



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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www.alc.gov.bc.ca

November 30, 2006

Reply to the attention of Simone Rivers  
ALC File: D - 36101

Nigel Hemingway  
PO Box 1270  
100 Mile House, BC V0K 2E0

Dear Mr. Hemingway:

**Re: Request for Reconsideration**

This is further to your letter of March 28, 2006 in which you asked the Provincial Agricultural Land Commission to reconsider Resolution #311/2005.

The Commission has reconsidered the matter and has attached the Minutes of Resolution # 601/2006 outlining its latest decision. As agent, it is your responsibility to notify your client(s) accordingly.

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 plans. It will also confirm for the Registrar the area excluded from the ALR.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Cariboo Regional District (#4035-20-G244)

SR/lv/Encl.:  
Minutes/Sketch Plans/Inclusion Application

36101d2



iMapBC Mapping  
Legend

# Map 1 D-36101 Morrison



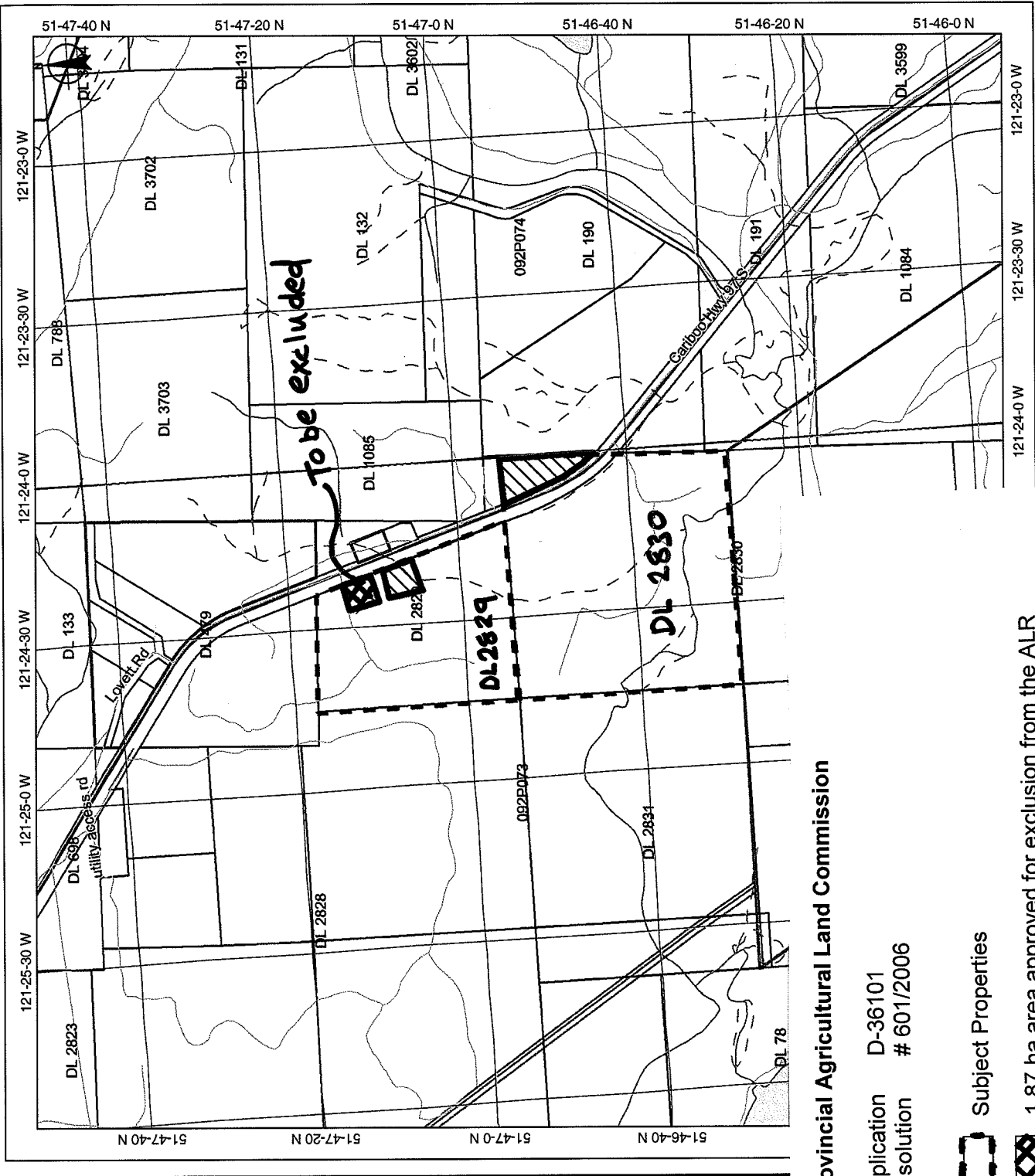
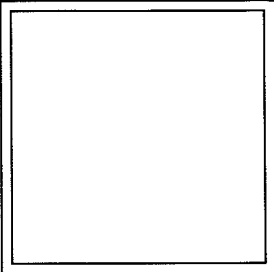
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Data/Projection: NAD83, Albers Equal Area Conic

