



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604-660-7000
Fax: 604-660-7033
www.alc.gov.bc.ca

December 1, 2005

Reply to the attention of Simone Rivers

Ernest & Barbara Goddard
1300 Barnhartvale Road
Kamloops, BC V2C 6Y1

Dear Mr. and Mrs. Goddard:

**Re: Application # ZZ- 36224 -0
Legal Subdivision 10 of Section 14, Township 19, Range 15, W6M, Kamloops
Division Yale District, Except Plan KAP63990**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide your 14.9 ha property into one 5.6 ha lot and one 9.3 ha lot as divided by Barnhartvale Road. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on November 23, 2005. The Commission noted that the road divides the better capability agricultural land to the south from the poorer land to the north.

The Commission writes to advise that it approved your application subject to:

- the subdivision being in substantial compliance with the attached plan.
- compliance 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. The Commission suggests you contact Thompson-Nicola Regional District at your earliest convenience.

The decision noted above is recorded as Resolution #631/2005.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,

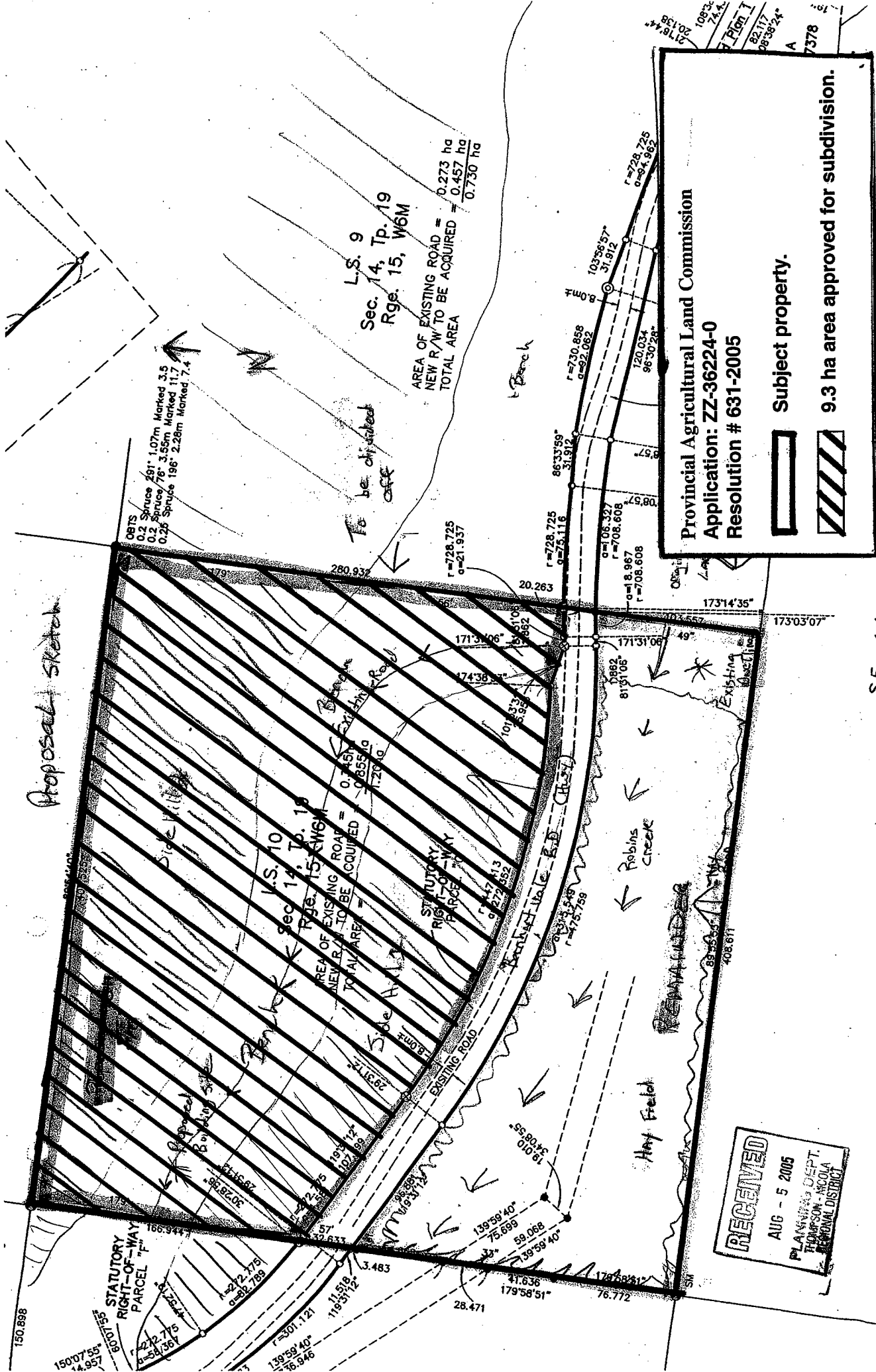
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:


Erik Karlsen, Chair

cc: Thompson-Nicola Regional District (# ALR-L-377)

SBR/lv/Encl./36224d1



Proposal sketch


OBTS Spruce 261' 1.07m Marked 3.5
 0.2 Spruce 76' 3.55m Marked 11.7
 0.25 Spruce 196' 2.28m Marked 7.4


L.S. 9
 Sec. 14, Tp. 19
 Rge. 15, W6M

AREA OF EXISTING ROAD = 0.273 ha
 NEW R/W TO BE ACQUIRED = 0.457 ha
 TOTAL AREA = 0.730 ha

To be divided
 off

Provincial Agricultural Land Commission
 Application: ZZ-36224-0
 Resolution # 631-2005

 Subject property.

