



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

September 14, 2006

Reply to the attention of Simone Rivers
ALC File #D-36734

Richard and Debbie Sales
2395 Sales Rd. East
Quesnel, B.C. V2J 6K4

Dear Sir/Madam:

Re: Application D-36734 - to subdivide in the Agriculture Land Reserve

Please find attached the Minutes of Resolution #445/2006 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey plans to this office and the ownership transfer documents. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan concurrently with the transfer of ownership.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

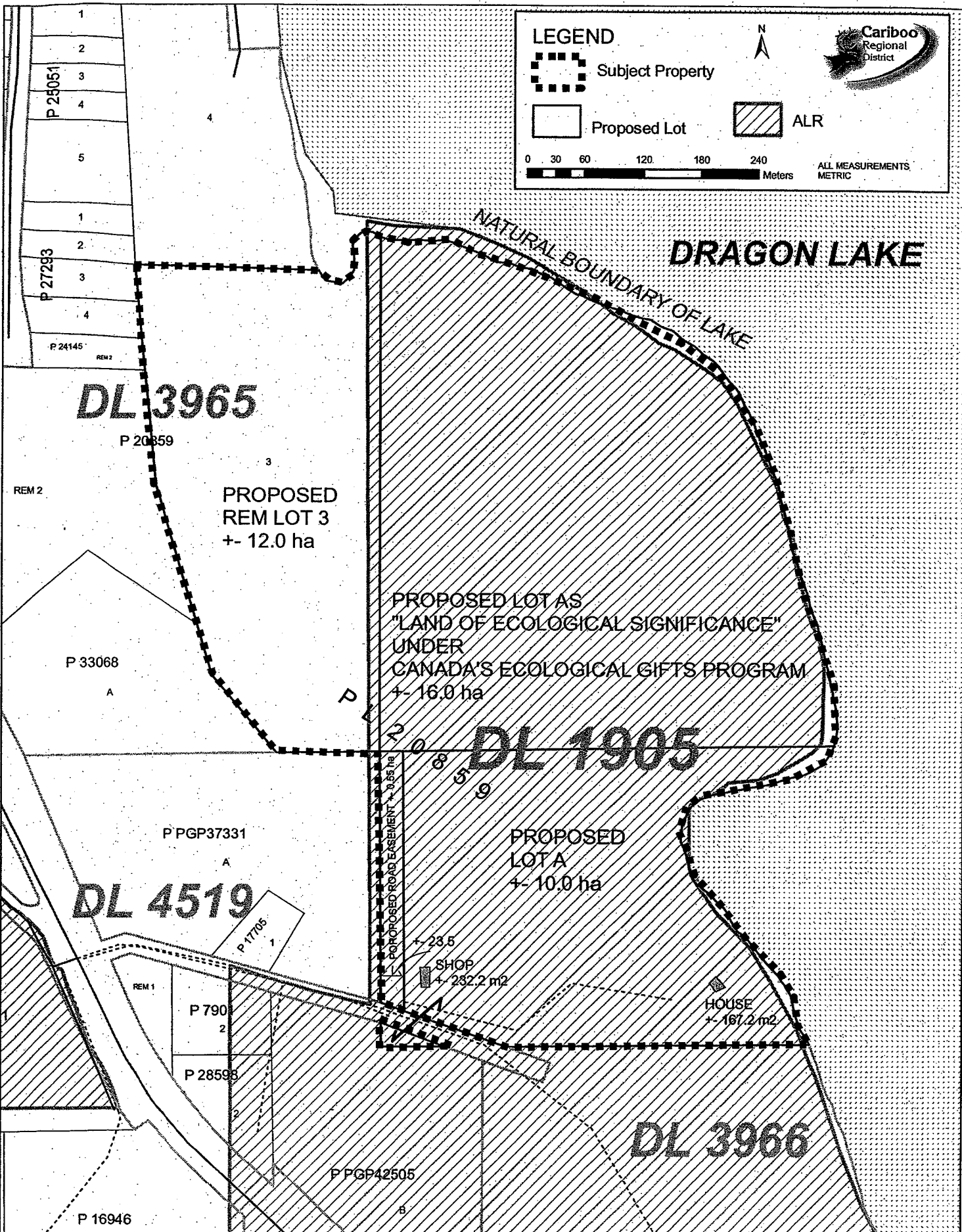
A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

cc: Cariboo Regional District (#A146)

MC/lv/Encl.: Minutes
Sketch Map

36734d1



APPLICATION D-36734 RESOLUTION # 445/2006



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 7, 2006 at the offices of Quesnel City Hall located at 410 Kinchant St. Quesnel, B.C.