Key Map of British Columbia



## Provincial Agricultural Land Commission

Application D-36101  
Resolution # 601/2006

-  Subject Properties
-  1.87 ha area approved for exclusion from the ALR
-  Approved subdivision into one 1.75 ha lot and one 3.22 ha lot



iMapBC Mapping  
Legend

Map 2  
D-36101  
Morrison  
-Consolidation



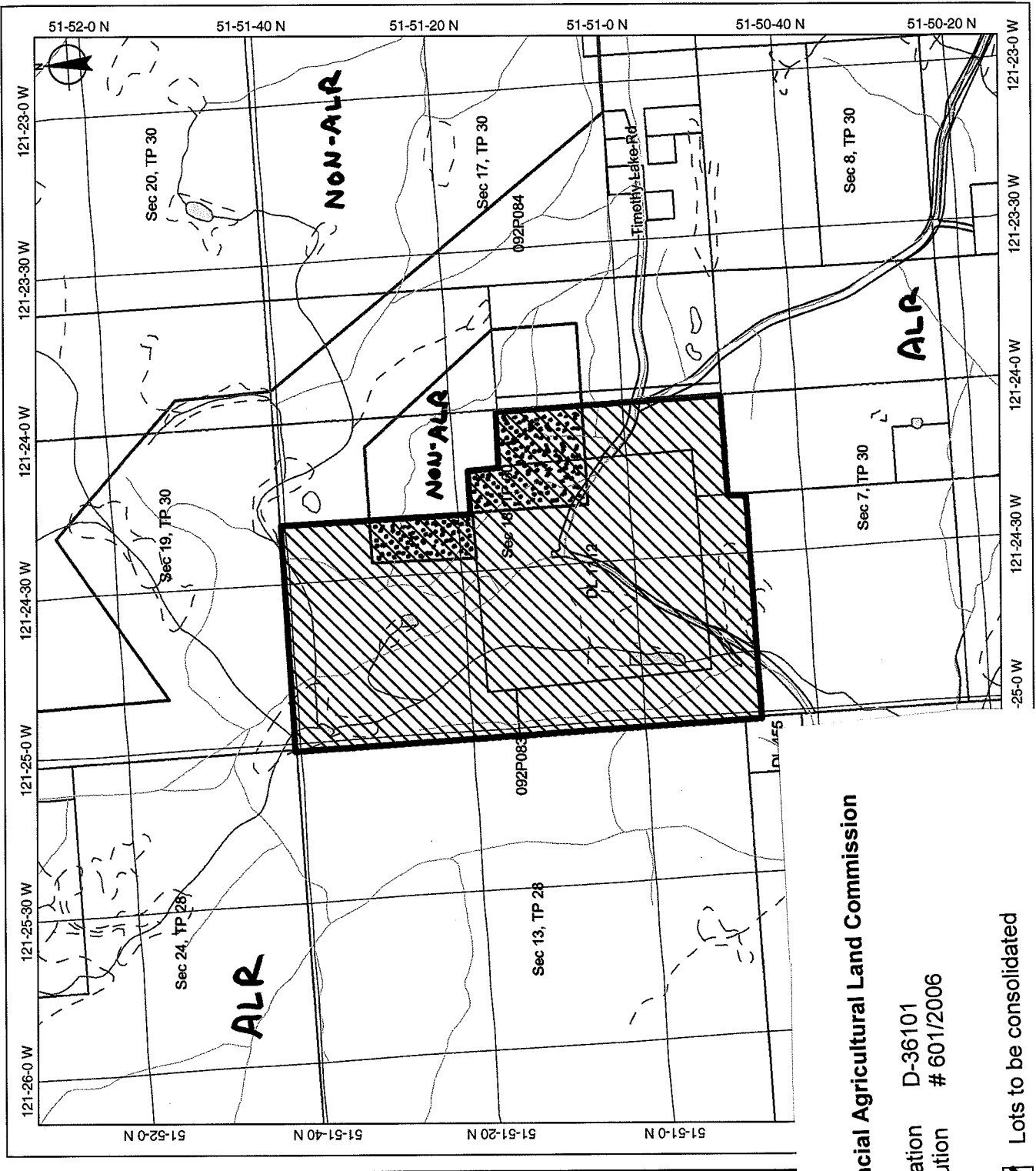
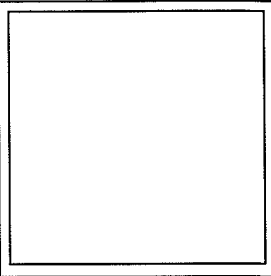
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Provincial Agricultural Land Commission

