



Agricultural Land Commission
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May 8, 2007

Reply to the attention of Simone Rivers
ALC File: D-37241

Nigel Hemingway
Cariboo Geographic Systems
Box 1270
100 Mile House, BC V0K2E0

Dear Mr. Hemingway:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 196/2007 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:

Erik Karlsen, Chair

cc: Cariboo Regional District (4035-20-H146)

Enclosure: Minutes

BR/eg
i/37241d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on April 26, 2007 at Kamloops, B.C.

| | | |
|-----------------|-----------------|-----------------------|
| PRESENT: | Grant Huffman | Chair, Interior Panel |
| | Holly Campbell | Commissioner |
| | Gordon Gillette | Commissioner |
| | Simone Rivers | Staff |

For Consideration

Application: # D- 37241
Applicant: Rodney and Deborah Bricker
Agent: Nigel Hemingway: Cariboo Geographic Systems
Proposal: To exclude approximately 19 ha of the 50 ha property to accommodate a four (4) lot rural residential subdivision. Each lot would be approximately 4.74 ha in size.
Legal: PID: 013-013-297
The South West $\frac{1}{4}$ of District Lot 2938, Lillooet District, EXCEPT Plans H9241, KAP54651 and KAP57225
Location: 4508 Canim-Hendrix Lake Road, Forest Grove, BC

Site Inspection and Exclusion Meeting

A site inspection was conducted on April 26, 2007. Those in attendance were:

- Grant Huffman Chair, Interior Panel
- Holly Campbell Commissioner
- Gordon Gillette Commissioner
- Simone Rivers Staff
- Nigel Hemingway Agent for the applicant
- Rod Bricker Applicant

The Commission viewed the subject property with the agent and noted that it had not been improved for agricultural use and was divided by a road. The Commission also viewed a portion of a nearby property that was outside of the ALR but was improved for agricultural use. The Agent spoke about the availability of the non-ALR land in the area for development.

Mr. Hemingway confirmed that the staff report dated March 26, 2007 was received and no errors were identified.

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 agricultural capability of the soil of the subject property is rated as 80% Class 4 T – 20% Class 3C with limitations of Topography and Climate

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

The Commission noted that the improved land south of Forest Grove was part of the same polygon as the subject property. The Commission also noted that the subject property was relatively flat.

The Commission believes that the subject property has agricultural capability and is correctly designated as ALR.

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.

Assessment of Other Factors

The Commission considered this application in the context of the necessity for rural residential development in the community of Forest Grove. The Commission does not have any evidence that local government planning documents support exclusion and rural residential subdivision, or that the community of Forest Grove has insufficient non-ALR lands that can be used for expansion in the immediate future.

The Commission understands that the types of lots that could be developed within the existing non-ALR portion of the Forest Grove Community are different than those that are being proposed by this application. However the Commission does not believe that subdivision of 4 ha lots is supportive of agricultural development.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
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 Gillette

THAT the application to exclude the 19 ha area from the ALR be refused.

CARRIED

Resolution # 196/2007



Staff Report
Application # D – 37241
Applicant: Rodney and Deborah Bricker
Agent: Nigel Hemingway - Cariboo Geographic Systems

DATE RECEIVED: February 14, 2007

DATE PREPARED: March 26, 2007

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To exclude approximately 19 ha of the 50 ha property that lies north of the Canim Lake Road to accommodate a four (4) lot rural residential subdivision. Each lot would be approximately 4.74 ha in size.

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

BACKGROUND INFORMATION:

Local Government:

Cariboo Regional District

Legal Description of Property:

PID: 013-013-297

The South West ¼ of District Lot 2938, Lillooet District, EXCEPT Plans H9241, KAP54651 and KAP57225

Purchase Date:

October, 1996

Location of Property:

4508 Canim-Hendrix Lake Road, Forest Grove (east of 100 Mile House)

Size of Property:

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

Present use of the Property:

Vacant Land

Surrounding Land Uses:

WEST: Residential
SOUTH: Canim Lake Road
EAST: Vacant Crown Land
NORTH: Vacant Land

Agricultural Capability:

Data Source: Agricultural Capability Map # 92P/14
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

South Cariboo Area OCP
Designation: N/A

Zoning Bylaw and Designation:

South Cariboo Area Zoning Bylaw No. 3501 (1999)
Designation: Resource/Agricultural (RA 1)
Minimum Lot Size: 32 ha

RELEVANT APPLICATIONS:

Application #29372-0

Applicant: Ministry of Environment Lands & Parks
Decision Date: January 16, 1995
Proposal: To establish a community waste transfer station on 0.94 ha in the ALR.
Decision: The Commission allowed the establishment of the waste transfer station subject to fencing the perimeter of the facility.

Application #34175-0

Applicant: Dahl, Beryl
Decision Date: August 1, 2002
Proposal: To use a 1.2 ha area of the 63.5 ha property for a small scale guest ranch. The applicants propose to use up to 5 bedrooms in the existing house for tourism purposes. They also propose using an existing old trading post for a gift shop or museum. There will be a eating area in the main house for the guests. There are 2 old cabins on the property that could be upgraded in the future and used for the tourist operation.
Decision: Refused as proposed. The Commission felt the guest ranch facility should be ancillary to agriculture. As there is no real agricultural use on the property the Commission was not supportive of the proposed development. The Commission would be prepared to reconsider the application for a guest ranch with more agricultural development of the property.

STAFF COMMENTS:

Staff note the following:

- Cariboo Regional District Planning Staff do not support the application.
- Planning staff note that there is non-ALR land in Forest Grove that has not been fully developed.
- Most of the ALR in the area is
- A local rancher (Pincott Ranch) wrote with concerns over fencing of the property – (the original letter was not included in the application).
- Many previous subdivision requests in the area have been refused or only allowed subject to consolidation.

Staff recommend a site visit to assess the agricultural capability of the area under application for exclusion as well as to determine the impact subdivision would have on surrounding agricultural uses.

ATTACHMENTS:

- Proposal - a letter describing the proposal from the agent for the applicants, Nigel Hemingway.
- Information sheet: from the Regional District Planning Staff (3 pages - including sketch of proposed subdivision and area context map)
- ALC Context Map - 92P.075 - 1:20,000 (created by ALC Staff)
- Airphoto - 1:20,000 (created by ALC Staff)

END OF REPORT



Signature



Date