



Staff Report
Application # H – 37585
Applicant: Warren and Trudy Schweb
Agent: R G (Bob) Holtby
Location: Salmon River Rd., Glenemma

DATE RECEIVED: July 30, 2007

DATE PREPARED: October 25, 2007

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To subdivide an 8 ha lot in the northeast corner of the 64 ha property, adjacent to the Salmon River Road.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

One previous application has been considered on the property for a Homesite Severance subdivision.

Local Government:

Columbia Shuswap Regional District (CSRD)

Legal Description of Property:

PID: 013-685-783

South East 1/4, Section 7, Township 18, Range 10, W6M, Kamloops Division of Yale District, EXCEPT Plans H8247 and KAP72516

Purchase Date:

2002-12-01

Location of Property:

Vacant - no house number assigned, Silver Creek Area - North of Heywood Corner

Size of Property:

64 ha (The entire property is in the ALR).

BACKGROUND INFORMATION (continued):

Present use of the Property:

Hay Barn Two Fields of 3.6 ha and 2.4 ha

Surrounding Land Uses:

WEST: Single family residence, farm buildings, forage crops
SOUTH: Some pasture, mainly treed
EAST: Single family residence, farm buildings, irrigated hayfields and pasture
NORTH: Single family residence, accessory buildings, rough grazing land

Agricultural Capability:

Data Source: Agricultural Capability Map # 82L/11
The majority of the property is identified as having secondary ratings.

Official Community Plan and Designation:

Salmon Valley Land Use Bylaw No. 2500: "Rural" which permits a minimum lot size of 60 ha.

PREVIOUS APPLICATIONS:

Application #33388-0

Applicant: Smith, Dianne
Decision Date: September 20, 2000
Proposal: To subdivide a 0.5 ha Homesite Severance from the 64 ha property. The applicant owned and occupied the property since September 1972.
Decision: Allowed as requested, subject to Homesite Severance conditions

RELEVANT APPLICATIONS:

Application #36790-0

Applicant: Munsey, Ross
Decision Date: September 29, 2006
Proposal: Subdivide property along base of hillside to create a 2 ha parcel adjacent to the Salmon River Road and to subdivide the 11 ha remainder into two lots.
Decision: Refused the three lot subdivision as proposed. However, it allowed a two lot subdivision as divided by the escarpment.

Application #37586-0

Applicant: Wangler, Dennis and Barbara
Decision Date: September 20, 2007
Proposal: To subdivide a 2 ha lot from the 23.5 ha subject property to construct a new dwelling.
Decision: Refused on the grounds that subdivision would reduce the likelihood of agricultural development and increase the pressure for similar size subdivisions in the area.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

CSRD Board: Forwarded the application recommending that the subdivision be allowed.

STAFF COMMENTS:

- The subdivision of the Homesite Severance resulted in the separation of the field areas on the property by a residential lot. The applicant's agent indicates that the homesite and the topographic break make it not possible to operate the 64 ha property as an agricultural unit.
- Subdividing and 8 ha lot would eliminate an arable 2.5 ha hayfield area from the remainder, reducing the land's agricultural capability. A 3.5 ha field would be retained with the remainder.
- The Commission has tended to resist subdivision of parcels in Glenemma that have agricultural capability. Furthermore it is likely that the 8 ha parcel will come under further pressure to subdivide as it is a less suitable agricultural unit than the existing 64 ha property.

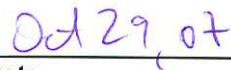
ATTACHMENTS:

