



Agricultural Land Commission
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November 19, 2007

Reply to the attention of Brandy Ridout
ALC File: G-37686

Gladys Crossley
2788 Highway 97N
Kelowna, BC V1X4J7

Dear Ms. Crossley:

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

Please find attached the Minutes of Resolution # 560/2007 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-colored background.

Erik Karlsen, Chair

cc: City of Kelowna (A07-0016)

Glen Auch - 2788 Highway 97N, Kelowna, BC, V1X4J7

Enclosure: Minutes



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 9, 2007 at the Ministry of Agriculture and Lands offices located at 4607 - 23rd St, Vernon, BC.

PRESENT:	Sue Irvine	Chair, Okanagan Panel
	Sid Sidhu	Commissioner
	Roger Mayer	Commissioner
	Brandy Ridout	Staff
	Martin Collins	Staff

For Consideration

Application: # G- 37686
Applicant: Gladys Crossley
Proposal: To use a 1,800 square metre (approximately 0.2 ha) portion of the 6.3 ha subject property for outdoor storage of building materials.
Legal: PID: 027-015-181
Lot B, District Lot 124, Osoyoos Division Yale District, Plan KAP83361 (see Plan as to limited access)
Location: 2788 Highway 97

Site Inspection

A site inspection was conducted on November 7, 2007. Those in attendance were:

- Sue Irvine Chair, Okanagan Panel
- Sid Sidhu Commissioner
- Roger Mayer Commissioner
- Brandy Ridout Staff
- Martin Collins Staff
- Gladys Cossley Applicant
- Glen Auch Co-owner

Mr. Auch confirmed that the staff report dated October 24, 2007 was received and no errors were identified.

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 3 with a limitation of stoniness and 40% Class 3 with no limitations. Class 3 land has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long-term goal of preserving agricultural land. It noted that the use of the 0.2 ha area for storage removed it from potential use for agriculture. In addition, the Commission noted that the use was continuing to expand and could ultimately end up taking more land out of potential production.

As the material being stored in the 0.2 ha area had no connection to the agricultural use of the property and removed Class 3 land from potential agricultural production, the Commission believed that the proposal was not an appropriate use of agricultural land.

Although the Commission would not allow the storage use to continue on the 0.2 ha area of the subject property, it did appreciate that it may take some time to have the material removed. As such, the Commission will grant a grace period of 6 months. However, if after 6 months the material has not been removed, the Commission will begin enforcement proceedings.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the proposal will have a negative impact on agriculture.
3. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Irvine
SECONDED BY: Commissioner Mayer

THAT the application to use an approximately 0.2 ha portion of the 6.3 ha subject property for outdoor storage of building materials be refused on the grounds that the land is capable of being used for agriculture and the use of the area for storage of non-agricultural materials removes the land from potential agricultural use.

CARRIED

Resolution # 560/2007