



Agricultural Land Commission
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March 14, 2007

Reply to the attention of Simone Rivers
ALC File: #ZZ - 37156

Bernard Thiesen
4901 Dunn Lake Road
Barriere, BC V0E 1E0

Dear Mr. Thiesen:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 64/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Thompson-Nicola Regional District (#ALR-O-43)

Enclosure: Minutes

SBR/lv
37156d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 1, 2007 at Barriere, B.C.

PRESENT: Grant Huffman Chair, Interior Panel
Holly Campbell Commissioner
Frank Read Commissioner
Simone Rivers Staff

ABSENT: Gordon Gillette

For Consideration

Application: # ZZ- 37156
Applicant: Bernard Thiesen
Proposal: To exclude the subject property from the Agricultural Land Reserve. The applicant intends to subdivide the property into eight (8) residential parcels in accordance with the minimum parcel size in the existing CR-1 (Country Residential) Zone.
Legal: PID: 017-009-944
Lot B, District Lot 1482 and 1483, Kamloops Division Yale District, Plan KAP44331, EXCEPT Plan KAP81149
Location: Barriere Town Road, Barriere

Site Inspection

A site inspection was conducted on March 1, 2007. Those in attendance were:

- Grant Huffman Chair, Interior Panel
- Holly Campbell Commissioner
- Frank Read Commissioner
- Simone Rivers Staff
- Martin Collins Staff
- Ben Thiesen Applicant

The Commission met the applicant and discussed the details of the current proposal. It recalled meeting with the applicant in June 2005 regarding a previous application. At that time the Commission had walked the entire property with the applicant. The Commission recalled that the subject property had agricultural capability.

Mr. Thiesen confirmed that the staff report dated February 8, 2007 was received and no errors were identified.

Discussion

Assessment of Agricultural Suitability

The Commission assessed whether the external 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 external factors that render the land unsuitable for agricultural use. The Commission notes that the subject property is separated from adjacent non-ALR portions land in the town of Barriere by a steep hill and therefore that nearby non-farm development is physically separated from the property.

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 previously allowed the property to be subdivided into two lots on the grounds that the lots could be used as small farms. The Commission believes the proposal to exclude one of the lots would impact existing or potential agricultural use of the property. The Commission also discussed the impact of allowing further subdivision of the property within the ALR and believes that any further subdivision would further reduce the agricultural options available to the property.

Assessment of Other Factors

Barriere has an adequate supply of land outside the ALR to meet its housing needs for the foreseeable future. Local Government Planning staff did not recommend that the land be excluded as there was no need for more lots in the area. The Commission is aware of the non-ALR land in Barriere that is being developed and concurs with the recommendation of the TNRD Planning Staff.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the proposal will impact agriculture.
3. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Huffman

SECONDED BY: Commissioner Read

THAT the application be refused.

CARRIED

Resolution # 64/2007



Staff Report
Application # ZZ – 37156
Applicant: Bernard Thiesen

DATE RECEIVED: January 08, 2007

DATE PREPARED: February 8, 2007

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To exclude the subject property from the Agricultural Land Reserve. The applicant intends to subdivide the property into eight (8) residential parcels in accordance with the minimum parcel size in the existing CR-1 (Country Residential) Zone.

This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Local Government:

Thompson-Nicola Regional District

Legal Description of Property:

PID: 017-009-944
Lot B, District Lot 1482 and 1483, Kamloops Division of Yale District, Plan KAP44331, Except Plan KAP81149

Location of Property:

Barriere Town Road, Barriere

Size of Property:

25.0 ha (The entire property is in the ALR).

Present use of the Property:

No buildings, land is fenced and is used for short term horse pasture. Property was completely burnt over in 2003

Surrounding Land Uses:

WEST: North Thompson River and farmland on the other side
SOUTH: Barriere Industrial Park
EAST: Proposed subdivision
NORTH: Hobb Farm

Agricultural Capability:

Data Source: Agricultural Capability Map # 92P/1
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

Barriere OCP, Bylaw No. 1446
Designation: Agricultural

Zoning Bylaw and Designation:

Zoning: Bylaw No. 940
Designation: CR-1 (Country Residential) and R-1 (Rural)

PREVIOUS APPLICATIONS:

Application #31815-0

Applicant: Thiesen, Bernard
Decision Date: May 29, 1998
Proposal: To subdivide the 39.1 ha property into 2 lots of 25.9 ha and 13.2 ha. The intent is to sell one lot in order to finance the agricultural development including an irrigation system for the second parcel.
Decision: Refused on the grounds of agricultural capability.

Application #31815-1

Applicant: Thiesen, Bernard
Decision Date: June 02, 2005
Proposal: To subdivide the 39 ha property into two lots (26 ha and 13 ha).
Decision: The Commission allowed the subdivision of the property into two lots of roughly equal size, as divided by the zoning bylaw line.
Note: This application created the subject property.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Thompson Nicola Regional District Board: The Board passed a resolution authorizing the submission of the application to the Commission

Regional District Planning Staff: Planning staff do not support the application.

ATTACHMENTS:

- Memorandum to the Chief Administrative Officer dated December 12, 2006. (Submitted by the TNRD)
- Sketch showing proposed subdivision should the land be excluded (submitted by the applicant)
- ALC Context Map - Thompson Nicola Regional District Constituent Maps 8 and 18 - 1:10,000 (created by ALC Staff)
- Airphoto - 1:10,000 (created by ALC Staff)

END OF REPORT

Signature

Date