



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

March 26, 2008

Reply to the attention of Brandy Ridout  
ALC File: #T-37845

Denis and Eileen Nogue  
9728 Springfield Road  
Coldstream, BC V1B3E5

Dear Mr. and Mrs. Nogue:

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

Please find attached the Minutes of Resolution #71/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a light blue horizontal line.

Erik Karlsen, Chair

cc: The District of Coldstream (07-026-ALR)

Enclosure: Minutes

BR  
i\37845d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

---

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

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

### For Consideration

Application: # T- 37845  
Applicant: Denis and Eileen Nogue  
Proposal: To use a 0.4 ha portion of the 4 ha property for a "Gleaner" food processing facility. The proposed facility would dehydrate surplus fruits and vegetables from the region for overseas relief work.  
Legal: PID: 012-226-891  
Lot 81, District Lot 12 and 87, Osoyoos Division Yale District, Plan 548, EXCEPT Parcel A (DD137580F)  
Location: 9728 Springfield Road, Lavington

### Site Inspection

A site inspection was conducted on March 5, 2008. Those in attendance were:

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

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

The Commission viewed the site proposed for the food processing facility. The issues of traffic, possible future expansion, and surrounding agricultural operations were discussed.

### 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 approximately 60% Class 1, 15% Class 1 (for tree fruits), 15% Class 2DT (for tree fruits), 7% Class 2D and 3% Class 2D (for tree fruits). These ratings indicated prime soils.

Class 1 – Land in this class either has no or only very slight limitations that restrict its use for the production of common agricultural crops.

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

#### Subclasses

D undesirable soil structure

T topography

### **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. The Commission does not believe there are factors that render the land unsuitable for agricultural use.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long-term goal of preserving agricultural land. Noting the prime soils of the subject property and its location in an agricultural area, the Commission believed that the proposal would have a negative impact on existing or potential agricultural use of the subject property and surrounding lands. It noted that a processing facility would remove a portion of land from possible agricultural production due to the construction of buildings and the space required for sorting, storage and parking relating to the processing of produce brought onsite from other locations. It also believed that the proposal represented an intrusion into an agricultural area and was concerned with possible requests for expansion in the future.

## **Conclusions**

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will have a negative impact on agriculture as it would remove lands for possible production and represented an intrusion into an agricultural area.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

**IT WAS**

**MOVED BY:** Commissioner Mayer

**SECONDED BY:** Commissioner Irvine

THAT the application to use a 0.4 ha portion of the 4 ha property for a "Gleaner" food processing facility be refused on the grounds that it would have a negative impact on agriculture.

**CARRIED**

**Resolution #71/2008**