PRESENT:	Grant Huffman	Chair, Interior Panel
	Holly Campbell	Commissioner
	Frank Read	Commissioner
	Martin Collins	Staff

For Consideration

Application # D - 36734

Applicant: Richard & Debbie Sales

Proposal: To subdivide the 26 ha property into a 10 ha lot and a 16 ha lot.

Legal: Lot 3, District Lot 1905 & 3965, Cariboo District, Plan 20859;

Location: 2395 E Sales Road, Quesnel

Site Inspection

A site inspection was conducted on Thursday, September 7, 2006. Those in attendance were:

- Commissioners: Huffman, Campbell and Read
- ALC staff, Martin Collins
- Richard Sales

The Commission viewed the proposed 16 ha lot that is proposed to be donated to Ducks Unlimited. The applicant indicated that periodically (during dry years) the property had good hay production, but that generally a high water table prevented reliable hay crops.

Commission Discussion

The Commission had no objection to the proposed subdivision (and easement) because the land had significant limitations for farm production due to a persistently high water table. In addition, further subdivision or land alteration would not occur, and the property would not contain any dwellings or buildings.

The Commission did stipulate that the approval would be subject to the simultaneous transfer of the new lot to "Ducks Unlimited".

The Commission noted that the proposed non ALR lot (12 ha) did not need its approval, as subdivision along the ALR boundary was permitted outright under B.C. Regulation 171/2006.

IT WAS

MOVED BY: Commissioner Read
SECONDED BY: Commissioner Huffman

THAT the staff report be received and the application to subdivide the 26 ha property into a 10 ha lot and a 16 ha lot be allowed;

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the attached plan
- the simultaneous transfer of the 16 ha lot, upon subdivision to the conservation group Ducks Unlimited.
- AND THAT the approval is granted to the applicant only and is valid for three (3) years from the date of this decision.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 445/2006



Staff Report
Application # D – 36734
Applicant: Richard & Debbie Sales

DATE RECEIVED: May 30, 2006

DATE PREPARED: July 26, 2006

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To subdivide the 26 ha property into a 10 ha lot and a 16 ha lot.

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

BACKGROUND INFORMATION:

The entire property is 38 ha and the applicants are proposing to create three new lots. One lot would be subdivided along the ALR boundary and the applicants submitted this proposal to the Ministry of Transportation for preliminary approval. The ALR portion is 26 ha and the proposal is to divide this area into a 10 ha property and a 16 ha property. The 16 ha lot bordering Dragon Lake would be donated to Ducks Unlimited as an “eco-gift” for conservation purposes.

Local Government:

Cariboo Regional District

Legal Description of Property:

PID: 009-758-615
Lot 3, District Lot 1905 & 3965, Cariboo District, Plan 20859

Location of Property:

2395 E Sales Road, Quesnel

Size of Property:

38 ha

ALR Area:

26 ha

Present use of the Property:

Residence, shop and pasture

Surrounding Land Uses:

WEST: Treed area and Residential
SOUTH: Dragon Lake and Residential
EAST: Dragon Lake
NORTH: Pioneer Park

Agricultural Capability:

Data Source: Agricultural Capability Map # 93B/16
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

Quesnel Fringe Area Official Community Plan Bylaw No.1366 designates the property as Resource Area

Zoning Bylaw and Designation:

Quesnel Fringe Area Zoning Bylaw No. 3504 (1999) Designates the property as Resource/Agricultural 1 (RA1)
Minimum Lot Size: 10.0 ha

RELEVANT APPLICATIONS:

Application #28418-0

Applicant: Don and Lynda Sales
Decision Date: February 22, 1994
Proposal: To subdivide the 8.1 ha property into 4 lots, a 1.6 ha lot which is separated by the highway and two 2.0 ha lots and 1 2.4 ha lot.
Decision: Refused as proposed on the grounds the property as good agricultural capability. However, the Commission would allow subdivision into two lots of 6.4 ha and 1.6 as divided by Highway 97 on the grounds that the highway was a significant impediment to the agricultural utilization of the property.

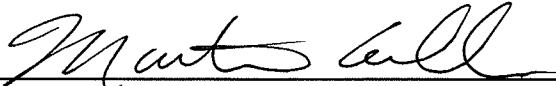
LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

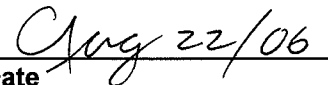
Cariboo Regional District Board: The Regional Board forwarded the application with a recommendation for approval.

ATTACHMENTS:

- ALR Context Map (submitted by the Cariboo Regional District)
- Map of Proposal (submitted by the Cariboo Regional District)

END OF REPORT


Signature


Date