



**Agricultural Land Commission**  
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May 16, 2007

Reply to the attention of Simone Rivers  
ALC File: ZZ-37233

D.S. Cunliffe  
PO Box 96  
Celista, BC V0E1L0

Dear Sir/Madam:

**Re: Application to Exclude land from the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 213/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'EKAR', is written over the printed name Erik Karlsen.

Erik Karlsen, Chair

cc: Thompson-Nicola Regional District (ALR-N-84)

Enclosure: Minutes

SR/eg  
i/37233d1



### **Commissioner Eligible to Vote**

Commissioner Huffman was not present at the site inspection. It was confirmed that a summary of the site inspection was provided thus establishing the Commissioner's eligibility to vote on the 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**

The Commission believes that the property has limited agricultural capability due to its rather small size for a grazing (16 ha) and long use as a resort.

#### **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 acknowledges that Corbett Lake Country Inn and the owners of the surrounding ranches have had a long and positive relationship and that the resort, in its present form, has not had a negative impact on the utility of the adjacent lands for cattle grazing. However, the Commission is concerned that it is not able to evaluate the impact of future development should the land be excluded, because no development plan has been provided. As per its mandate to preserve agricultural land and encourage farming, the Commission must consider the impacts of its decisions on both the affected property, and the surrounding lands. In this case the Commission is uncertain about excluding the property without an indication of what the future (perhaps more intensive) use may be.

#### **Assessment of Other Factors**

Despite its concerns listed above, the Commission was prepared to consider excluding the property subject to the submission of more detailed information about the proposed uses, or further assurances that exclusion would not result in a substantial increase in the density of development. In addition in light of the long history of mutually compatible existence, the Commission does not believe that the resort needs to be excluded from the ALR to continue to operate, or to expand. The Commission emphasizes that it has no objection to the continued use of the site as a fishing camp and resort and that it would allow the renovation or replacement of the existing facilities within the ALR.

The Commission appreciates the applicants' offer to place a restrictive covenant on the property restricting the use of ATV's and snowmobiles so as to limit the impact on the surrounding area and would expect similar mitigation measures to be included in any revised and expanded proposal.

### **Conclusions**

1. That the land under application has limited agricultural capability.
2. That the proposal has the potential to negatively affect adjoining 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 Gillette  
**SECONDED BY:** Commissioner Campbell

THAT the application to exclude 16.8 ha from the ALR be refused as proposed.

AND THAT the Commission may be willing to consider a revised proposal that gives some indication of the future land use or development proposed for the property under new ownership. The revised proposal must also include mitigation to limit the impacts of more intensive development on the adjoining grazing lands.

AND THAT the Commission has no objection of the continued use of the property as a fishing lodge and resort within the existing resort footprint and that it would have no objection to the renovation or replacement of the existing structures within the existing footprint of the resort. Changes to the layout of the resort could be made in consultation with the Commission.

### **CARRIED**

**Resolution # 213/2007**



**Staff Report**  
**Application # ZZ – 37233**  
**Applicant: Corbett Lake Country Inn**  
**Agent: D.S. Cunliffe**

**DATE RECEIVED:** February 12, 2007

**DATE PREPARED:** March 26, 2007

**TO:** Chair and Commissioners – Interior Panel

**FROM:** Simone Rivers, Land Use Planner

**PROPOSAL:** To exclude approximately 16.8 ha from the Agricultural Land Reserve

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

**BACKGROUND INFORMATION:**

The property has historically been used as a resort and has always been zoned commercial. The current owner is in the process of selling the property. The prospective purchaser would like to have the property out of the ALR. There are no plans at this time to expand or change the resort but it is likely that a new owner may wish to change the business.

**Local Government:**

Thompson-Nicola Regional District

**Legal Description of Property:**

PID: 011-955-198  
District Lot 2808, Kamloops Division of Yale District, EXCEPT Plan 15109, 16314, H811,  
KAP68274 and KAP79309

**Purchase Date:**

1970

**Location of Property:**

Corbett Lake, East of Merritt on Highway 97C.

**Size of Property:**

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

**Present use of the Property:**

Caretaker's residence, workshop, main lodge with accommodation, and nine (9) cabins on site.

**Surrounding Land Uses:**

**WEST:** Grazing/Gravel Pit  
**SOUTH:** Grazing  
**EAST:** Grazing  
**NORTH:** Lake/grazing

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 921.007; 921/2  
The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

Regional Growth Strategy recognizes existing and new resort opportunities

**Zoning Bylaw and Designation:**

Zoning: Bylaw No. 940 (2005)  
Designation: C-4 (Recreational Commercial)  
Minimum Lot Size: 2000 m<sup>2</sup>

**PREVIOUS APPLICATIONS:**

**Application #07337-0**

**Applicant:** Corbett Lake Country Inn  
**Decision Date:** October 18, 1978  
**Proposal:** To subdivide a 4 ha parcel from the property to be sold to two long-term employees who wish to live there.  
**Decision:** Refused on the grounds that the parcel size is inconsistent with other parcel sizes in the area. This proposal would introduce a residential sized parcel into a grazing area.

**STAFF COMMENTS:**

Staff note the following:

- Non-farm use of this site well predates the creation of the ALR
- The adjacent ranchers have forwarded letters of support
- The future uses of the property should it be excluded are not defined at this time.

**ATTACHMENTS:**

- Letter from Dave Cunliffe explaining the proposal
- Letters from Quilchena Cattle Company and Nicola Ranch stating that they have no objection to the proposal
- ALC Context Map – 921.007 – 1:20,000 (created by ALC Staff)
- Airphoto – 1:10,000 (created by ALC staff)

END OF REPORT

Signature

*Simone Rivers*

Date

*March 29, 2007*