



## Agricultural Land Commission Staff Report

**DATE:** August 19, 2009  
**TO:** Vice Chair and Commissioners - Interior Panel  
**FROM:** Simone Rivers

**RE:** Application # 46018  
**PROPOSAL:** To subdivide the property into a 6 ha lot and a 14 ha lot with an 8.5 ha remainder.

### PROPOSAL INFORMATION

**Background:** Legacy Application # D-39034  
**Received Date:** May 25, 2009  
**Applicant:** Seibert Construction Ltd  
**Agent:** Doug Dodge  
**Local Government:** Cariboo Regional District

### DESCRIPTION OF LAND

**PID:** 015-237-788  
**Legal Description:** District Lot 8853, Cariboo District, EXCEPT Plans 29338, PGP37533, PGP37933, PGP39646, PGP41981, BCP8399  
**Civic Address:** North of Williams Lake on Mile 168 Road.  
**Area:** 28.5 ha  
**ALR Area:** 28.5 ha  
**Purchase Date:** September 1, 1980  
**Owner:** Seibert Construction Ltd

**Total Land Area:** 28.5 ha  
**Total ALR Area:** 28.5 ha  
**Current Land Use:** Proposed lot 1 is mostly timbered. Proposed Lot 2 is mostly cleared and is used for pasture. The remainder of DL 8853 east and south of Mile 168 Road is approximately 8.5 ha in size and contains an equipment shed and gravel pit.

### PROPOSAL DETAILS

**Subdivision**

<b>Area</b>	<b>Agricultural Capability</b>	<b>Agricultural Capability Source</b>
28.5	Secondary	CLI

<b>Number of Lots</b>	<b>Lot Size (ha)</b>
1	6.0
1	14.0
1	8.5

**Surrounding Land Uses:****Official Community Plan****Bylaw Name:****Designation:****OCP Compliance:****Zoning****Zoning Bylaw Name:** Bylaw No. 3501 (1999)**Zoning Designation:** Resource/Agricultural**Minimum Lot Size:** 32.0 ha**Zoning Compliance:** No**PREVIOUS APPLICATIONS****Application #:** 29123**Applicant:** Seibert Construction Ltd**Proposal:** To subdivide five 2 ha lots from the southern portion of the 41 ha property. The new lots would adjoin an existing subdivision of 0.8 ha lots lying outside of the ALR.**Decisions:****Resolution**

<b>Number</b>	<b>Decision Date</b>	<b>Decision Description</b>
94	March 7, 2003	The Commission allowed the subdivision of five 2 ha lots from the 41 ha property on the grounds the land has very limited agricultural capability.

**Note:** Legacy Application # D-34707**Application #:** 8670**Applicant:** Seibert Construction Ltd**Proposal:** To exclude approximately 8 ha of the 64 ha property. Approx. 12 ha of the 64 ha lie outside the ALR. The proposal is to s/d the remainder of the sidehill which is identical to that land already out of the ALR.**Decisions:****Resolution**

<b>Number</b>	<b>Decision Date</b>	<b>Decision Description</b>
829	April 28, 1982	Allowed. Commission reviewed contour map and noted the topography of the area proposed for exclusion as being quite steep.

**Note:** Legacy Application # D-14452

**Application #:** 8668

**Applicant:** Seibert Construction Ltd

**Proposal:** Proposed to subdivide the 64 ha property along the ALR boundary creating 10 lots of .81 ha each 5 lots of .41 ha all to be outside the ALR and a 54 ha remainder within the ALR.

**Decisions:**

<b>Resolution Number</b>	<b>Decision Date</b>	<b>Decision Description</b>
2224	December 9, 1980	Allowed.

**Note:** Legacy Application # D-11622

**Application #:** 8265

**Applicant:** Seibert Construction Ltd

**Proposal:** Propose to subdivide the 44 ha property into 5 lots of 2 ha each and a remainder and dedicate existing 168 Mile Road and additional road dedication to provide access to lands beyond.

**Decisions:**

<b>Resolution Number</b>	<b>Decision Date</b>	<b>Decision Description</b>
419	July 23, 1997	The Commission refused the proposal to subdivide five 2 ha lots from the 44 ha property because of concerns about residential intrusion and reduced agricultural capability.

**Note:** Legacy Application # D-31381

**Committee Recommendations**

<b>Type</b>	<b>Recommendation</b>	<b>Description</b>
Board/Council	Approve	Cariboo Regional District Board: The Regional Board forwarded the application with a recommendation of approval.
Advisory Planning Committee	Approve	The Advisory Planning Commission for Electoral Area 'D' supports the proposed subdivision.

**STAFF COMMENTS**

The applicants have made four subdivision and/or exclusion applications for three proposals since purchasing the property in 1980.

The Commission approved the creation of the five lots to the south in 2003 on the basis the land had very limited capability for agricultural development due to poor soils and because it was adjacent to the ALR boundary.

The current subject property appears to be somewhat flatter than the lands to the south that have been previously subdivided.

Although the subject property has been the subject of four previous ALC applications there have been no other applications on any adjacent or nearby lands.

The current subject property has been partially cleared. The applicants state that they have no access to irrigation water and therefore have not been successful in growing hay on the property. The proposed subdivision would divide the property into three. The larger part of the property would be divided roughly into a cleared lot and a forested lot.

The agricultural capability of the subject property has been rated as 60% Class 5P - 40% Class 6TP

improvable to 60% Class 3P - 40% Class TP with limitations of topography and stoniness.

## **ATTACHMENTS**

39034\_AgCapabilityMap.pdf  
39034\_ContextMap20k.pdf  
39034 proposal sketch.pdf  
39034local government comments.pdf  
39034\_AirphotoMap.pdf

## **END OF REPORT**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**