



**Agricultural Land Commission**  
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May 15, 2008

Reply to the attention of Brandy Ridout  
ALC File: **T-38055**

Russell Shortt, B.C.L.S.  
2801 - 32nd Street  
Vernon, BC V1T5L8

Dear Mr. Shortt:

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

Please find attached the Minutes of Resolution #233/2008 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client accordingly.

The additional 9.9 ha area is now subject to the *Agricultural Land Commission Act* and the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Erik Karlsen, Chair

cc: Regional District of North Okanagan (07-1077-D-ALR)

Enclosure: Minutes/Sketch Plan

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## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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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- 23<sup>rd</sup> 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- 38055  
Applicant: Lorilee Toole  
Agent: Russell Shortt, B.C.L.S.  
Proposal: To include the easterly non-ALR portion of the subject property into the Agricultural Land Reserve as per Resolution #110/2007.  
Legal: PID: 011-366-036  
District Lot 2739, Osoyoos Division Yale District, EXCEPT Plan 30624  
Location: 2064 Trinity Valley Road, Lumby

### Site Inspection

A site inspection was not conducted for this application. However, a site inspection was conducted for the relevant application (#T-37204) on March 29, 2007. Those in attendance at that time were:

- Sue Irvine Chair, Okanagan Panel
- Sid Sidhu Commissioner
- Monika Marshall Commissioner
- Brandy Ridout Staff
- Martin Collins Staff
- Lorilee Toole Applicant

### Commissioner Eligible to Vote

Commissioners Mayer and Zimmerman were not present at the site inspection. It was confirmed that a summary of the site inspection was provided thus establishing the Commissioners' eligibility to vote on the application.

### 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**

The Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system identifies the agricultural capability of the soil of the area proposed for inclusion as 60% Class 5 and 40% Class 4, both with limitations of stoniness and topography.

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

### **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. It was noted that the area proposed for inclusion formed part of the farm operation and had agricultural capability. In addition, under Resolution #110/2007, the Commission allowed the subdivision of the subject property along Trinity Creek into one 15 ha lot and one 25 ha lot subject to the inclusion of the non-ALR portion of the proposed 15 ha lot. The 9.9 ha non-ALR portion of the 15 ha lot is the area the Commission required to be included.

### **Conclusions**

1. That the land under application has agricultural capability and is appropriate to include into the ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will have a beneficial impact on agriculture.

### **IT WAS**

**MOVED BY:** Commissioner Sidhu  
**SECONDED BY:** Commissioner Mayer

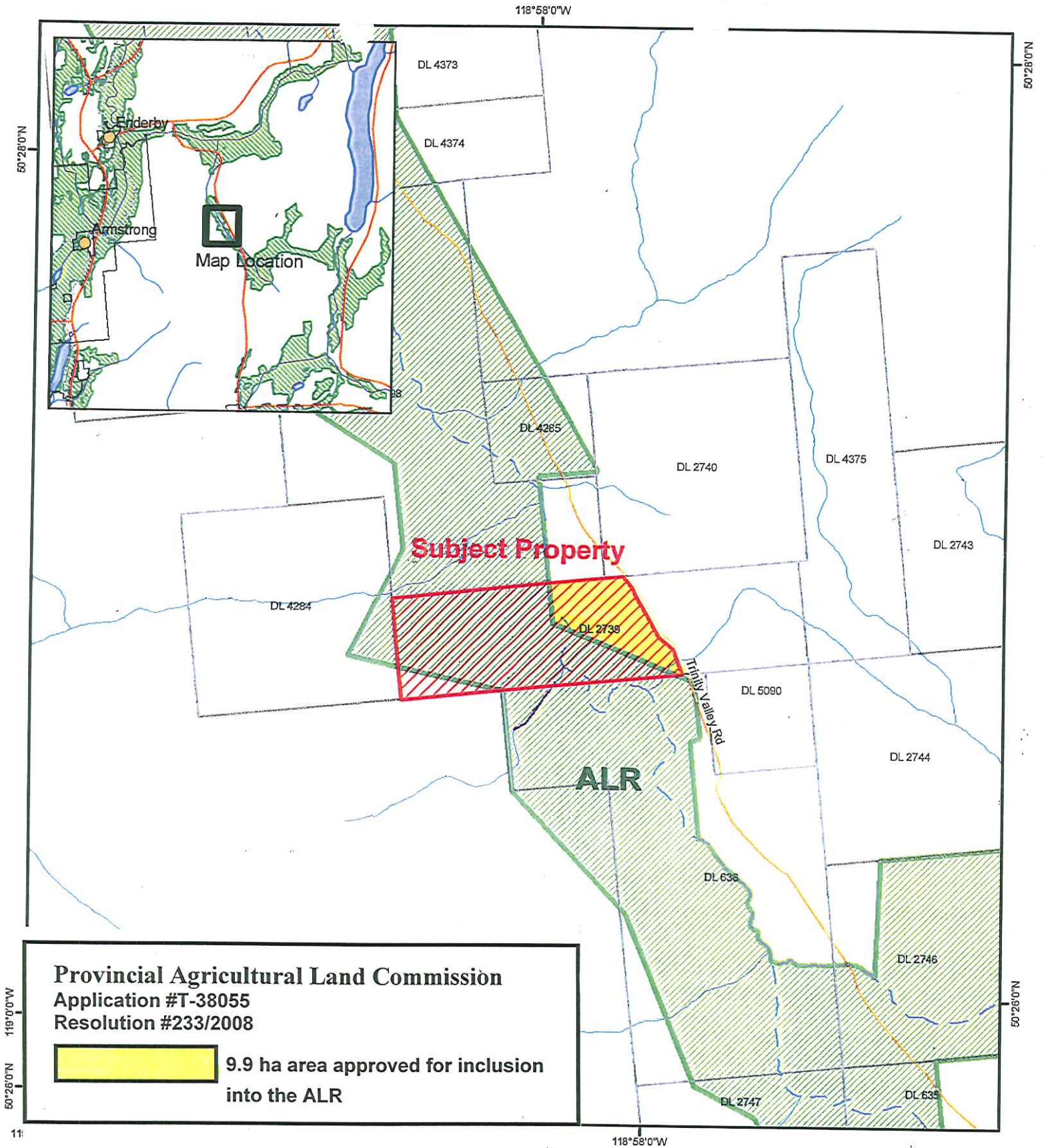
THAT the application to include the easterly non-ALR portion of the subject property into the Agricultural Land Reserve as per Resolution #110/2007 be approved.

AND THAT the applicant be informed that the additional lands subject to the inclusion application are now subject to the *Agricultural Land Commission Act* and the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.

### **CARRIED**

**Resolution #233/2008**






**Subject Property**

**ALR**

Trinity Valley Rd

**Provincial Agricultural Land Commission**  
**Application #T-38055**  
**Resolution #233/2008**

 9.9 ha area approved for inclusion into the ALR

ALC File #: 11-2008-38055  
 Mapsheet #: 82L.046  
 Map Produced: April 03, 2008  
 Regional District: North Okanagan

ALC Context Map  
 Map Scale: 1:20,000

