



June 21, 2007

**Agricultural Land Commission**  
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Burnaby, British Columbia V5G 4K6  
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Reply to the attention of Martin Collins  
ALC File: H-36992

Mayor Lorraine March and Members of Council  
District of Sicamous  
PO Box 219  
Sicamous, B.C. V0E 2V0

Dear Mayor Lorraine March and Councilors:

**Re: District of Sicamous Growth Management Strategy**  
Our File: H-36992

The Agricultural Land Commission has now had opportunity to review of the March 2007 *Growth Management Strategy*. The Commission thanks Council for accommodating the Commission's schedule, its patience in the on-going dialogue, and prompt thorough responses to requests for more information. It is convinced that the time taken to develop the *Strategy* has been well worth the effort because it has fully illuminated the land use needs and constraints in the District, and prompted creative solutions to difficult land use problems.

As a preamble to the Commission's comments it would like to emphasize that they are based on its mandate to preserve farmland and encourage farming. The Commission appreciated the detailed information that the *Strategy* outlines about the urban and agricultural land use challenges facing your community even though they do not directly affect the Commission's mandate. It is confident that only by fully exploring all of the land use issues facing the District, that a broad range of solutions and priorities can be developed to meet community needs outside the of Agricultural Land Reserve, particularly with regard to affordable housing.

In that vein the Commission, though it appreciated the significant work that went into developing affordable housing policies and analysis, confirmed that providing land for affordable housing was not a suitable reason for excluding high capability farmland from the ALR. The Commission continues to have significant questions as to the effectiveness of the proposed affordable housing policies and whether population pressures warrant additional lands for housing. However, farmland cannot be effectively preserved if it is converted to urban uses whenever growth pressures occur. Instead of assessing the ALR areas in response to growth pressures, the Commission considered each of the ALR areas identified by the *Strategy* for urbanization on their own merits as to their suitability for agricultural uses.

The following comments are organized by areas identified in Figure 5.1 (page 33) of the *Growth Management Strategy* (attached) that are identified as being within the District's Growth Management Boundary. The Commission would again like to emphasize that its comments reflect the Commission's mandate to preserve agricultural land and encourage farming. The Commission is compelled to follow its mandate in the face of pressures to convert farmland to other uses, recognizing that some communities in the province may be required to be more innovative and creative in accommodating growth pressures, than others that are not constrained by the ALR.

#1 The Commission endorses the designation of area #1 (about 5 ha) for industrial uses on the grounds the land abuts an existing industrial area, has already been debilitated, and is a size and shape largely unsuitable for agricultural development.

#2 The Commission notes that it has already previously agreed to exclude area #2 from the ALR. It continues to support the use of this area for industrial uses, consistent with the uses proposed for adjoining lands outside the ALR.

#3 The Commission endorses area #3 for commercial purposes on the grounds this small parcel is unsuitable for agricultural uses due to its small size.

#4 The Commission notes that Area #4 has a history of farm market uses on a portion of the property, and has been subject to previous applications for exclusion and non farm uses, due to its location adjacent on the Trans Canada Highway. The Commission also notes that the District has significant, vacant, non ALR areas that are designated for commercial uses that lie closer to the commercial core. While the Commission acknowledges that Area #4 has capability for agricultural development based on its soil and climate ratings, it is also aware that its location, and the presence of adjoining highway commercial uses, provide challenges for agricultural development.

The Commission also recalls that Page 47 of the *Strategy* indicates that the District intends to review the current operations of the Sicamous Farmer's Market, in order to maximize economic opportunities for producers.

In view of the history of produce marketing on Area #4, its location adjacent to the Highway, and the District's commitment to review the current operations of the existing Farmer's Market, the Commission is prepared to conditionally endorse area #4 for commercial uses. However, upon consideration of an application for either exclusion or non farm uses on this land the Commission advises that its position regarding non farm uses will be predicated upon;

- whether any of the existing vacant commercial land in Sicamous has been developed for commercial purposes.
- reserving at least 0.4 ha of the property for a local farmer's market and developing a basic infrastructure supportive of a farmer's market, i.e. a covered display area with washroom facilities.

