



**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 7, 2006

Reply to the attention of Simone Rivers  
ALC File: #D - 36959

Exton, Dodge and Galibois Land Survey Inc.  
133 Borland Street  
Williams Lake, B.C. V2G 1R1

Dear Mr. Voss:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 607/2006 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.

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 plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

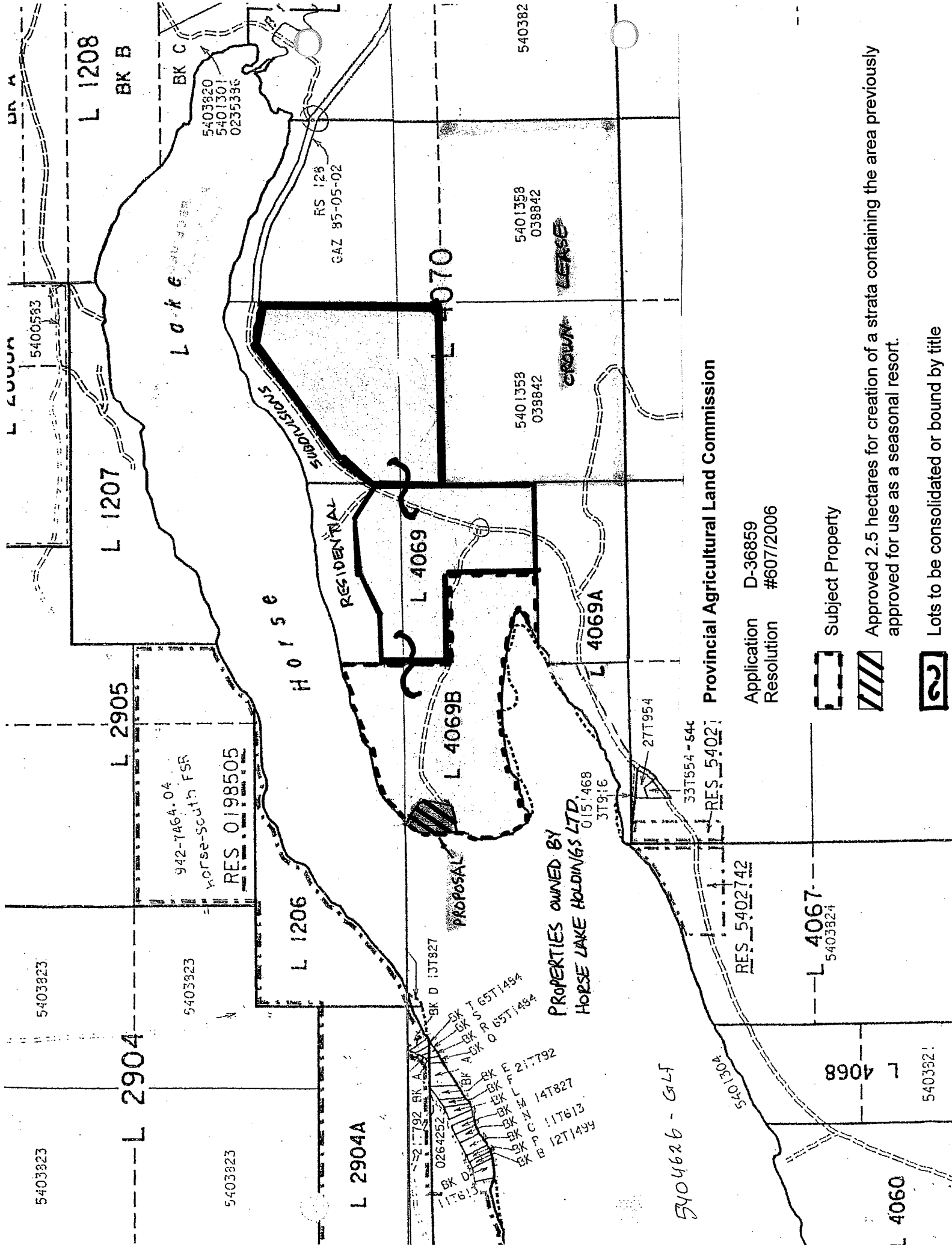
Per:

