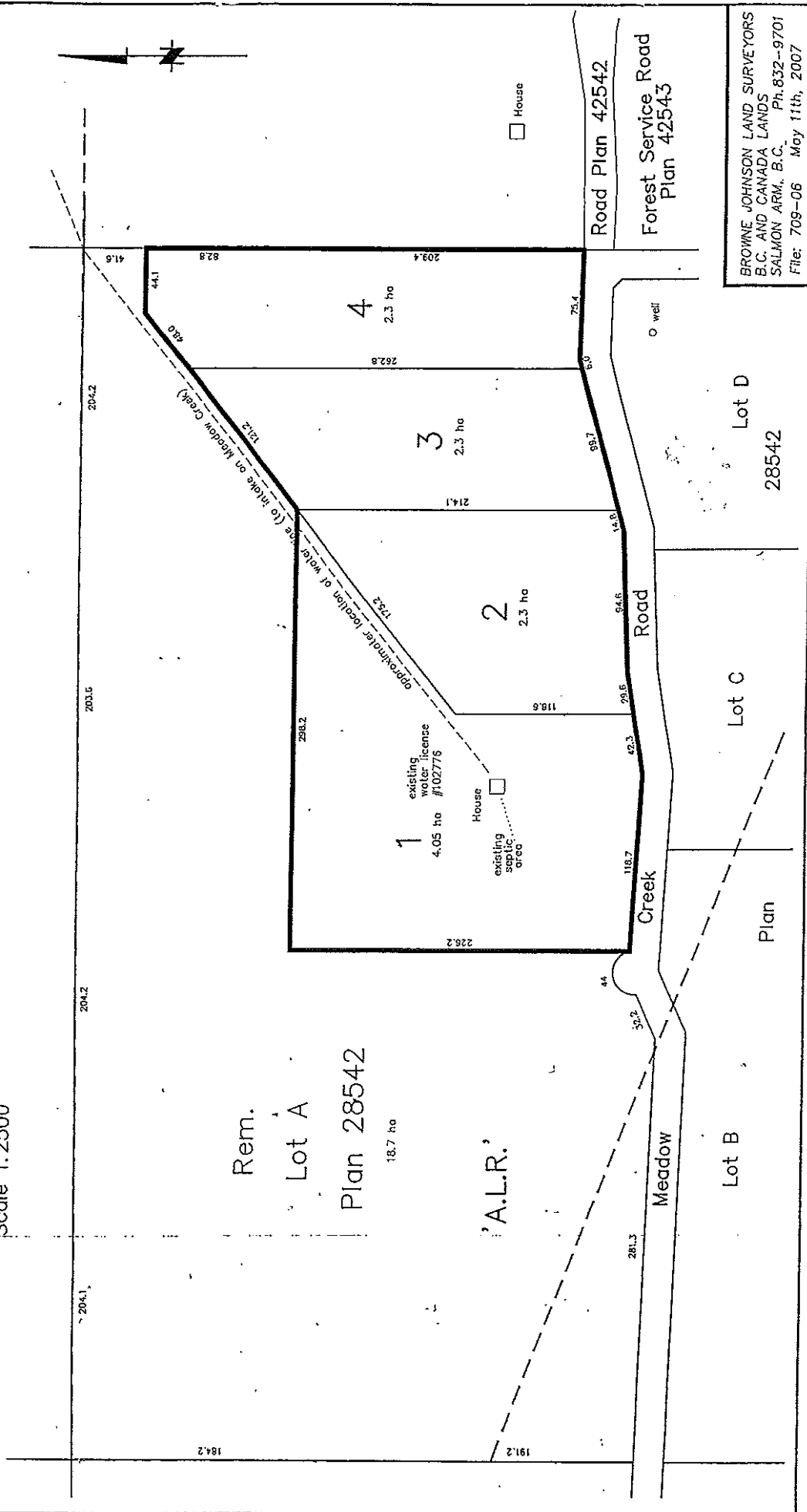
This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution #561/2007

Sketch Plan of Proposed Subdivision
of Part of Lot A, Plan 28542,
Sec.23, Tp.23, R.11, W6M, K.D.Y.D.

Scale 1:2500



BROWNE JOHNSON LAND SURVEYORS
B.C. AND CANADA LANDS
SALMON ARM, B.C. Ph. 832-9701
File: 709-06 May 11th, 2007

Provincial Agricultural Land Commission
Application #H-37711
Resolution #561/2007
Approved subdivision plan