In view of the Commission's conditional endorsement it is recommended that either the *Strategy* be qualified to alert readers of the Commission's conditions, or should the OCP be amended, that these conditions for qualified endorsement be established in the OCP.

#5 The Commission endorses area #5 for non farm purposes on the grounds the small parcel sizes that predominate in this area make the land unsuitable for agriculture. In fact some of the small properties may not be subject to the provisions of the ALC Act and regulations as per Section 23 of the Act. However, the Commission cautions the District that intensification (densification) of existing residential uses may have negative impacts upon adjoining agricultural land. Bylaw amendments that establish more generous building setbacks, and buffering and fencing should be considered by Council if more intensive uses are proposed for lands abutting the ALR. As a suggestion a development permit area for the protection agriculture might be established on all development lands adjacent to the ALR.

#6 The Commission endorses area #6 for residential purposes on the grounds the land has limited suitability for agriculture in the long term due to adjacent residential uses. The Commission recalled that it has refused several previous applications for the exclusion of this 7 ha parcel. However, it now believes that the increasing infill of surrounding residential properties, renders the land largely unsuitable for agricultural development.

# 7, #8, and #9 The Commission does not endorse areas 7,8 and 9 being shown within the Growth Management Boundary on the grounds these lands are suitable for agriculture. The two smaller lots that are designated #7 and #8 have potential to be used for small scale agriculture, and provide an appropriate transition between proposed higher density residential uses to the north (#6) and the 14 ha farm parcel to the south. Area #9 (14 ha) is a large arable parcel that is very suitable for agricultural uses. The Commission believes that it would be contrary to its mandate to endorse this aspect of the strategy that would give rise the exclusion of this land from the ALR. The Commission strongly suggests that the *Strategy* be amended to reflect its views so as to not mislead landowners, prospective purchasers, or the development community.

Please provide further information about how the District intends to incorporate the Commission's views into the *Growth Management Strategy*, and the entire *Strategy* into the District's Official Community Plan and zoning bylaws. The Commission is also aware that some of the areas under discussion are under application for exclusion from the Agricultural Land Reserve, but that no decisions have been concluded. The Commission anticipates making decisions on these applications upon confirmation of the District's response to these comments. However, the Commission emphasizes that nothing in the above comments binds or compels it to assenting to any application without due consideration to its mandate and any other issues relevant to agriculture. The Commission also reserves the right to revisit the comments noted above should circumstances change, and/or information be provided that further illuminate agricultural capability or suitability of the assessed properties.

If you have any further questions or require clarification about the above noted information please contact Martin Collins at 604-660-7021.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per



Erik Karlsen, Chair



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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**A meeting was held by the Provincial Agricultural Land Commission on June 06, 2007, in Vernon B.C.**

|                 |                 |                       |
|-----------------|-----------------|-----------------------|
| <b>PRESENT:</b> | Sue Irvine      | Chair, Okanagan Panel |
|                 | Monica Marshall | Commissioner          |
|                 | Sid Sidhu       | Commissioner          |
|                 | Brandy Ridout   | Staff                 |
|                 | Martin Collins  | Staff                 |

### **For Consideration**

File: # H- 36992  
Proponent: District of Sicamous  
Proposal: The Sicamous Growth Management Strategy proposes to designate approximately 35 ha of ALR areas for a range of non farm uses; commercial, industrial and residential, citing constraints to urban growth due to a shortage of non ALR land (because of steep surrounding mountains)  
Location: Sicamous

### **Context**

The Growth Management Strategy 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**

As a preamble to the discussion the Commissioners Sidhu and Marshall were advised by Commissioner Irvine of the as to the content of her April 11, 2007 meeting with the District of Sicamous Council. The consultant for the District, Jane Mastin, responding to the Commission's letter of April 3, 2007, revealed that there uncertainty as to whether the permanent population of the District had increased in the last five years (as per the 2006 census data), and that the proposed affordable housing policies in the draft *Strategy* would not result in affordable housing, given the census data about average household income, and present land and construction costs.

