



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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Fax: 604-660-7033
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September 29, 2005

Reply to the attention of Simone Magwood

Robert Lee
190 Trans Canada Highway N.E.
Bag 9000, Suite 254
Salmon Arm, BC – V1E 1S3

Dear Mr. Lee:

Re: **Application #ZZ-36108-0**
**The South West ¼, Section 2, Township 22, Range 12, W6M, Kamloops
Division, Yale District except that part thereof shown outlined in red on Plan
B608 and KAP51328**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the above noted 40 ha property into two 20 ha lots. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*.

The Commission inspected the property on September 12, 2005. The Commission regrets that it was not able to meet with you that day.

The Commission noted that the property was a similar size to surrounding properties and the site inspection confirmed that though not presently used for agriculture, the ALR area had good agricultural capability, similar to adjoining lands actively used for agriculture. The Commission is concerned that the division of the ALR portion of the property would reduce the land's agricultural potential, limiting agricultural production. In addition subdivision would raise expectations that similar subdivision requests would be routinely permitted on nearby lands. It is the Commission's experience that subdivision tends to reduce the likelihood of agricultural development both on the property and in the surrounding area because it encourages speculation and residential uses, rather than agriculture.

For these reasons, the Commission refused your application as proposed.

The decision noted above is recorded as Resolution #147/2005.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:

Erik Karlsen, Chair

cc: Thompson-Nicola Regional District (#ALR-L-376)

SM/lv/36108d1



Staff Report
Application # ZZ – 36108 – 0
Applicant: Robert Edward Lee

DATE PREPARED: August 24, 2005

TO: Chair and Commissioners – North Panel

FROM: Simone Magwood, Regional Research Officer

PROPOSAL: To subdivide the 40 ha property into two lots of 20 ha.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Local Government:

Thompson-Nicola Regional District

Legal Description of Property:

PID: 014-228-211

The South West 1/4 of Section 2 Township 22, Range 12 West of the 6th Meridian Kamloops Division of Yale District Except That Part thereof shown Outlined Red on Plan B608 and KAP51328

Purchase Date:

2004

Location of Property:

432 Squilax Turtle Valley Road

Size of Property:

40.0 ha

ALR Area:

40.0 ha

Present use of the Property:

Residence under construction, no outbuildings

Agricultural Capability:

Data Source: Agricultural Capability Map # 82L/13
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

South Thompson Settlement Strategy (STSS) identifies this area as an area outside of a selected settlement area where the minimum parcel size must be a minimum of 8 ha recognizing that the discretion to approve and determine permissible parcel size within the ALR rests with the ALC.

Zoning Bylaw and Designation:

Zoning Bylaw No. 940, designates the parcel as AF-1 (Agriculture/Forestry)
Minimum Lot Size 8 ha.

PREVIOUS APPLICATIONS:

Application #30185-0

Applicant: McCall, Robert
Decision Date: January 12, 1996
Proposal: To subdivide 6.5 ha lot as divided by the road from the 51.3 ha property under the *Homesite Severance Policy*
Decision: Allowed in lieu of future consideration under the Homesite Severance Policy, or a small Homesite Severance of the existing residence.

Application #29258-0

Applicant: Pierce, Clifton & Eileen
Decision Date: January 16, 1995
Proposal: To subdivide two adjoining properties as divided by the ALR boundary and to dedicate road access through the ALR to these lands beyond.
Decision: The Commission refused both the subdivision along the ALR boundary as well as the request for access on the grounds that rural residential development in this area would negatively affect agricultural operations.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

The Thompson-Nicola Regional District is opposed to any future request to subdivide the 0.98 ha hooked portion of the proposed 20 ha parcel unless the portion is consolidated with a large adjacent property.

STAFF COMMENTS:

Staff recommends that the Commission consider the following:
Previous requests for subdivision in this area have been rejected because the Commission did not wish to encourage rural residential development in this area.
The applicant has not provided information about his plans for the property or his reasons for requesting subdivision.

END OF REPORT

Signature



Date

August 24/05

4km TO
TRANS CANADA
HIGHWAY

PLAN KAP
57591

REM
Sec 3

PLAN KAP
51328

PART
0.979± ha
(2.4± ACRES)

NE 1/4 Sec 34

PLAN 3968

NE 1/4
Sec 2

NW 1/4 Sec 2

R 12

Tp 22

REM SW 1/4 Sec 2
Tp 22, R 12, W6M
19.7± ha (48.7± ACRES)

ALR

SE 1/4 Sec 2

PROPOSED LOT
PART 19.25 ha (47.6 ACRES)
PART 0.979 ha (2.4 ACRES)
TOTAL 20.23 ha (50.0 ACRES)

REM SW 1/4 Sec 2
Tp 22, R 12, W6M

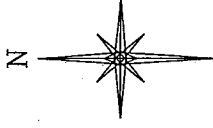
REM NW 1/4 Sec 35

Tp 21

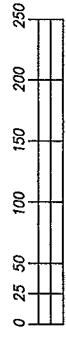
R 12

PLAN B608

PLAN OF PROPOSED
SUBDIVISION OF PART OF
THE SW 1/4 OF Sec 2
Tp 22, R 18, W6M, KDYD
EXCEPT THAT PART THEREOF
SHOWN OUTLINED RED ON
PLAN B608 AND PLAN KAP 51328



SCALE 1 : 4000



ALL DISTANCES ARE IN METRES

NOTE
EXACT LOCATION OF ALR BOUNDARY
TO BE PROVIDED BY ALC IF THEY
APPROVE THIS PROPOSED SUBDIVISION

AUTOCAD FILE: K05-032-PROLDWG(FEB 10/05)BMR
BARTLETT FIEDRICH & UNDERHILL
204 - 153 SEYMOUR STREET
KAMLOOPS, B.C. V2C 2C7, PH: 250-372-8835
KAMLOOPS FILE: K05-032 F.B. P.