- 1:20,000 scale ALC Map
- 1:10,000 scale ALC Orthophoto
- Agent's report

END OF REPORT

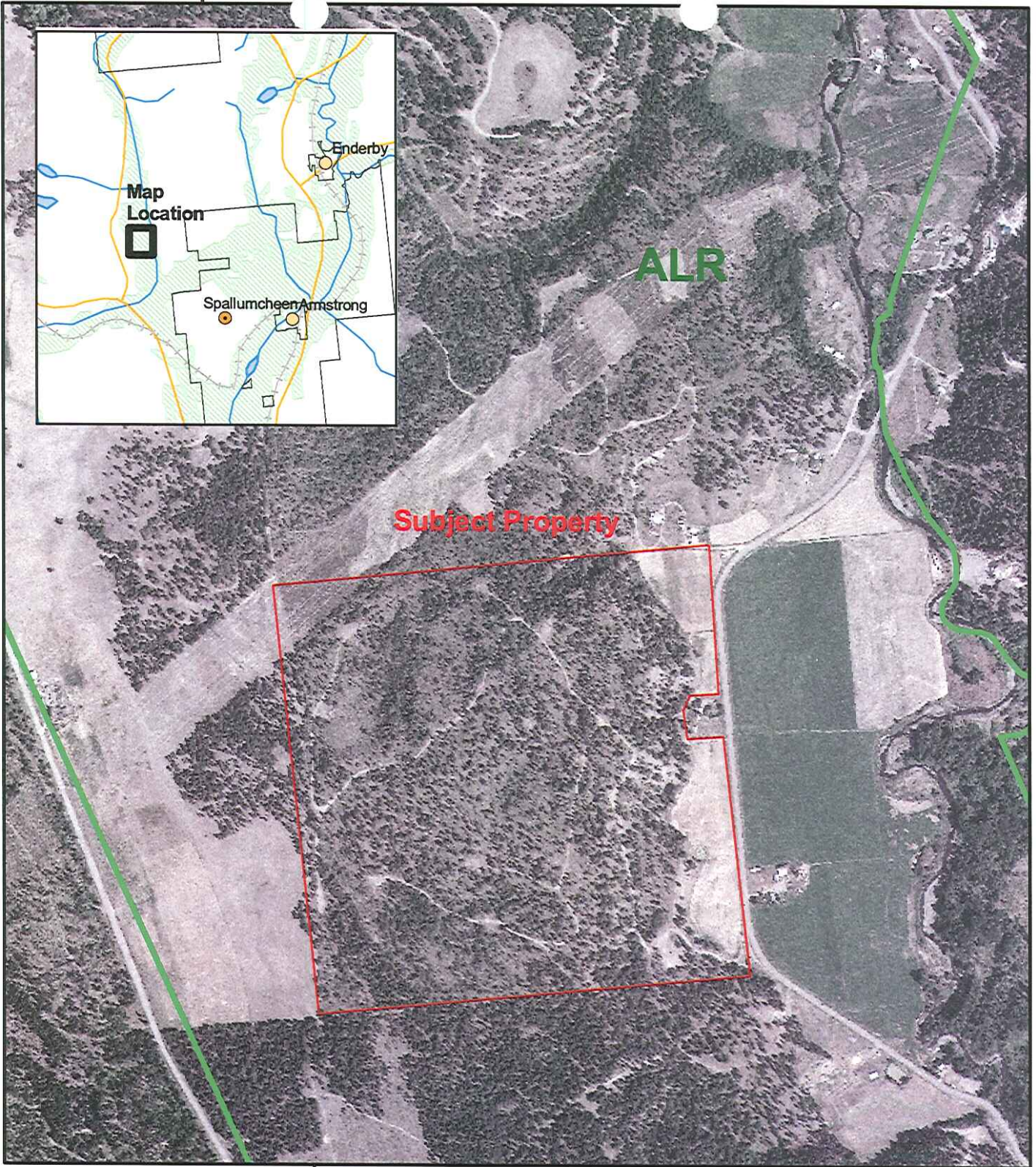


Signature



Date

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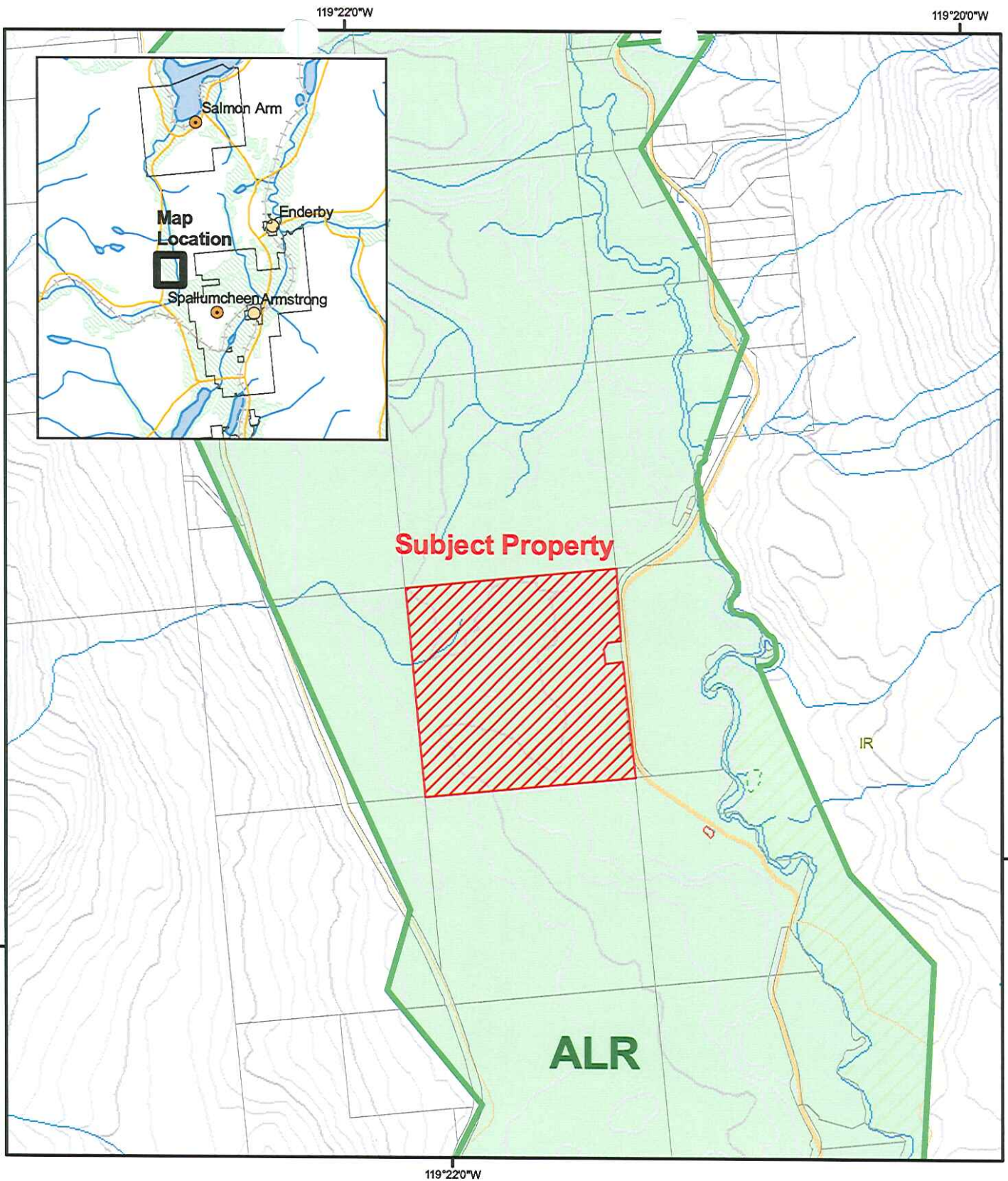


Airphoto Map

Map Scale: 1:10,000



ALC File #:	21-07-37585
Mapsheet #:	82L.054
Map Produced:	Aug 17, 2007
Regional District:	Columbia Shuswap



ALC Context Map

Map Scale: 1:20,000



ALC File #:	21-07-37585
Mapsheet #:	82L.054
Map Produced:	Aug 17, 2007
Regional District:	Columbia Shuswap

