



Agricultural Land Commission
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March 26, 2008

Reply to the attention of Brandy Ridout
ALC File: #H-37831

Robert Rosby
3913 Myers Frontage Road
Tappen, BC V0E2X0

Dear Mr. Rosby:

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

Please find attached the Minutes of Resolution # 79/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: Columbia Shuswap Regional District (LC2372-C)

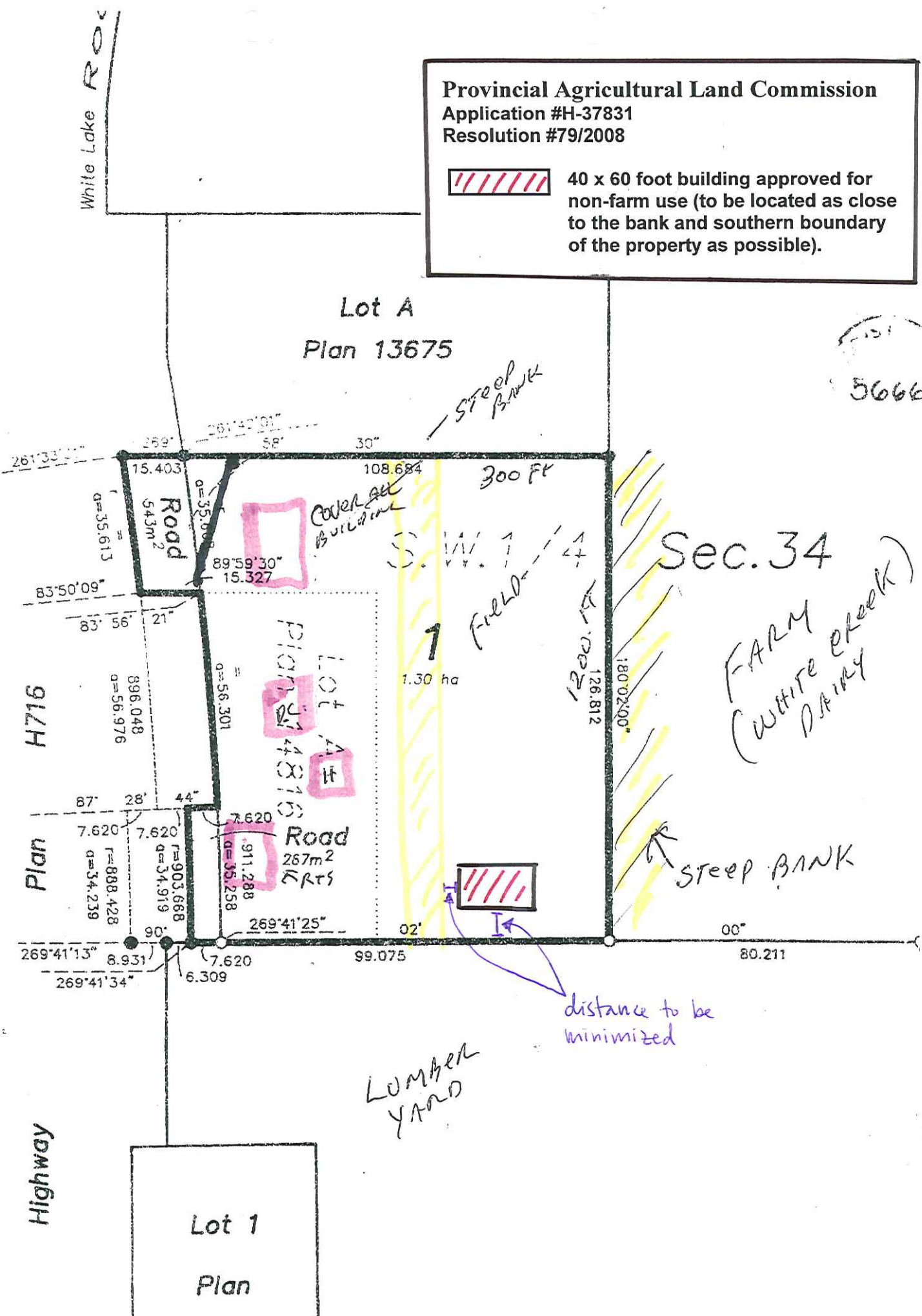
Enclosure: Minutes/Sketch Plan

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Provincial Agricultural Land Commission
Application #H-37831
Resolution #79/2008



40 x 60 foot building approved for non-farm use (to be located as close to the bank and southern boundary of the property as possible).





A meeting was held by the Provincial Agricultural Land Commission on March 6, 2008 in Vernon, BC.

PRESENT: Sue Irvine Chair, Okanagan Panel
Sid Sidhu Commissioner
Roger Mayer Commissioner
Brandy Ridout Staff

For Consideration

Application: #H-37831
Applicant: Robert Rosby
Proposal: To erect a 12.2 metre x 18.3 metre (40 x 60 foot) cover-all building on a cement slab in the southeastern corner of the 1.3 ha property to store building materials and equipment and possibly provide space for equipment repair. The building will not have any plumbing or septic.
Legal: PID: 019-085-133
Lot 1, Section 34, Township 21, Range 10, W6M, Kamloops Division
Yale District, Plan KAP53820, EXCEPT Plan KAP73878
Location: 3913, 3909, 3905 and 3901 Myers Frontage Road, Carlin area

Site Inspection

A site inspection was conducted on March 6, 2008. Those in attendance were:

- Sue Irvine Chair, Okanagan Panel
- Sid Sidhu Commissioner
- Roger Mayer Commissioner
- Brandy Ridout Staff
- Robert Rosby Applicant

Mr. Rosby confirmed that the staff report dated January 3, 2008 was received and no errors were identified.

The location of the storage building on a portion of the property already compromised for agriculture was discussed. It was indicated that locating the storage area closer to the existing buildings would create access problems for the eastern portion of the property as topography dictates access be along the south boundary.

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

According to the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, the agricultural capability of the soil of the portion of the subject property proposed for the location of the building is Class 3 with limitations of topography and stoniness. Class 3 land has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Assessment of Agricultural Suitability

The Commission assessed whether factors have caused or will cause the land to become unsuitable for agriculture. The Commission noted the location of the property along a frontage road, the adjacent non-farm uses, its small size, and that approximately half of the property is used as a homesite and a non-farm business that was developed when the property was smaller than 2 acres and not subject to the *Agricultural Land Commission Act*. It believed that the combination of these factors limited the overall suitability of the subject property for agriculture.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long-term goal of preserving agricultural land. Although the proposed 200 square metre (0.02 ha) structure would be located on land that could potentially be used for agriculture as it had been levelled and cleared by the applicant, the Commission did not believe it would unnecessarily restrict the use of the remaining field for agriculture. It preferred to see the structure located as close to the bank and southern property line as possible to reduce the impact on the field.

In terms of impact on surrounding properties, the Commission noted that the property had non-farm uses to the north and south and was divided from the agricultural operation to the west by the highway and the agricultural operation to the east by a treed ridge. As such, the Commission did not believe the proposal would conflict with adjacent agricultural operations.

IT WAS

MOVED BY: Commissioner Mayer

SECONDED BY: Commissioner Sidhu

THAT the application to erect a 12.2 metre x 18.3 metre (40 x 60 foot) cover-all building on a cement slab in the southeastern corner of the 1.3 ha property to store building materials and equipment and possibly provide space for equipment repair be approved.

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 #79/2008