



# Provincial Agricultural Land Commission - Staff Report

## Application: 52279

**Applicant:** Jack & Donna Irwin  
**Local Government:** City of Salmon Arm

**Proposal:** SUBDIVISION - The property is approximately 4 ha and contains the owner's residence and accessory building's. The owners wish to create a separate 0.4 ha parcel for a new home site to build a smaller more "senior friendly home" in the back northeast corner of the property.

### BACKGROUND INFORMATION

The property is designated Salmon Valley Agricultural in the OCP and is zoned A-2 (Rural Holding). The minimum lot size is 4.0 ha within the A-2 zone but can be considered under Section 946 of the Local government Act (subdivision to provide a residence for a relative).

### PROPERTY INFORMATION

**PID:** 012-521-850  
**Legal Description:** Lot 3 Section 16 Township 20 Range 10 West of the 6th Meridian Kamloops Division Yale District Plan 312  
**Property Area:** 4.1 ha  
**ALR Area:** 4.1 ha  
**Purchase Date:** December 22, 2006  
**Location:** 490 - 40th Street  
**Owner:** Jack & Donna Irwin

### LAND USE

**Current Land Use:**

The land is used for hay and pasture. There is a dwelling, home business office and garage on the property. There is also a barn on the property used as storage shed.

**Surrounding Land Uses:**

North: Single family residence, pasture and hay land  
 East: Pasture land  
 South: Single family residence and pasture land  
 West: TCH outside of the ALR and farm land within the ALR

### PROPOSAL DETAILS

**Subdivision - ALR Area:** 4.1 ha

Number of Lots	ALR Area of Lot (ha)
1	0.4
1	3.7

**Agricultural Capability:**

The majority of the area under application is rated as: Prime Dominant

**Source:** CLI

**Mapsheet:** 82L/11

### RELEVANT APPLICATIONS

## RELEVANT APPLICATIONS

**Application ID:** 50344

**Applicant:** Ron & Kathy Batty

**Proposal:** To use a 0.3 ha portion of the 3.7 ha subject property for a wood chip/pellets/animal bedding business.

**Decision:**

Resolution #	Decision Date	Decision Description
910/2009	September 3, 2009	Allowed on the grounds that the Commission recognizes that access to animal bedding is an issue, subject to the following conditions: 1. The non-farm use is not to go beyond proposed footprint area. 2. The approval is for 2 years from the date of the decision (expires September 3, 2012). The business must be removed at the end of that period to a location outside the ALR. 3. The property, or portion thereof, is not to be rezoned. 4. The property must be rehabilitated to an agricultural standard at the end of the 2 year period. 5. A final report from an agrologist is required that details the rehabilitation process and ensures that the property has been returned to an agricultural standard.

**Note:** A permitted use for 2 years for a wood chip/pellets/animal bedding business on a 0.3 ha portion of the property located on the adjacent property to the south of the subject property under current application for subdivision.

## LOCAL GOVERNMENT INFORMATION

**Official Community Plan:**

**Bylaw Name:** City of Salmon Arm OCP Bylaw 3000

**Designation:** Salmon Valley Agricultural

**OCP Compliance:** Yes

**Zoning:**

**Zoning Bylaw Name:** City of Salmon Arm Zoning Bylaw No. 2303

**Zoning Designation:** A-2 (Rural Holdings)

**Minimum Lot Size:** 4.0 ha

**Zoning Compliance:** No

**Comments and Recommendations:**

**Board/Council**

The application for subdivision be authorized for submission to the ALC.

**Planning Staff**

Staff has reservations with the proposal and is recommending that the application not proceed based on the following considerations:

- i) The OCP does not support subdivision of properties designated Salmon Valley Agricultural;
- ii) The Land Capability Classification indicates that the soils are well suited to agricultural use;
- iii) The property and surrounding lands are actively being farmed; and
- iv) The proposed subdivision may reduce the property's agricultural viability.

It is noted, however, that the applicant's family has owned the property since 1961 and the proposed subdivision may qualify for consideration under the ALC's homesite severance policy.

## ALC STAFF COMMENTS

Staff has the following comments regarding this application:

- The agricultural capability of the soils of the property is 70% Class 2 with a limitation of cumulative and minor adverse characteristics and 30% Class 4 with limitations of topography and excess water.
- The OCP does not support subdivision of properties designated Salmon Valley Agricultural; however, Section 946 of the Local government Act permits subdivision to provide a residence for a relative.

## **ALC STAFF COMMENTS**

- The property is located within an agricultural area and the proposed subdivision could reduce the property's agricultural potential.
- The applicant's father owned the property from 1961 to when the applicant's father passed away in 1993; the property was then transferred to the current owners (the applicants) who would like to build a new home on the proposed lot and transfer the remainder to their children.

## **ATTACHMENTS**

52279map.pdf  
52279\_ContextMap10k.pdf  
52279\_AirphotoMap5k.pdf  
52279\_AgCapabilityMap.pdf

## **END OF REPORT**

**Prepared by:** Ron Wallace, May 2011