1.0 Introduction

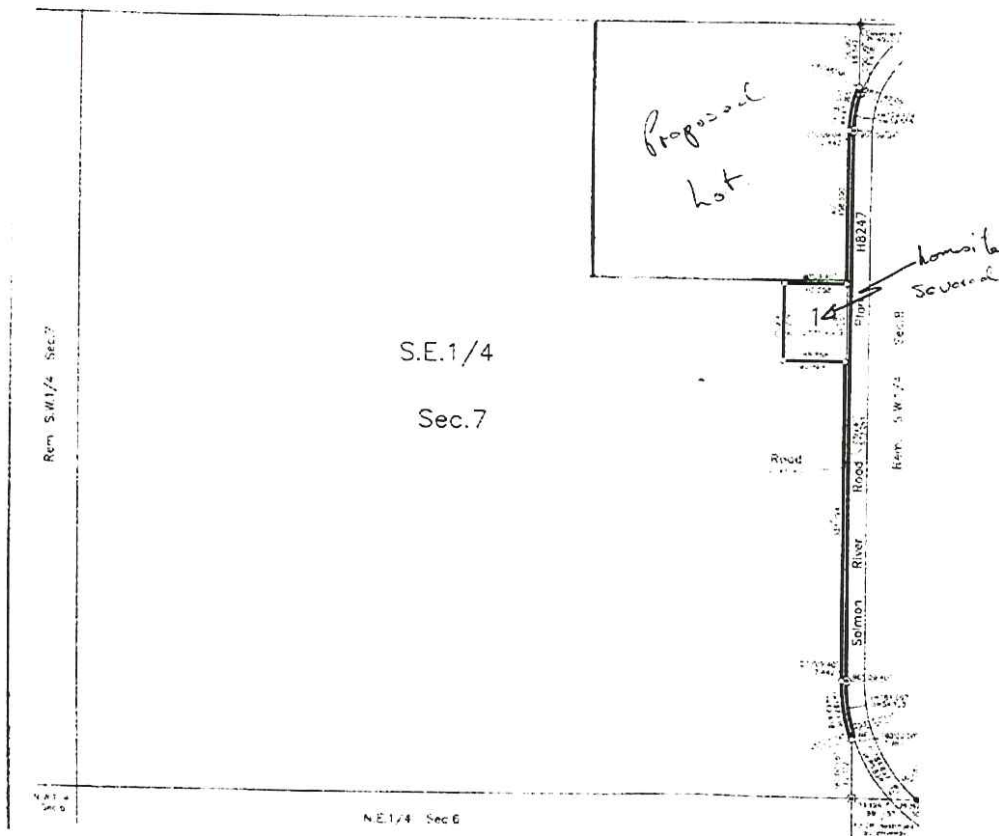
Warren and Trudy Schweb have asked me to prepare a report on my opinion of the impact on agriculture of the subdivision of:

Part of the SE 1/4, Section 7, Township 18, Range 10, W6M, KDYD,
except Plan H6247 and KAP72518

containing about 158 acres (63.9 hectares) This lot is the remainder from a homesite severance of about 0.531 hectares from the quarter section. The Schwebs purchased the land (December 31, 2002) in the expectation of farming it in conjunction with Mr. Schweb's father who farms the land to the east of the subject parcel, across the Salmon River Road. Unfortunately, access between the north and south fields is denied by the steep hillside that surrounds the severed parcel.

Consequently, they wish to sever a 20 acre block from the northern part of the block. The severance will allow a 6 acre field to be separated from the balance of the property and for the 9 acre field to remain with the balance. Proceeds from the sale of the severed parcel will allow further participation in the family farm.

Figure 1: Site Map of Proposed Subdivision



2.0 Qualifications

I am a licensed Agrologist and have been a full member of the B.C. Institute of Agrologists since 1971 (except 2001-2002). I am a graduate from the University of British Columbia with a Bachelor of Science degree in 1967, specializing in Agriculture Economics, and a Master of Science degree in 1972, specializing in Farm Management. My thesis for my Master's degree was entitled *Resource Allocation for the Median Peace*

River Farm in British Columbia. In it I dealt with the kind of farm resource allocation issues that are relevant in the present project.

