



**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

February 17, 2014

ALC File: #53473

Diane and Gordon LaRocque  
83 McQuinna Road  
Lumby, B.C. V0E 2G4

Dear Mr. and Mrs. LaRocque:

**Re: Application to Include Land into the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution #57/2014 as it relates to the above noted application.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

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.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Further correspondence with respect to this application is to be directed to Ron Wallace.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'B. Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #57/2014

cc: Regional District of North Okanagan (file # 13-0249 D-ALR)

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## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on January 23, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53473.

### COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Jim Collins	Commissioner

### COMMISSION STAFF PRESENT:

Lindsay McCoubrey	Land Use Planner
Ron Wallace	Land Use Planner
Jennifer Carson	Land Use Planner
Colin Fry	Executive Director

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**PROPOSAL** (Submitted pursuant to section 17(3) of the *Agricultural Land Commission Act*)  
The subject property is 45.6 ha, with 10 ha in the ALR. The applicants wish to include the remaining 35.6 ha into the ALR to allow for the production of medical marihuana.

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### PROPERTY INFORMATION:

**Owners:** Diane and Gordon LaRocque

**Legal:** PID:011-737-743  
District Lot 1671, Osoyoos Division, Yale District, Except Plan 33551

**Location:** 83 McQuinna Road, Lumby

**Size (ha):** 45.6 ha (10 ha in the ALR)

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### LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
  - (a) to preserve agricultural land;
  - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and

- (c) 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.
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#### **COMMISSION CONSIDERATION**

After considering the information the Commission concluded as follows:

When assessing agricultural capability in the absence of a site report from a professional Agrologist, the Commission refers to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system.

The improved agricultural capability ratings identified on Canadian Land Inventory (CLI) map sheet 82L/7 for the portions of the subject property proposed for inclusion are Class 5 and Class 7.

Class 5 - land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

Class 7 - land has no capability for soil bound agriculture.

The limiting subclasses associated with this parcel of land are C (climate), P (stoniness) and T (topographic limitations).

**Conclusion:**

The published agricultural capability ratings for the area are identified as extremely poor and there was no technical information provided to indicate that these ratings are not accurate.

**IT WAS**

**MOVED BY:            Commissioner Gillette**

**SECONDED BY:        Commissioner Dyson**

THAT the request for the inclusion of 35.6 ha into the ALR be refused.

**CARRIED**

**Resolution #57/2014**