



Agricultural Land Commission
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March 16, 2006

Reply to the attention of Simone Rivers

Carol Ann Gallagher
R.R. # 1
3862 Lower Duck Range Road
Pritchard, BC V0E 2P0

Dear Ms. Gallagher:

Re: **Application #ZZ-35980**
Legal Subdivision 10, Section 26, Township 19, Range 14, West of the 6th
Meridian, Kamloops Division Yale District

Further to the letter of Mr. Lee Dodds of September 14, 2005, the Commission, acting under section 33 of the *Agricultural Land Commission Act*, has reconsidered the above noted application.

The Commission, by Resolution #54/2006, has allowed your revised proposal to subdivide the property as divided by Lower Duck Range Road.

This approval is granted provided that your subdivision is in substantial compliance with the plan attached hereto.

The land referred to in the application continues to be subject to the provisions of the Act and regulations except as provided by this approval.

This approval in no way relieves the owner or occupier of the responsibility of adhering to all other legislation that may apply to the land. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that may have jurisdiction. Before your development can proceed, other approvals may be necessary and we urge you to check with the Thompson-Nicola Regional District.

When the final survey plans or documents as required for Land Title purposes have been prepared, please send two paper prints to this office well in advance of commencing registration procedures. The Commission will then authorize the Registrar of Land Titles to accept the application for deposit of the subdivision plan.

Please quote the above application number in any future correspondence.

Yours truly,

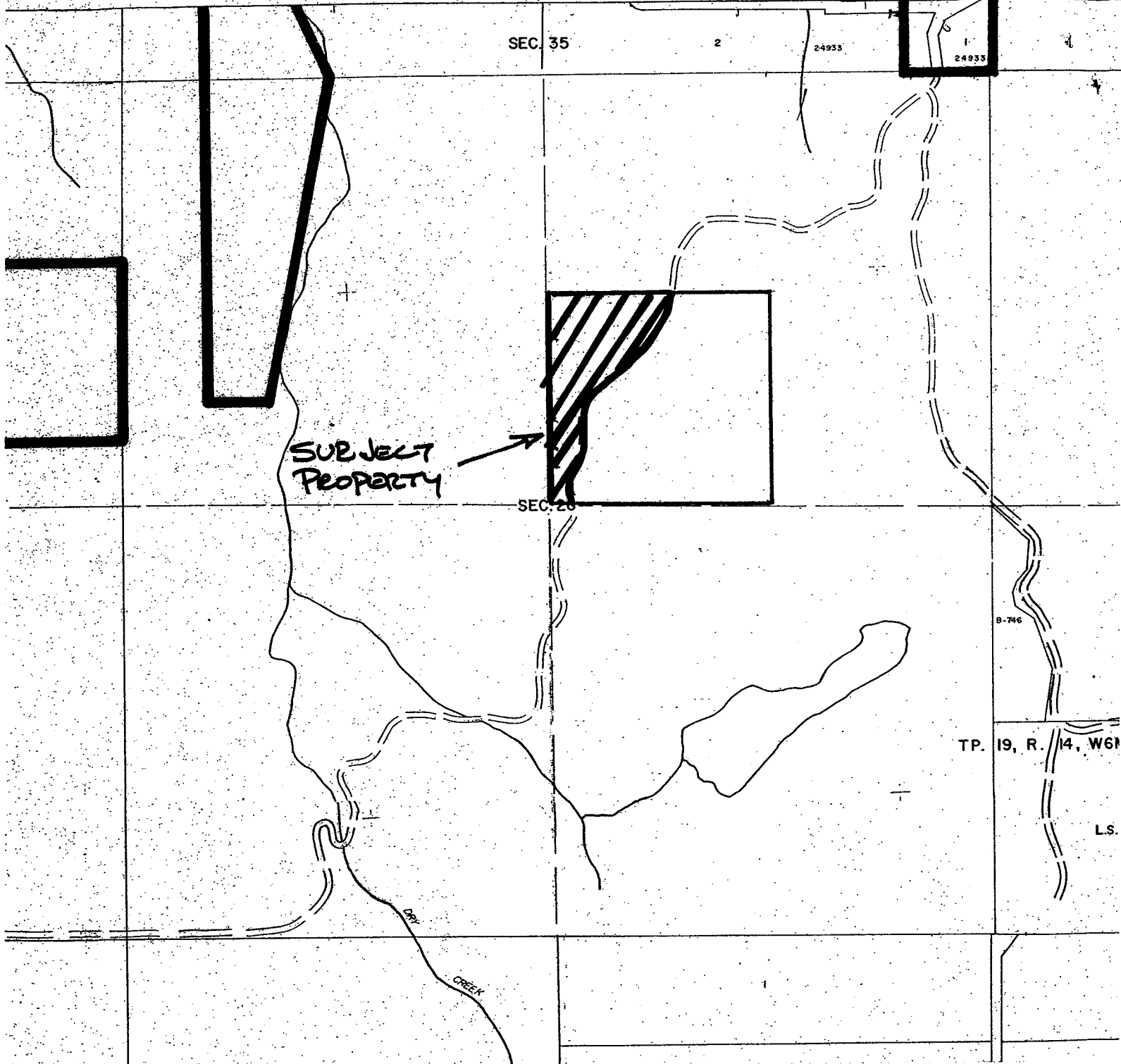
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc Thompson-Nicola Regional District (File # ALR-L-375)
SBR/lv/Encl./35980d2

A REGIONAL DISTRICT



Provincial Agricultural Land Commission
Application: ZZ-35980-1
Resolution # 54/2006

-  Subject property.
-  ± 4 ha area approved for subdivision as divided by Lower Duck Range Road.



Staff Report
Reconsideration # ZZ – 35980 – 1
Applicant: Carol Ann Gallagher

DATE RECEIVED: September 14, 2005

DATE PREPARED: February 10, 2006

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To subdivide 3-4 ha from the subject property as divided by Lower Duck Range Road.

This application is made pursuant to section 33 of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The Commission visited Ms. Gallagher's property on June 1, 2005. Her original proposal requested subdivision of her 16 ha property into two properties of 8 ha each. The Commission refused her request (resolution # 282/2005) on the grounds that the property had greater agricultural capability if it retained its larger size, and because of concerns about precedent and further subdivision in this largely agricultural area.

In September, 2005, the Commission has received a letter via Mr. Lee Dodds asking for reconsideration of the Commission's request on Ms. Gallagher's behalf.

The letter requested subdivision of the property as divided by Lower Duck Range Road which would create a 2 ha parcel and a 14 ha parcel. Ms. Gallagher would keep the smaller parcel and build a new home and sell the larger.

The reconsideration request was brought to the Commission's attention at the November Interior Panel meeting. At that time the Commission indicated that it would be willing to reconsider her request but would like to visit the property again before making a decision.

Local Government:

Thompson-Nicola Regional District

Legal Description of Property:

PID: 014-331-284

L.S. 10, Section 26, Township 19, Range 14, W6M, Kamloops Division Yale District

Location of Property:

3862 Lower Duck Range Road (East of Kamloops)

Size of Property:

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

Present use of the Property:

The property is used as a residential homesite which include a house, woodshed and shop as well as a fenced horse pasture.

Surrounding Land Uses:

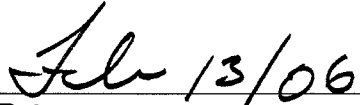
WEST: Crown Land (Range land) (ALR)
SOUTH: Farm Land (ALR)
EAST: Residential Land (ALR)
NORTH: Residential Land (ALR)

Agricultural Capability:

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

END OF REPORT


Signature


Date