



**Agricultural Land Commission**  
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August 18, 2006

Reply to the attention of Brandy Ridout  
ALC File #H-36787

Nick Lebëssis & Joanna Leedis  
PO Box 2004  
Golden, BC V0A 1H0

Dear Sir and Madam:

**Re: Application to include land into the Agricultural Land Reserve**

Please find attached the Minutes of Resolution #417/2006 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of Columbia Shuswap (LC2338-A)

BR/lv/Encl.: Minutes  
36787d1

## 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 - 23<sup>rd</sup> Street, Vernon, BC.

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

### For Consideration

Application # H-36787  
Applicants Nick Lebessis & Joanna Leedis  
Proposal To include 0.5 ha into the ALR (see application #H-36786).  
Legal PID: 016-526-538  
The North ½ of the South West ¼ Section 16, Township 25, Range 10, W5M, Kamloops Division Yale District, Except (1) part outlined pink on RW1155 and (2) part included in Plan 6772  
Location 2581 Highway 95 at Carbonate Creek, near Parson

### Site Inspection

A site inspection was conducted on May 25, 2006. Those in attendance were:

- Commissioners: Sue Irvine, Sharon McCoubrey and Sid Sidhu
- Staff: Brandy Ridout
- Applicant: Nick Lebessis

Mr. Lebessis confirmed that he had received the draft staff report dated May 18, 2006 and did not identify any errors.

### Discussion

The Commission noted that the portion of the property being proposed for inclusion is 80% Class 6 and 20% Class 7 and had been excluded under a previous application. The Commission did not believe that inclusion of the 0.5 ha area would benefit agriculture.

### **IT WAS**

**MOVED BY:** Commissioner McCoubrey  
**SECONDED BY:** Commissioner Irvine

THAT the application be refused as proposed

**CARRIED**  
**RESOLUTION #417/2006**



**Staff Report**  
**Application #H-36787**  
**Applicant: Nick Lebessis & Joanna Leedis**  
**Location: south of Golden**

**DATE RECEIVED:** June 29, 2006

**DATE PREPARED:** July 20, 2006

**TO:** Chair and Commissioners – Okanagan Panel

**FROM:** Brandy Ridout, Regional Research Officer

**PROPOSAL:** To include 0.5 ha into the ALR (see application #H-36786).

This application is made pursuant to section 17(3) and 30(1) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

Under an associated application, #H-36786, the applicants propose to subdivide a 16.4 ha lot from the 32 ha subject property and exclude 5.1 ha from the ALR. In exchange for the excluded area, the applicants have proposed to include a 0.5 ha area with agricultural potential. This proposal would result in the creation of one 16.4 ha ALR lot and one 15.6 ha non-ALR lot.

**Local Government:**

Columbia Shuswap Regional District

**Legal Description of Property:**

PID: 016-526-538

The North ½ of the South West ¼ Section 16, Township 25, Range 10, W5M, Kamloops Division Yale District, Except (1) part outlined pink on RW1155 and (2) part included in Plan 6772

**Purchase Date:**

January 1993

**Location of Property:**

2581 Highway 95 at Carbonate Creek, near Parson

**Size of Property:**

32.0 ha

**BACKGROUND INFORMATION (continued):**

**Present use of the Property:**

Hayfield and pasture: 8.1 ha – grazing and occasional hay harvesting  
Remainder of property: 34.3 ha – forested, gullied, unimproved  
Buildings: house, barn

**Surrounding Land Uses:**

**WEST:** Grazing between Highway 97 and CPR  
**SOUTH:** Farming along and north of Highway 97  
**EAST:** Forested, logging  
**NORTH:** Forested, some logging

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82 N/2  
The majority of the property is identified as having secondary ratings (approximately 50% 4 limited by low fertility and topography, 40% Class 6 limited by topography and stoniness, and 10% Class 7 limited by topography).

**Official Community Plan and Designation:**

No OCP or zoning exists in this area.

**PREVIOUS APPLICATIONS:**

**Application # H-15506**

**Applicant:** Columbia Shuswap Regional District  
**Decision Date:** July 31, 1985  
**Proposal:** To exclude approximately 2,494 ha of land from the Nicolson Harrogate area located near Golden and to include approximately 452 ha of land into the ALR. Joint Application.  
**Decision:** Allowed by Cabinet. **The northeast portion of the current subject property was excluded in this application.**

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Columbia Shuswap Regional District Board:** Recommend concurrence with Development Services' staff report.

**Development Services:** Recommend approval. Where larger blocks of land have Class 5, 6 and 7 soils, they may be used for natural grazing lands and therefore should be retained in large blocks are remain in the ARL. However, where lands are compromised by topography such as ravines and gullies, natural grazing may not be an option. If access is moved to along the northwestern portion of the property to limit any potential compromise to Carbonate Creek, it would involve more agricultural land than the current proposal.

**OTHER COMMENTS:**

Two letters were received regarding the application. One from neighbours who indicated that they are in support of the application as it will leave all the hayfields in the ALR and will take out the wooded hillside and the steep-sided draw that includes Carbonate Creek. However, they are concerned about the environmental impacts of the proposed access road being located right next to Carbonate Creek.

**OTHER COMMENTS (continued):**

The second was part of the supporting information provided by Rod Drown, who is assisting the applicants. It included the following points:

- The applicant is willing to do an exchange of land – removing some marginal land from the ALR and including some other land of higher potential agricultural value into the ALR.
- The applicant is proposing to subdivide the land according to agricultural suitability.
- The location of the proposed boundary between the two lots is necessary to ensure that there is enough space for switchbacks should the applicant wish to construct a road of manageable grade to the top of the northern-most portions of the property.

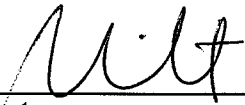
**STAFF COMMENTS:**

Staff suggests the Commission consider the following:

- The area east of the creek appears to be quite limited in agricultural capability.
- The area west of the creek appears to have better agricultural capability and a portion is currently used for grazing/hay production.
- The 0.5 ha portion being proposed for inclusion was excluded under application #H-15506.

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**END OF REPORT**

  
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Signature

  
\_\_\_\_\_  
Date