I have been involved in the work of the Agricultural Land Commission since 1974 when the reserve boundaries were proclaimed. At that time, I was District Agriculturist for the British Columbia Ministry of Agriculture in Prince George. In October 1978 I entered private practice and have provided professional opinions for clients who have sought amendments to the Agricultural Land Reserve boundaries or who have needed assistance in compliance with requests from the Commission.

During my years in both public and private practice, Courts and Review Boards have accepted me as an expert regarding farming practices in British Columbia. Consequently, I feel qualified to provide an assessment of a proposal under the *Agricultural Land Commission Act*. My qualifications and experience allow me to comment on the value of agricultural land and the practices of farming on that land.

3.0 Land Classification

According to the Canada Land Inventory the bottom part of the land on the east is classed as 60% Class 3 limited by moisture and frost and 40% Class 4 limited by moisture and topography. With irrigation, the classification is improved to 60% Class 2 with a variety of limitations, and 40% Class 3 limited by topography and moisture. The hillside is classed as Class 6 limited by topography.

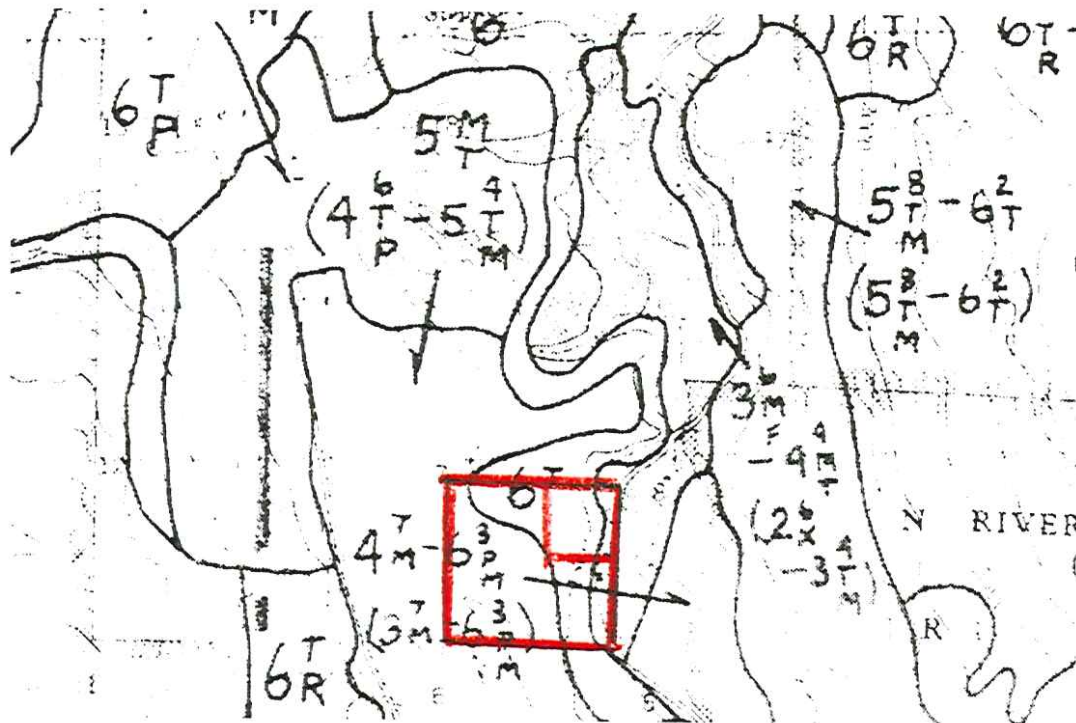
The upper part of the land is classed as Class 5 limited by moisture and topography improvable to 60% Class 4 limited by topography and stoniness and 40% Class 5 limited by topography and moisture with irrigation. There is also a portion of the parcel, east of the proposed lot that is classed as Class 6 limited by topography. This area conforms to the escarpment that rises above the valley floor.

My inspection of the property indicates that, in my opinion, none of the upper, western landform is arable due to its topography constraints. The largest level block is only about 40 metres wide. While there is some grazing capability due to the open forest cover, it is constrained by the absence of water on that part of the site. This finding is consistent with other findings on the Yankee Flats/Salmon Valley area where the mapping at 1:50,000 is unable to properly identify the soils on a lot line basis.