Application D-36101  
Resolution # 601/2006

 Lots to be consolidated

 ±17.2 ha area to be included into the ALR.



The Commission met with the applicant and her agent at 108 Resort. The agent provided a summary of the previous decision and outlined the alternate consolidation the Morrison's were proposing. They also discussed the planned use of the area proposed for exclusion. An industrial operation located across the road is interested in buying the property should it be excluded. The Commission viewed a map of the applicants' total holdings and discussed the land uses on the area proposed for consolidation. The Commission was reminded that the Morrison's ranching operation consists of land in several different locations in the area.

The Commission then traveled to the property proposed for consolidation that it had not viewed before. Although there was snow on the ground, it was evident that the land was improved for agricultural use as hay fields and that they would be an integral part of the Morrison's cattle ranching operation.

### 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.

The Act provides processes for landowners, local governments and First Nations to apply to the Commission to remove land from or include land into the ALR or to subdivide or use land in the ALR for non-farm purposes.

### Discussion

By Resolution # 311/2005, the Commission allowed the subdivision of a 3.2 ha parcel of land separated from DL 2830 by Highway 97. There were no conditions attached to the approval of the subdivision of this area. It also allowed the subdivision of a 1.75 ha homesite from DL 2829 subject to the consolidation of the remainders of DL 2830 and 2829. The Commission refused the exclusion of a 1.87 ha industrial lot from DL 2829.

The Morrison's request for reconsideration was originally presented to the Commission in the spring of 2006 on the basis that the two properties to be consolidated were in different ownership, one in the applicant's personal name and the other in their company name. At that time they offered to consolidate three alternate properties of roughly the same area. The Morrison's own land at several locations throughout the countryside and the land proposed for consolidation is not adjacent to the land that was originally under application. The Commission then asked the applicants for further information about the extent of their holdings as well as the ownership. The Morrison's provided the Commission with this information in July, 2006. The Commission further discussed the reconsideration request in September 2006 but felt that a further meeting with the applicant as well as a site visit to the land proposed for consolidation was necessary.

After viewing the land proposed for consolidation in the revised proposal the Commission was satisfied that the land had agricultural capability and was suitable for agricultural use. The Commission was also satisfied that although not adjacent to the land under application, consolidation of the proposed land provided an equivalent benefit to agriculture as the consolidation originally required to allow the subdivision of the 1.75 ha homesite parcel.

With respect to the exclusion of the 1.87 ha parcel, the Commission appreciated the additional information about the proposed use provided by the applicants but believed that an additional benefit to agriculture would need to be offered in order to allow this exclusion. Upon further discussion it concurred that benefit could be provided by additional consolidation and inclusion of the non-ALR portions of the land to be consolidated. The Commission believed that the inclusion was necessary to maximize the benefit of the consolidation and to further ensure that the land remained suitable for ranching in the future.

**IT WAS**

**MOVED BY:** Commissioner Read  
**SECONDED BY:** Commissioner Huffman

THAT the application be refused as proposed.

AND THAT the application for subdivision and exclusion would be allowed as proposed subject to:

The consolidation of:

1. PID:013-299-344  
The Fractional North West ¼ of Section 18, Township 30, Lillooet District, Except Plan KAP46721
2. PID: 013-299-204  
District Lot 1112, Lillooet District, Except Plans KAP 46720 and KAP46721
3. PID: 014-791-510  
Block A of the South East ¼ of Section 18, Township 30, Lillooet District Except Plan KAP46720
4. PID: 023-304-766  
Lot 1, Sections 7 and 18, Township 30, Lillooet District, Plan KAP55721

AND the inclusion of the non-ALR portions of the above mentioned properties to the ALR.

AND FURTHER THAT the approval is also 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 and consolidation be in substantial compliance with the attached plans.
- that the approval to subdivide and exclude the land is only valid for three (3) years from the date of this decision.

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 # 601/2006**