



Agricultural Land Commission
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November 5, 2008

Reply to the attention of Brandy Ridout
ALC File: **H-38010**

James Laverne Turner
PO Box 44 - 435 Mobley Road
Tappen, BC V0E2X0

Dear Mr. Turner:

Re: Application to Subdivide Land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #329/2008 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

Enclosure: Minutes/Sketch Plan

cc: Columbia Shuswap Regional District (LC2381-C)

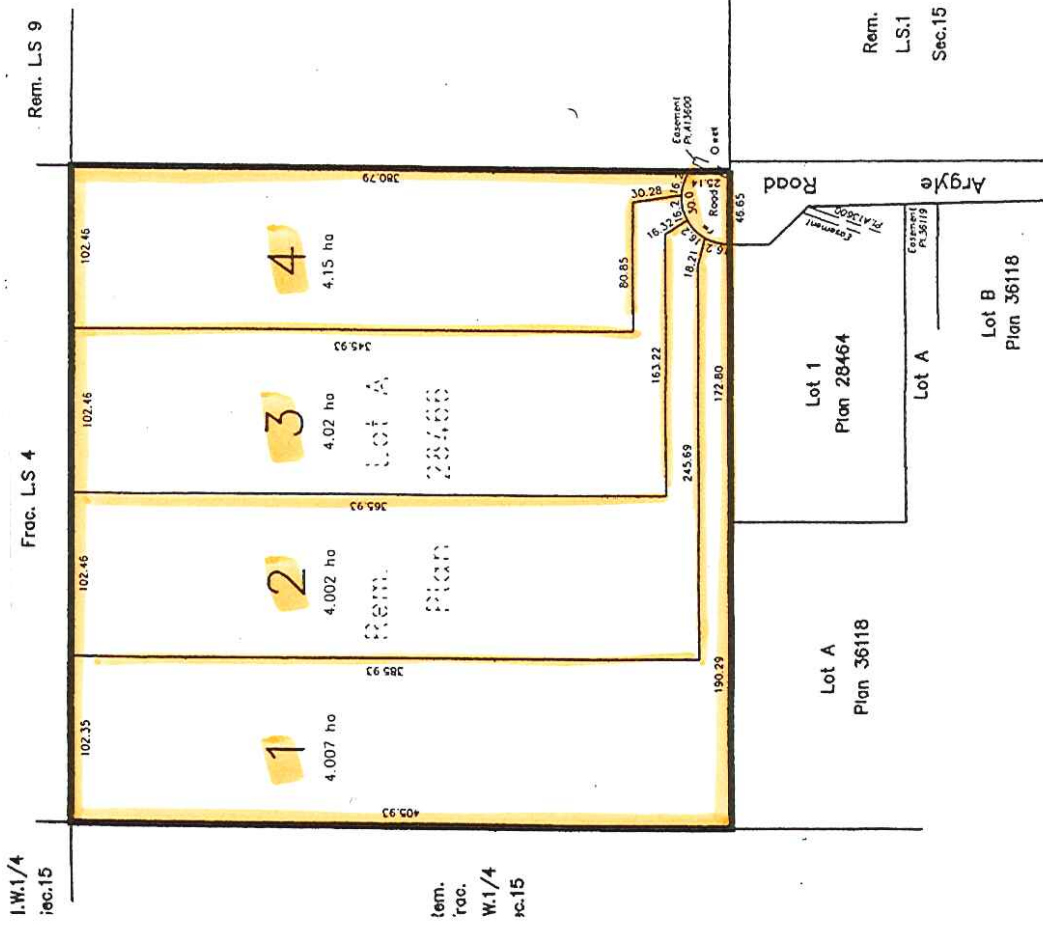
BR
i/38010d1

Sketch Plan of Proposed Subdivision of Part of Lot A, Plan 28466, Sec.15, Tp.22, R.10, W6M, K.D.Y.D.

Except Plan 36118

Scale 1:3000

B.C.G.S. 82L.084



I.W.1/4
Sec.15

Rem.
L.S. 8
Sec.15

Rem.
L.S. 8
Sec.15

Rem.
L.S.1
Sec.15

Lot 1
Plan KAP

November 23rd, 2007

Provincial Agricultural Land Commission
Application #H-38010
Resolution #329/2008

Approved 4-lot subdivision in the ALR



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 8, 2008 at the Keremeos Municipal Hall located at 702-4th Street, Keremeos, BC.

PRESENT:	Roger Mayer	Chair, Okanagan Panel
	Sid Sidhu	Commissioner
	Gerald Zimmermann	Commissioner
	Brandy Ridout	Staff

For Consideration

Application: #H-38010
 Applicant: James Laverne Turner
 Proposal: To subdivide the 16 ha subject property into four 4 ha parcels.
 Legal: PID: 002-504-898
 Lot A, Section 15, Township 22, Range 10, W6M, Kamloops Division
 Yale District, Plan 28466, EXCEPT Plan 36118
 Location: White Lake Area - no civic address (at the end of Argyle Road)

Site Inspection

A site inspection was conducted on May 9, 2008. Those in attendance were:

- Roger Mayer Chair, Okanagan Panel
- Sid Sidhu Commissioner
- Gerald Zimmermann Commissioner
- Brandy Ridout Staff
- Martin Collins Staff
- Laverne Turner Applicant

Mr. Turner confirmed that the staff report dated April 30, 2008 was received and no errors were identified. The Commission toured the property and noted the undulating and sloping topography but believed that it had more capability for agriculture than indicated on the Canada Land Inventory maps (Class 6 and 7).

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 70% Class 6 with limitations of topography and stoniness and 30% Class 7 with limitations of topography and shallow soil. Class 6 land is non-arable but is capable of producing native and or uncultivated perennial forage crops. Class 7 land has no capability for arable or sustained natural grazing.

Following the onsite inspection, the Commission expressed some concern that the property had better agricultural capability than indicated on the CLI maps. As such, staff was directed to request that the applicant have an agricultural capability report undertaken by a registered professional agrologist. The report, received August 11, 2008, from Herb Luttmending, concludes that the property has very limited value for agriculture. This conclusion is based on an on-site soil and land capability for agriculture assessment of the property, the "Soil Map of the Shuswap Lakes Area" that show the property to be not irrigable due to severe soil constraints, and an on-site assessment of the parcel by Ted Berry, P.Ag. in 1974 that indicated that the parcel is basically Class 6 and Class 7.

Assessment of Agricultural Suitability

The Commission assessed whether factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. Herb Luttmending's report indicates that water sources in quantities suitable for irrigation are highly unlikely. He also noted that the various agricultural capability ratings on the property are closely intermingled and areas which may have some value for arable agriculture are small in size, irregular in shape, and physically separated from each other. As such, the Commission believed that the property had challenges to its suitability 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. As the subject property has limited agricultural capability and suitability, the Commission did not believe the proposal would have a negative impact on agriculture.

Conclusions

1. That the land under application has limited agricultural capability.
2. That the land under application has challenges to its suitability for agricultural use.
3. That the proposal will not have a negative impact on agriculture.

IT WAS

MOVED BY: Commissioner Zimmermann

SECONDED BY: Commissioner Mayer

THAT the application to subdivide the 16 ha subject property into four 4 ha parcels be approved 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 #329/2008