The current use of the property, some grazing and recreation, appears to utilize its capability to the fullest.

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Figure 2: Land Classification of Subject Parcel



4.0 Zoning

According to the Columbia Shuswap Regional District, the zoning on the subject parcel is "R" for Rural Zone.

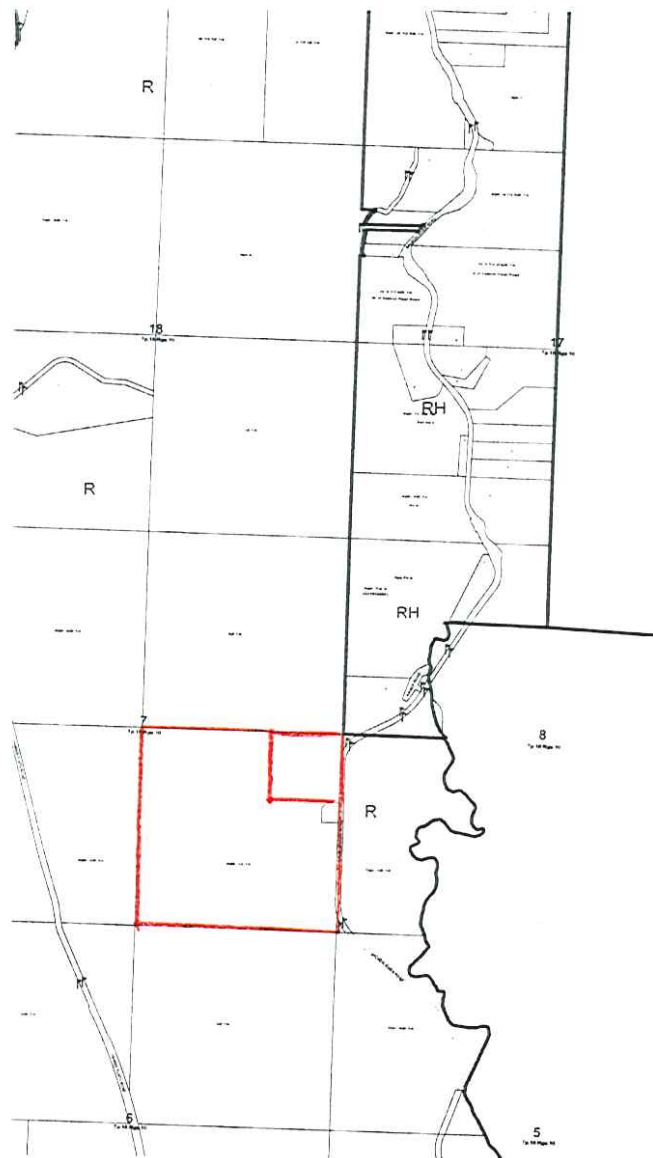
While the proposed usage is permitted by that zone, it has a minimum parcel size created by subdivision of 60 hectares or 148 acres. The alternatives available to the applicant are:

1. to apply for re-zoning to RH – Rural Holdings that has a 8 hectare (20 acre) minimum parcel size. The RH zone can be found north-east of the subject parcel. The soils in the area are marginal for agriculture and appear to be more consistent with a RH zone than the expectations of the R zone..

The zoning in the subject area is found in Figure 3.

2. to wait until the 5 year time period is up at the end of 2007 and apply under Section 946 of the *Local Government Act*.

Figure 3: Zoning Map of Subject Area



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5.0 Related Agricultural Considerations¹

The following questions have been identified by the Commission as important in its consideration of applications. It was not included in the original submission by the applicants.

5.1 Will the Proposal Benefit Agriculture?

The proposal severs the northern portion of the property that is already severed by the steep escarpment that prevents access between the two fields on the lower, eastern, portion of the parcel. The owner would not object to a “no build” covenant on the lower portion of the proposed northern lot.

¹ Agriculture Land Commission, *Applicant Information Package*

5.2 *Is the Proposed Use Supportive of Agriculture or in Conflict with it?*

See above.