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-L078)

SBR/lv/Encl.: Minutes/Sketch Plan  
36959d1



**Provincial Agricultural Land Commission**

Application D-36859  
Resolution #607/2006

-  Subject Property
-  Approved 2.5 hectares for creation of a strata containing the area previously approved for use as a seasonal resort.
-  Lots to be consolidated or bound by title

PROPERTIES OWNED BY  
HORSE LAKE HOLDINGS LTD.  
0151468  
3T91E

- BK D 13T827
- BK A 1792
- BK B 0264252
- BK C 14T827
- BK D 117613
- BK E 21792
- BK F 14T827
- BK G 117613
- BK H 12T1499
- BK I 12T1499
- BK J 117613
- BK K 14T827
- BK L 117613
- BK M 14T827
- BK N 117613
- BK O 12T1499
- BK P 117613
- BK Q 12T1499
- BK S T 65T1484
- BK R Q 65T1484

5404626 - G/LF

L 4067  
5403824

L 4068  
5403821

L 4060

5403823

L 2904

942-7464.04  
Horse-South FSR  
RES 0198505

5403823

L 1206

L 2904A

L 4069B

L 4069

27T954

53T554-544  
RES 54021

RES 5402742

L 2904A

5400583

L 1207

L 2905

L 1208

BK B

5403820  
5401301  
0235336

Lake

Horse

RESIDENTIAL

RS 128  
GAZ 85-05-02

L 4070

5401358  
038842

CROWN LEASE

5401358  
038842

540382

L 4060



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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

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

### For Consideration

Application: # D - 36959  
Applicant: Horse Lake Holdings Ltd  
Proposal: To create a 14 unit strata subdivision together with common property on the 2.5 ha portion of the property currently zoned Special Exception C2-12.  
Legal: PID: 006-598-676  
District Lot 4069B, Lillooet District  
Location: 6679 Horse Lake Road, east of 100 Mile House on Horse 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
- Alexander Voss Applicant

The Commission met with Mr. Voss on the site, it viewed the portion of the subject property that is currently used as a resort. Mr. Voss described the strata concept that was being proposed for the resort and showed the Commission the improvements to the resort that had been made since his company's previous application.

Mr. Voss confirmed that the staff report dated November 6, 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.

## **Discussion**

### **Assessment of Agricultural Capability**

The agricultural capability of the soil of the subject property is rated as 4C.

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Subclasses - C: adverse climate

The Commission noted that the resort development was located on the shores of Horse Lake and was surrounded by trees, but that a large portion of the remainder of the property was improved for agricultural use. The Commission was satisfied that the applicant's other adjacent holdings had agricultural capability.

### **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 resort use is confined to the 2.5 ha allowed for that use and buffered by trees. To date, this use has not had a negative impact on the agricultural use of the remainder of the property.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission noted that the resort use currently exists on the property and that the footprint of the use would not increase from that which was approved previously. It also noted that at present only 5 of the allowed 14 cabins have been built. It also notes that previous permission to use a portion of the subject property as a resort was given on the assumption that the resort was to remain a part of the larger ranch and that money generated from the resort could be used for agricultural improvements. The Commission was concerned about the impact of the subdivision of the 2.5 ha area from the remainder of the subject property especially in the event that the resort is no longer in the control of the owners of the remainder of the property. The Commission believes the proposal could impact existing or potential agricultural use of surrounding land and that a corresponding benefit to agriculture is required.

## **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.

**IT WAS**

**MOVED BY:** Commissioner Read  
**SECONDED BY:** Commissioner Campbell

THAT the application be refused as proposed.