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However, in its discussion the Commission confirmed that providing ALR land for affordable housing was not an appropriate reason for excluding high capability farmland from the ALR. Instead the considered each of areas identified by the *Strategy* for non farm uses on their own merits as to their suitability for agricultural uses.

The Commission, provided the following comments on the draft *Growth Management Strategy* document, after recalling its previous discussions with Sicamous Council about land use inventory challenges, and touring the Agricultural Land Reserve areas lying outside the Growth Management boundary. The numbering noted below reflects how the areas are numbered #1 through to #9 (as per Figure 5.1) in the draft *Strategy*.

#1 The Commission endorses the designation of area #1 (about 5 ha) for industrial uses on the grounds the land abuts an existing industrial area, has already been debilitated, and is a size and shape largely unsuitable for agricultural development.

#2 The Commission notes that it has already previously agreed to exclude area #2 from the ALR. It continues to support the use of this area for industrial uses, consistent with the uses proposed for adjoining lands outside the ALR.

#3 The Commission endorses area #3 for commercial purposes on the grounds this small parcel is unsuitable for agricultural uses due to its small size.

#4 The Commission notes that Area #4 has a history of farm market uses on a portion of the property, and has been subject to previous applications for exclusion and non farm uses (refused), due to its location adjacent on the Trans Canada Highway. The Commission also notes that the District has significant, vacant, non ALR areas that designated for commercial uses that lie closer to the commercial core. While the Commission acknowledges that Area #4 has capability for agricultural development based on its soil and climate ratings, it is also aware that its location, and the presence of adjoining highway commercial uses, provide challenges for agricultural development.

The Commission also recalls that Page 47 of the *Strategy* indicates that the District intends to review the current operations of the Sicamous Farmer's Market, in order to maximize economic opportunities for producers.

In view of the history of produce marketing on Area #4 and its location adjacent to the Highway the Commission is prepared to conditionally endorse area #4 for commercial uses. However, upon consideration of an application for either exclusion or non farm uses on this land the Commission advises that;

- it will assess whether any of the existing vacant commercial land in Sicamous has been developed for commercial purposes.
- at least 0.4 ha of the property be reserved for a local farmer's market and the development of a basic infrastructure supportive of a farmer's market, i.e. a covered display area with washroom facilities.

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In view of the Commission's conditional endorsement it is recommended that either the *Strategy* be qualified to alert readers of the Commission's conditions, or should the OCP be amended, that these conditions be established in the OCP.

#5 The Commission endorses area #5 for non farm purposes on the grounds the small parcel sizes that predominate in this area make the land unsuitable for agriculture. In fact some of the small properties may not be subject to the provisions of the ALC Act and regulations as per Section 23 of the Act. However, the Commission cautions the District that intensification (densification) of existing residential uses may have negative impacts upon adjoining agricultural land. Bylaw amendments that establish more generous building setbacks, and buffering and fencing should be considered by Council if more intensive uses are proposed for lands abutting the ALR. As a suggestion a development permit area for the protection agriculture might be established on all development lands adjacent to the ALR.

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# 7, #8, and #9 The Commission does not endorse areas 7,8 and 9 being shown outside the Growth Management Boundary on the grounds these lands are suitable for agriculture. The two smaller lots that are designated #7 and #8 have potential to be used for small scale agriculture, and provide an appropriate transition between proposed higher density residential uses to the north (#6) and the 14 ha farm parcel to the south. Area #9 (14 ha) is a large arable parcel that is very suitable for agricultural uses. The Commission believes that it would be contrary to its mandate to endorse this aspect of the strategy that would give rise the exclusion of this land from the ALR. The Commission strongly suggests that the *Strategy* be amended to reflect its views so as to not mislead landowners, prospective purchasers, or the development community.

**IT WAS**

**MOVED BY:** Commissioner Sue Irvine

**SECONDED BY:** Commissioner Sid Sidhu

THAT the above noted comments on the draft *Sicamous Growth Management Strategy* be forwarded to Sicamous Council for its consideration.

**CARRIED**

**Resolution # 266/2007**