



Agricultural Land Commission
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December 6, 2006

Reply to the attention of Simone Rivers
ALC File: # D - 36906

Albert Hurtubise
35092 High Drive
Abbotsford, BC V2S 4P6

Dear Mr. Hurtubise:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 629/2006 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

cc: Cariboo Regional District (#4035-20-H143)

SBR/lv/Encl.: Minutes
36906d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 23, 2006 at Quesnel City Hall, 410 Kinchant Street, Quesnel, B.C.

PRESENT:	Grant Huffman	Chair, Interior Panel
	Holly Campbell	Commissioner
	Frank Read	Commissioner
	Simone Rivers	Staff

For Consideration

Application: # D- 36906
Applicant: Henry and Don Hurtubise
Agent: Albert Hurtubise
Proposal: To subdivide the 15.1 ha lot into a 4 ha lot and an 11.1 ha lot.
Legal: PID: 006-416-136
Lot 1, District Lot 4993, Lillooet District, Plan 23469
Location: 3680 Bradley Creek Road - Near Ruth Lake

Site Inspection

A site inspection was conducted on November 22, 2006. Those in attendance were:

- Grant Huffman Chair, Interior Panel
- Holly Campbell Commissioner
- Frank Read Commissioner
- Simone Rivers Staff
- Albert Hurtubise Applicant

The Commissioners met with Mr. Hurtubise at the subject property. They walked the property and noted that the majority of the property was cleared for use as a hay field.

Mr. Hurtubise confirmed that the staff report dated November 7, 2006 was received and no errors were identified.

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 to include land into the ALR or to subdivide or use land in the ALR for non-farm purposes.
farm purposes.

Discussion

Assessment of Agricultural Capability

The Commission noted that the property had agricultural capability, had been cleared and was in use as a hay field. The Commission believed that subdivision of the property, which was proposed through the existing field would reduce the agricultural capability of the subject property and therefore would not be in accordance with its mandate. The Commission did not believe that any subdivision of the subject property would be appropriate.

Assessment of Agricultural Suitability

The Commission next assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use. The Commission believes that subdivision of the property would make the property less suitable for agricultural use.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Campbell

SECONDED BY: Commissioner Huffman

THAT the application be refused as proposed.

CARRIED

Resolution # 629/2006



Staff Report
Application # D – 36906
Applicant: Henry and Don Hurtubise
Agent: Albert Hurtubise

DATE RECEIVED: August 30, 2006

DATE PREPARED: November 7, 2006

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To subdivide the 15.1 ha lot into a 4 ha lot and an 11.1 ha lot.

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

BACKGROUND INFORMATION:

Local Government:

Cariboo Regional District

Legal Description of Property:

PID: 006-416-136
Lot 1, District Lot 4993, Lillooet District, Plan 23469

Purchase Date:

May 2006

Location of Property:

3680 Bradley Creek Road - Near Ruth Lake

Size of Property:

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

Present use of the Property:

Residence, storage shed

Surrounding Land Uses:

WEST: Crown Land, forested
SOUTH: No Activity
EAST: No Activity
NORTH: No Activity

Agricultural Capability:

Data Source: Agricultural Capability Map # 92P/14
The majority of the property is identified as having Secondary ratings.

Zoning Bylaw and Designation:

South Cariboo Area Zoning Bylaw No. 3501 (1999) designates the property as Rural 1 (RR1).
Minimum Lot Size: 4 ha

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Cariboo Regional District Board: The Regional Board forwarded the application with a recommendation of support.

Advisory Planning Commission: no objections

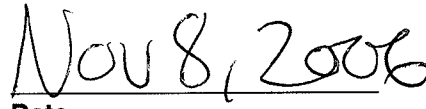
ATTACHMENTS:

- Letter from the applicants (dated September 2, 2006) explaining the reasons for the subdivision request.
- Sketch showing proposed subdivision (Submitted by Cariboo Regional District)
- ALC Context Map 92P.065 - 1:15,000 (Created by ALC Staff)
- Airphoto: BCGS - 92P.065 - 1:10,000 (Created by ALC Staff)

END OF REPORT



Signature



Date