AND THAT the Commission would allow the creation of the 2.5 ha strata lot subject to the consolidation of:

1. The remainder of:  
PID: 006-598-676  
District Lot 4069B, Lillooet District
2. PID: 002-343-860  
District Lot 4069, Lillooet District, Except Plan 35994
3. PID: 012-641-685  
The Fractional North West  $\frac{1}{4}$  of District Lot 4070, Lillooet District, Except Plan 16982 and 32132

AND THAT the approval is further subject to:

- The strata being in substantial compliance with the plan submitted with the application.
- The subdivision being completed within three (3) years from the date of this decision.
- Compliance with the conditions of Resolution # 39/2001 – specifically that the number of sleeping units on the resort is limited to fourteen.

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 # 607/2006**



**Staff Report**  
**Application # D – 36959**  
**Applicant: Horse Lake Holdings Ltd**  
**Agent: Exton Dodge & Galibois Land Survey Inc.**

**DATE RECEIVED:** September 15, 2006

**DATE PREPARED:** November 6, 2006

**TO:** Chair and Commissioners – Interior Panel

**FROM:** Simone Rivers, Land Use Planner

**PROPOSAL:** To create a 14 lot strata subdivision together with common property on the current 2.52 ha zoned Special Exception C2-12.

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: 006-598-676  
District Lot 4069B, Lillooet District

**Purchase Date:**

January 1991

**Location of Property:**

6679 Horse Lake Road, east of 100 Mile House on Horse Lake.

**Size of Property:**

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

**Present use of the Property:**

Partially treed, partially pasture, hay field, tourist commercial - 6 rental cabins

**Surrounding Land Uses:**

**WEST:** Horse Lake  
**SOUTH:** Residential, hay field  
**EAST:** Residential, hay field  
**NORTH:** Horse Lake

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92P/11  
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 Special Exception C2-12 zone.  
Minimum Lot Size: 649 m<sup>2</sup>

**PREVIOUS APPLICATIONS:**

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**Application #33423-0**

**Applicant:** Horse Lake Holdings Ltd.  
**Decision Date:** January 31, 2001  
**Proposal:** To use a 2.4 ha portion of the subject property along the waterfront for tourist commercial use, for operation of a lodge and resort with a maximum of fourteen sleeping or housekeeping units.  
**Decision:** Approved on the grounds that it is consistent with the Agri-tourism Policy and with a previous decision to subdivide the property for a similar use. Approval is conditional upon rescission of the previous subdivision approval.

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**Application #20748-0**

**Applicant:** D & K Surveys Ltd.  
**Decision Date:** September 25, 1987  
**Proposal:** To exclude from the ALR 36 ha of the 61 ha property in order to subdivide the 36 ha area into 29 smaller lots.  
**Decision:** Refused as proposed but would be prepared to allow a limited subdivision of the poorer agricultural lands. This subdivision would consist of thirteen 0.8 ha lots and a road along the north shore of the property.

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**Application #12264-0**

**Applicant:** KMS Holdings Ltd.  
**Decision Date:** April 22, 1981  
**Proposal:** To subdivide the property into 12 rural residential lots.  
**Decision:** Refused on the grounds that the property has an agricultural capability rating of Class 4 and is located within an active ranching area.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

Cariboo Regional District Board: The Regional Board forwarded the application with a recommendation support, subject to the registration of covenants as specified in the board resolution.

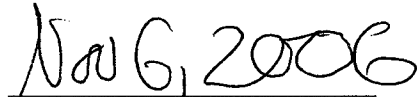
**ATTACHMENTS:**

- Proposal for Part of District Lot 4069B, Lillooet District (Submitted by the applicant)
- Application under the Land Commission Act: Information Sheet (Dated August 30, 2006) (4 pages) (Submitted by the Cariboo Regional District)
- Sketch showing proposed strata lots (Submitted by the applicant)
- Sketch showing other property owned by Horse Lake Holdings (Submitted by the applicant)
- Airphoto - showing area under application (Submitted by the applicant)
- ALC Context Map - BCGS 92P.055 & 92P.065 - 1:25,000 (Created by ALC Staff)

**END OF REPORT**



**Signature**



**Date**