



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

May 28th, 2008

Reply to the attention of Brandy Ridout
ALC File: **T-37924**

Vincenzo and Marinella d'Errico
2545 Highway 6
Lumby, BC V0E2G1

Dear Mr. and Mrs. D'Errico:

Re: Application to subdivide in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 252/2008 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 North Okanagan (07-0265-D-ALR)

Enclosure: Minutes

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 9, 2008 at the Ministry of Agriculture and Lands Office located at 4607- 23rd Street, Vernon, BC.

PRESENT:

Roger Mayer	Chair, Okanagan Panel
Sid Sidhu	Commissioner
Gerald Zimmermann	Commissioner
Brandy Ridout	Staff
Martin Collins	Staff

For Consideration

Application: #T-37924
Applicant: Vincenzo and Marinella d'Errico
Proposal: To subdivide the 37 ha subject property into five (5) lots of 7.4 ha for hobby farms or other uses as permitted under the current zoning.
Legal: PID: 005-213-959
Location: Lot 1, District Lot 17, Osoyoos Division Yale District, Plan 37372
2545 Highway 6, Lumby

Site Inspection

Two site inspections were conducted for the application – one on March 5, 2008 and one on May 8, 2008. Those in attendance on March 5 were:

- Sue Irvine Chair, Okanagan Panel
- Sid Sidhu Commissioner
- Roger Mayer Commissioner
- Brandy Ridout Staff
- Vincenzo d'Errico Applicant
- Rick Fairbairn Electoral Area "D" Director

Mr. D'Errico confirmed that the staff report dated February 19, 2008 was received and no errors were identified. The applicant provided additional information in the form of a memo summarizing his proposal and the rationale behind it.

Those in attendance on May 8 were:

- Roger Mayer Chair, Okanagan Panel
- Sid Sidhu Commissioner
- Gerald Zimmermann Commissioner
- Brandy Ridout Staff
- Martin Collins Staff
- Vincenzo d'Errico Applicant
- Rick Fairbairn Electoral Area "D" Director

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 majority of the soil of the subject property is Class 4 with a limitation of topography.

Class 4 land has limitations that require special management practices or severely restrict the range of crops, or both.

The Commission confirmed the findings of the Summit Environmental Consultants report submitted by the applicant which indicated that the limitations to agricultural development on the property are topography, summertime moisture deficit, and shallow soils. The most suitable agricultural use is seasonal, low density grazing.

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. The Commission noted that the Coldstream Valley is characterized by arable valley bottomlands, rising to grassland hillsides of varying degrees of steepness (particularly on the south facing slopes of the valley). In the past the valley bottomlands and the hillsides had a history of integrated farm use, as ranchers would cultivate and/or irrigate valley fields, and graze cattle on the hillsides during spring and fall seasons (when rainfall and grass growth were at an optimum).

The Commission appreciates that many large hillside grassland parcels in the Coldstream valley are no longer integral parts of large cattle operations. It also appreciates that grassland hillsides do not offer themselves to intensive agricultural

development. However, the Commission does not believe that the subdivision of large, south facing hillside (grassland) parcels into smaller 7 ha lots in the Coldstream Valley is supportive of agriculture. In the Commission's mind a 7 ha hillside grassland parcel is not a suitable size from an agricultural perspective (given the climate and topographic conditions). It is also the Commission's experience that these 7 ha lots would themselves come under pressure for further subdivision because they are too small for anything but the most limited agricultural use.

The Commission believes that the property is best retained in its current size so that its livestock grazing capacity can be preserved for future generations.

Assessment of Other Factors

The Commission also noted that it refused several previous applications to subdivide smaller lots on the subject property because of concerns about rural residential intrusion into this farm area.

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 negatively impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Zimmerman

SECONDED BY: Commissioner Mayer

THAT the application to subdivide the 35 ha property into five 7 ha lots be refused.

CARRIED

Resolution #252/2008