 9.3 ha area approved for subdivision.

RECEIVED
 AUG - 5 2005
 PLANNING DEPT.
 THOMPSON-NISOLA
 REGIONAL DISTRICT

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the “Commission”) on November 23, 2005 at Quesnel City Hall, 410 Kinchant Street, Quesnel, BC.

PRESENT: Grant Huffman Chair
Holly Campbell Commissioner
Frank Read Commissioner

STAFF: Simone Rivers, Regional Research Officer

For Consideration

Simone Rivers presented the staff report dated October 26, 2005 regarding application #ZZ- 36224. Mr. Goddard confirmed that he received the staff report and did not identify any errors.

Site Inspection

A site inspection was conducted on November 23, 2005. Those in attendance were:

- Commissioners Huffman, Read, Campbell
- Agricultural Land Commission Staff: Simone Rivers, Regional Research Officer and
- Resource Stewardship Agrologist, Ministry of Agriculture and Lands, Graham Strachan.
- Applicant: Ernest Goddard and his son Brett Goddard

Staff viewed the proposed homesite for the applicants' son.

The site inspection lasted from 3:45 p.m. to 4:15 p.m.

Commission Discussion

The Commission noted that the part of the property south of the road contained the best agricultural land and that the portion north of the road was less capable. The Commission also noted that they had recently (Resolution # 43/2005) allowed the subdivision of the adjacent property as divided by the road on the grounds that the land to the north of Barnhartvale Road had limited agricultural capability. Staff also noted that almost half of the property to be subdivided not within the Agricultural Land Reserve.

IT WAS

MOVED BY: Commissioner Huffman
SECONDED BY: Commissioner Read

THAT the staff report be received and the application to subdivide the 14.9 ha property described as Legal Subdivision 10 of Section 14, Township 19, Range 15, W6M, Kamloops Division of Yale District, Except Plan KAP63990 in to one 5.6 ha lot and one 9.3 ha lot be approved on the grounds that the portion of the property north of Barnhartvale Road has limited agricultural capability.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # ZZ – 36224 –0
Applicant: Ernest & Barbara Goddard

DATE RECEIVED: August 19, 2005

DATE PREPARED: October 26, 2005

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To subdivide the 14.9 ha property into one 5.6 ha lot and one 9.3 ha lot.

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

BACKGROUND INFORMATION:

The applicants wrote the Commission a supplemental letter further outlining their plans for the property. This letter is attached for the Commission's information. The applicants wish to subdivide in order to provide a homesite for their son.

Local Government:

Thompson-Nicola Regional District

Legal Description of Property:

PID: 014-338-335

Legal Subdivision 10 of Section 14, Township 19, Range 15, W6M, Kamloops Division Yale District, Except Plan KAP63990

Purchase Date:

December 1992

Location of Property:

Barnhartvale Road, Kamloops

Size of Property:

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

Present use of the Property:

Residence, hay, some animals and some vacant land.

Agricultural Capability:

Data Source: Agricultural Capability Map # 82L/12
The majority of the property is identified as having secondary ratings.

Official Community Plan and Designation:

South Thompson Valley-Pinantan Official Community Plan designates the parcel as Agricultural & Forestry-Grazing

Zoning Bylaw and Designation:

Zoning Bylaw No. 940, designates the parcel as AF-1 (Agricultural/Forestry)

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Planning Services: Planning services made the following comments in a letter to the applicant: Planning Services is very concerned about the piecemeal small lot fragmentation and linear strip development in this area and its impacts on the goals of the South Thompson Settlement Strategy. Numerous properties along the length of Barnhartvale Road are bisected by the road, leaving the properties open to future subdivision requests, pursuant to section 2.10(b) of Zoning Bylaw No. 940, and in some cases, unwelcome, intrusive rural density. Given the rustic, pastoral character of this area coupled with limited groundwater resources, this piecemeal form of development will establish a precedent that we cannot support at all locations. Bear in mind that the provision of Section 2.10 (b) are discretionary and should not be construed as an automatic approval process for undersized lots. Although the parcel sizes within the ALR are determined by the Commission, we cannot support this proposal at this location.

If this proposal is approved, then as part of a future subdivision application referral process with the Ministry of Transportation, we will be requesting proof of water on each parcel to demonstrate that the provision of water supply will not have detrimental impacts on existing water supplies or the natural environment. This assurance must be provided by an appropriately qualified professional engineer or geologist experienced in surface and/or groundwater supplies.

STAFF COMMENTS:

Staff recommends that the Commission consider the following:

- The portion of the property that the applicants wish to subdivide has the following agricultural capability ratings 7:6TR-3:7R.
- The small lots along the road to the southeast of the subject property predate the ALR.
- There have only been a few applications for subdivision in this area.

END OF REPORT

Simone Rivers
Signature

Nov 7, 2005
Date