



**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

November 4, 2008

Reply to the attention of Brandy Ridout  
ALC File: **V-38134**

William Harry and Dianne Lynne Jones  
Box 101 - 2821 Old Hedley Road  
Hedley, BC V0X1K0

Dear Mr. and Mrs. Jones:

**Re: Application to Subdivide Land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution #686/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

Enclosure: Minutes

cc: Regional District of Okanagan-Similkameen (G08-03360-100)

BR  
i/38134d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

---

A meeting was held by the Provincial Agricultural Land Commission on October 8, 2008 at the Keremeos Municipal Hall located at 702-4<sup>th</sup> Street, Keremeos, BC.

**PRESENT:** Sid Sidhu Commissioner  
Gerald Zimmermann Commissioner  
Brandy Ridout Staff

**ABSTAINED:** Roger Mayer Chair, Okanagan Panel

### For Consideration

Application: #V-38134  
Applicant: William Harry and Dianne Lynne Jones  
Proposal: To subdivide the 1.6 ha subject property in half. One parcel to be retained by the owners and the other, which contains "Iceberg Meats" and associated structures, is proposed to be sold.  
Legal: PID: 025-925-750  
Lot 1, District Lot 1835, Similkameen Division Yale District, Plan KAP75442  
Location: 2821 Old Hedley Road, Hedley

### Site Inspection

A site inspection was conducted on October 8, 2008. Those in attendance were:

- Sid Sidhu Commissioner
- Gerald Zimmermann Commissioner
- Brandy Ridout Staff
- William Jones Applicant

William Jones confirmed that the staff report dated September 30, 2008 was received. It was clarified that "Iceberg Meats" is already on its own lot as it was subdivided as a result of the approval granted under application #V-34680. The current application is to further subdivide one of the lots approved for subdivision under that previous 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**

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. In this case, the ratings have been interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system which indicates that the agricultural capability of the soil of the subject property is 70% Class 4 with limitations of soil moisture deficiency and stoniness and 30% Class 2 with a limitation of topography. Class 2 land has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both. Class 4 land has limitations that require special management practices or severely restrict the range of crops, or both.

An Agricultural Assessment Report prepared by K. G. Consulting and submitted for a previous subdivision application on the property (#V-34680) indicates that the original 8.2 ha property encompassed approximately 0.75 ha of land considered improvable to Class 2 with irrigation, 1 ha of Class 4, and the remainder a mix of Class 5, 6 and 7. The 0.75 ha of Class 2 land is located completely within the current 1.6 ha subject property.

### **Assessment of Agricultural Suitability**

The Commission assessed whether factors have caused or will cause the land to become unsuitable for agriculture. Although the Commission previously indicated that the property had very limited agricultural capability, that statement was made for the property as a whole (8.2 ha) with the Commission being aware that the Class 2 land would remain in one lot, thus maintaining its agricultural suitability. The Commission believed that the current request to divide the 1.6 ha property in half would completely remove all agricultural suitability as it would divide the field in half and reduce the useable area for agriculture due to the construction of an additional dwelling and associated structures.

### **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 believes the proposal would have a negative impact on existing or potential agricultural use of the subject property.

### **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 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 Sidhu  
**SECONDED BY:** Commissioner Zimmermann

THAT the application to subdivide the 1.6 ha subject property in half be refused on the grounds that it will completely remove all agricultural suitability from the property.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.33 (1) *On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*
- (a) evidence not available at the time of the original decision has become available,*
  - (b) all or part of the original decision was based on evidence that was in error or was false.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

**CARRIED**  
**Resolution #686/2008**