

Agricultural Land Commission

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www.alc.gov.bc.ca

August 16, 2006

Reply to the attention of Brandy Ridout ALC File #V-36673

Don & Bonnie Bradley RR1 - Site 32 - Comp 20 31238 - 123rd Street Oliver, BC V0H 1T0

Dear Mr. & Mrs. Bradley:

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

Please find attached the Minutes of Resolution #405/2006 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICUDTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

CC:

Regional District of Okanagan-Similkameen - C06-06576-125

BR/lv/Encl.: Minutes

36673d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on August 1, 2006 at the Ministry of Agriculture and Lands office located at 4607 - 23rd Street, Vernon. BC.

PRESENT:

Sue Irvine

Chair, Okanagan Panel

Sharon McCoubrev Sid Sidhu

Commissioner Commissioner

Brandy Ridout

Staff

For Consideration

Application # V - 36673

Applicants

Don & Bonnie Bradley

Proposal

To develop a micro-brewery in approximately 93 square metres of a 320 square metre winery/store building proposed for the 4 ha subject property.

Legal

PID: 009-426-655

Lot 932, District Lot 2450s, Similkameen Division Yale District, Plan 12314

Location

31238 Testalinden Creek Road, 6.5 km south of the Town of Oliver

Site Inspection

A site inspection was conducted on July 31, 2006. Those in attendance were:

- Commissioners: Sue Irvine, Sharon McCoubrey and Sid Sidhu
- Staff: Brandy Ridout
- Applicants: Don & Bonnie Bradlev

Mr. Bradley confirmed that he had received the staff report dated July 13, 2006 and did not identify any errors.

Discussion

During the site visit, the applicants indicated that as the property was not suited to growing many of the products needed for beer production, products grown off the farm would be used. The applicants made the observation that the property was more suitable for growing grapes than hops or barley. However, they viewed the microbrewery as a unique feature that would attract business to their winery.

The Commission noted while onsite that the foundation of the proposed winery/brewery had already been constructed and that the footprint had been reduced from 320 square metres to approximately 170 square metres.

Although the applicants stated that no vines would be removed in the construction of the proposed brewery, the Commission did not believe that the proposal to process materials that were not grown on the same property to be beneficial to agriculture in this circumstance. The Commission believed that a microbrewery would be better located on non-ALR land or land on which the products were being produced.

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IT WAS

MOVED BY: Commissioner Irvine SECONDED BY: Commissioner Sidhu

THAT the application be refused

CARRIED RESOLUTION #405/2006



Staff Report Application # V – 36673 Applicant: Don & Bonnie Bradley Location: south of Oliver

DATE RECEIVED: May 8, 2006

DATE PREPARED: July 13, 2006

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Regional Research Officer

PROPOSAL: To develop a micro-brewery in approximately 93 square metres of a 320

square metre winery/store building proposed for the 4 ha subject property.

This application is made pursuant to section 20(3) of the Agricultural Land

Commission Act.

BACKGROUND INFORMATION:

The applicants have approximately 3.9 ha in grape production and have just been issued a winery license (Antelope Brush Estate Winery). No vines will be removed for the construction of the proposed brewery as it will be constructed on the site of an existing shed.

One previous application has been considered on the property.

Local Government:

Regional District of Okanagan-Similkameen

Legal Description of Property:

PID: 009-426-655

Lot 932, District Lot 2450s, Similkameen Division Yale District, Plan 12314

Purchase Date:

March 2004

Location of Property:

31238 Testalinden Creek Road, 6.5 km south of the Town of Oliver

Size of Property:

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

Present use of the Property:

Home, vineyard

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Re: Application #V-36673

BACKGROUND INFORMATION (continued):

Surrounding Land Uses:

WEST: 4 ha vineyard, with residence
SOUTH: Non-ALR hillside, crown grazing
4 ha orchard with residence
NORTH: 2 ha vineyard with residence

Agricultural Capability:

Data Source: Agricultural Capability Map #82E.013

The majority of the property is identified as having prime dominant ratings.

Official Community Plan and Designation:

Bylaw No. 2122

Designation: agriculture

Zoning Bylaw and Designation:

Bylaw No. 2123

Designation: Agricultural 1, which does not permit micro-breweries. If the application is approved, rezoning would be required.

PREVIOUS APPLICATIONS:

Application #28807-0

Applicant: Josef & Ursula Tokios

Decision Date: May 17, 1994

Proposal: To subdivide a 0.4 ha homesite lot from the 4.2 ha property under the *Homesite*

Severance Policy.

Decision: Refused – on the grounds that its location and configuration were unsuitable and

would unnecessarily hamper the future agricultural operation. The Commission did allow a smaller lot on the road frontage, subject to fencing and buffering.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

The Regional District of Okanagan Similkameen: Forwarded the application without comment as per policy.

STAFF COMMENTS:

Staff recommends that the Commission consider the following.

- The proposed facility will not significantly affect the productive capacity of the farm operation as it is located in an existing non-farm footprint.
- The micro brewing facility will complement the winery and is compatible with the farm use.

END OF REPORT

Signature

July 16, 06

Date