5.3 *Will the Proposal Permanently Damage the Physical Capability of the Land for Agricultural Use?*

The proposal will confirm the existing use of the property. That is, I expect that it will continue to be used for forage crop production.

5.4 *How do Existing and Proposed Parcel Sizes Relate to the Type of Agriculture in the Area?*

The two cultivated fields on the subject parcel of 9 and 6 acres are significantly smaller than the forage fields that are on the east side of Salmon Valley road.

5.5 *Are there Physical Restrictions that Significantly Interfere with the Farm Use of the Property?*

The land is severed by an escarpment that runs north/south on the property and has resulted in the two small fields. The balance of the property above the escarpment is, in my opinion, too limited by topography to be successfully farmed.

5.6 *What Effect or Impact Would the Proposal Have on Existing or Potential Agricultural Use of Surrounding Lands?*

I see not effect from the proposal since I expect the two fields to be farmed no matter under what ownership regime. As I have indicated in other cases, I expect the owners of the severed parcel to share rural values with their neighbours and consequently minimize conflict.

5.7 *Does the Proposal Include any Measures to Reduce Potential Impact of Surrounding Lands?*

None are needed.

5.8 *Can the Proposal be Modified or Should Conditions be Imposed to Reduce Potential Negative Impacts?*

N/A

6.0 *Area Concerns*

6.1 *How do Surrounding Uses and Parcel Sizes Affect Use of the Property for Farm Purposes*

While the parcels on the west side of Salmon Valley Road are larger than the proposed lot, they have similar amounts of arable land.

6.2 *Does the Proposal Meet the Regional and Community Planning Objectives for the Area?*

The proposal is smaller than subdivisions provided for in the Rural zone but are consistent with those of the Rural Holdings zone.

6.3 Given a Documented Need for the Proposal, Can it be Accommodated Outside the ALR?

The need that has driven the application is to divide fields that are internally inaccessible.

6.4 Are There Land Use Issues the Commission Could Address to Encourage or Improve the Agricultural Use of the Land or Area?

Again, the land classification for the subject parcel does not reflect what is found on ground inspection. The Land Commission, being the public body responsible for land classification, should sponsor a mapping program on the margins of arable land to ensure that the inconsistencies are resolved.

6.5 What are the Recommendations of the Local Government, Advisory Committees, and Other Stakeholders?

See attached.

6.6 Has Funding been Provided to Improve the Agricultural Infrastructure in the Area?

No.

7.0 Commission Goals

Section 6 of the *Agricultural Land Commission Act* provides the purpose of the Commission as:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest;
- (c) 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.

Section 1 of the act, the Definitions defines "Agricultural Land" as:

...land designated as agricultural land under this Act and includes agricultural land under a former Act;

The proposal does not interfere with the existing arable land, particularly if a "no-build" covenant is registered on the northern division. I expect both fields to be continued to be farmed under separate ownership.

The classification of the land on the western portion of the parcel, above the escarpment, misrepresents its potential for farm use. While it does have the ability to support limited agricultural use (grazing), it does not support the production of annual crops (even with irrigation) as it has been designated.

8.0 Conclusion

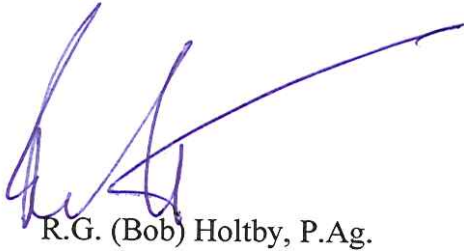
In my opinion, the impact on agriculture from this application is negligible. I believe that only a small portion of the property is arable and that part is severely separated by the previous subdivision that created the homesite severance. There is no access within the

property from one field to the other. The road has become too busy to easily transport farm equipment from one field to the other.

Consequently, the applicant's proposal to divide the fields while retaining the non arable lands to the west has merit.

I remain available to discuss the contents of this report.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be 'R.G. Holtby', written over a horizontal line.

R.G. (Bob) Holtby, P.Ag.

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