



Agricultural Land Commission
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November 23, 2007

Reply to the attention of Simone Rivers
ALC File: D-37607

Daryl Williamson
c/o Daryls Contracting Ltd.
Box 1251
150 Mile House, BC V0K2G0

Dear Mr. Williamson:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 604/2007 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. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan. It will also confirm for the Registrar the area excluded from the ALR.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:


Erik Kansen, Chair

cc: Cariboo Regional District (4035-20-F234)

Enclosure: Minutes/Sketch Plan



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 7, 2007 at Quesnel City Hall, Quesnel, B.C.

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

For Consideration

Application:	# D- 37607
Applicant:	Daryls Contracting Ltd.
Proposal:	To exclude 11.1 ha for the purpose of operating a truck depot, already in existence, rental storage and gravel sales.
Legal:	PID: 005-807-310 Lot 1, District Lot 11, Cariboo District, Plan 29070, EXCEPT Plan PGP35608
Location:	3082 Cariboo Highway 97 S

Site Inspection

A site inspection was conducted on November 6, 2007. Those in attendance were:

- Grant Huffman Chair, Interior Panel
- Holly Campbell Commissioner
- Gordon Gillette Commissioner
- Simone Rivers Staff
- Daryl Williamson Applicant

The Commission visited the property and noted that a portion of it had previously been developed for non-farm use. The remainder was in a natural state. The land to the north of the subject property was developed for agricultural use.

Mr. Williamson confirmed that the staff report dated October 12, 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 Commission believed that the portion of the property that had not been used for industry had agricultural capability and was correctly designated as ALR. The Commission acknowledged its previous decision to exclude a portion of the subject property.

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 Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission was concerned that allowing the exclusion of the entire property could have a negative impact on the farmland located to the north. It also wanted to guarantee that the access to irrigation by the neighbouring farmer was preserved. The Commission believes that a portion of the proposal would impact existing or potential agricultural use of surrounding lands.

Assessment of Other Factors

The Commission approved the exclusion of a 3.3 ha of the subject property in 1985. At that time it suggested that a subdivision plan be submitted in order to delineate the area to be excluded and to create an ALR property and a non-ALR property. The subdivision plan was not submitted and therefore the Commission's maps were not amended. However, the portion of the property approved for exclusion has been used for non-farm use ever since. The Commission has no objection to the finalization of this previous exclusion as well as the amendment of the maps for this portion of the subject property. Furthermore, it has no objection to the expansion of the exclusion area to include the area proposed for "future RV Parking and Storage (1.45 ha)". However it is concerned about the exclusion of the remainder of the property. The applicant indicated that this lot would likely be used for residential purposes, a permitted use within the ALR. The Commission did not believe that it was in the best interests of agriculture to exclude this portion of the property.

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 will impact agriculture.
4. 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 be refused as proposed.

AND THAT the Commission will approve exclusion of the 2.85 ha of the subject property that is currently being used for non-farm purposes and was previously approved for exclusion as well as the additional 1.45 ha area proposed for future RV parking and storage. It also approved exclusion of the portion of the subject property located on the eastern side of the lake. The area located to the west of the lake is not excluded.

AND THAT the approval is subject to the following conditions:

- the preparation of a subdivision plan to delineate the area to be excluded per the drawing submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.
- That prior to the land being excluded, access for irrigation for the neighbouring farmer is formalized and shown as an easement on the subdivision plan.

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 # 604/2007

LEGEND

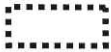


Provincial Agricultural Land Commission



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Subject Property



4.3 Hectare area approved for exclusion from the ALR subject to the submission of a subdivision plan separating the excluded area from the area to remain within the ALR.

