



Agricultural Land Commission
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February 8, 2006

Reply to the attention of Simone Rivers

R.G Holtby
670-17th Street, SE
Salmon Arm, B.C. V1E 1W2

Dear Mr. Holtby:

Re: **Application #ZZ-36204-0**

1. PID: 005-722-021
Legal Subdivision 13, Section 10, Township 20, Range 24, W6M, Kamloops Division Yale District, Except those portions thereof covered by the waters of Lower Barnes Lake and Barnes Lake at the time of the Survey of said Lakes as shown on the Plan of Survey of the South East ¼ of Township 20, Plan KAP65830
2. PID: 005-722-055
Legal Subdivision 14, Section 10, Township 20, Range 24, W6M, Kamloops Division Yale District, Except those portions thereof covered by the Waters of Lower Barnes Lake and Barnes Lake at the time of the Survey of said Lakes as shown on the Plan of Survey of the South East ¼ of Township 20, Plan KAP65830
3. PID: 005-722-101
Legal Subdivision 15, Section 10, Township 20, Range 24, W6M, Kamloops Division Yale District

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your client's application to subdivide the three 16.2 ha properties mentioned above into 10 lots ranging from 4.0 to 4.9 ha each. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you and the applicant for taking the time to meet with its representatives on November 23, 2005.

After viewing the subject property and reviewing the file, the Commission concluded that the subdivision would have a negative impact on the surrounding grazing land. It believes that the introduction of rural residential/recreational lots in this location would introduce urban oriented activity into this grazing area. In particular, the Commission is concerned about trespass, livestock harassment, and weeds. It is further concerned that allowing subdivision would increase subdivision pressure on other lands in the area.

For these reasons, the Commission refused your application as proposed.

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The decision noted above is recorded as Resolution #28/2006.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:

Erik Karlsen, Chair

cc: Thompson-Nicola Regional District (ALR-I-72)

SBR/lv/36204d1

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Resolution #28/2006

IT WAS

MOVED BY: Commissioner Huffman
SECONDED BY: Commissioner Campbell

THAT the staff report be received and the application to subdivide the three 16.4 ha properties into 10 lots ranging from 4.0 ha to 4.9 ha, be refused on the grounds that the creation of rural residential/recreational lots in the area would have a negative impact on the grazing use in the area.

CARRIED



Staff Report
Application # ZZ – 36204 – 0
Applicant: Helper Equipment Ltd.
Agent: R G Holtby

DATE RECEIVED: August 10, 2005

DATE PREPARED: October 4, 2005

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To subdivide the three 16.2 ha properties into 10 lots of ranging from 4.0 to 4.9 ha each.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The purpose of the subdivision is to create lots that conform to the local zoning which is RL-1 Rural Zone. This zoning designation has a minimum parcel size of 4 ha.

The agent notes that there is no irrigation license for this land nor is there any chance of obtaining one since the watershed is fully recorded. He further states that consequently, the potential for the improved rating to be applied is nil. The opinion of the agent is that the highest and best use of the land is for limited livestock grazing. However, he sees no opportunity for cultivation and crop production.

The agent does not believe that the subdivision will cause a conflict with surrounding ranch operations and proposes that good fencing should eliminate any potential conflicts.

The subject properties are located between two lakes that are popular fishing areas. There are currently two forest service campgrounds in the vicinity. The agent states that *"the high fishing values of the lakes have increased the recreational value of the area. Provision of small holdings will probably be more consistent with that resource than agriculture"*. Finally he states that, *"the decision to exclude the area from the range inventory was made by the previous owner when it was sold. No irrigation licenses were transferred with the title."*

A portion of each of the lots are outside the ALR and consequently all of proposed Lot F and parts of proposed lots A,B,C,D, and E are outside of the ALR (see attached map).

Local Government:

Thompson-Nicola Regional District

Legal Description of Properties:

1. PID: 005-722-021
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Purchase Date:

July 2003

Location of Properties:

Between Barnes Lake and Willard Lake, south of Ashcroft

Size of Properties:

Total size 48.6 ha (each property is 16.2 ha).

Present use of the Property:

Vacant land with one storage building

Surrounding Land Uses:

WEST: Range land (ALR)
SOUTH: Willard Lake, range land (non-ALR)
EAST: Range land (ALR)
NORTH: Barnes Lake, range land (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 92/11
The majority of the property is identified as having secondary ratings.

Zoning Bylaw and Designation:

Thompson-Nicola Regional District Zoning Bylaw No. 940 designates the property RL-1 (Rural)
Minimum lot size 4 ha.

PREVIOUS APPLICATIONS:

Application #32913-0

Applicant: Ministry of Transportation & Highways
Decision Date: August 26, 1999
Proposal: To upgrade and align Barnes Lake Road to accommodate development of a roofing granule quarry being developed by I.G. Machine & Fibre Ltd. (The quarry was considered in application #Zz-32516)
Decision: Allowed subject to fencing and cattleguards as necessary.

RELEVANT APPLICATIONS:

Application #32444-0

Applicant: Ministry of Energy and Mines
Decision Date: January 28, 1999
Proposal: To remove 820,000 m³ of bedrock to a maximum depth of 40 m.
Decision: Allowed on reconsideration subject to conditions.

Application #32516-0

Applicant: Ministry of Energy and Mines
Decision Date: January 28, 1999
Proposal: To use a 4.5 hectare portion of the property as a site for rock crushers and a chemical treatment plant.
Decision: Approved in principle subject to receipt of further reporting including a reclamation plan, wildlife/grazing study, the consent of the lessee, and proposed routing of services.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

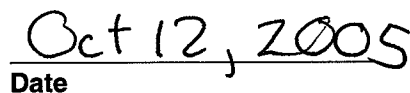
Thompson Nicola Regional District Board of Directors: That the ALC include legal perimeter fencing as a condition of subdivision in areas which abut recognized grazing operations.

STAFF COMMENTS:

Staff recommend a site inspection in order to determine the agricultural capability of the parcel as well as the nature of surrounding agricultural operations.

END OF REPORT


Signature


Date