



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 6, 2006

Reply to the attention of Simone Rivers
ALC File: D - 37037

Sandra MacAlister
PO Box 114
McLeese Lake, BC V0L 1P0

Dear Ms. MacAlister:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 635/2006 outlining the Commission's decision as it relates to the above noted application.

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

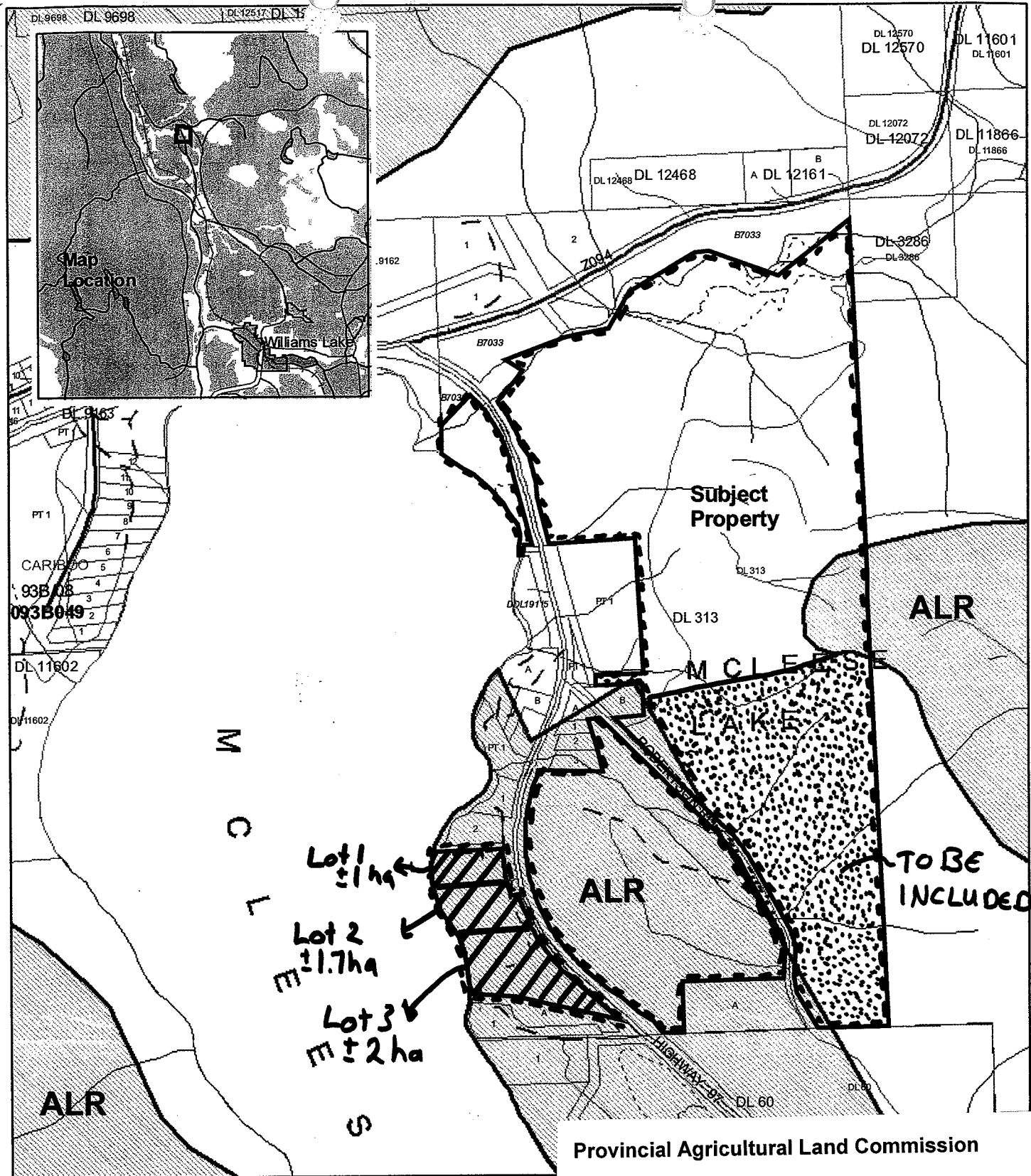
Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over the 'Per:' label.

Erik Karlsen, Chair

cc: Cariboo Regional District (#4035-20-D067)

SBR/lv/Encl.: Minutes/Sketch Plan
37037d1

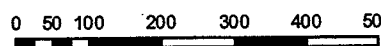


Provincial Agricultural Land Commission

Application D-37037
Resolution # 635/2006

ALC Context Map

Map Scale: 1:10,000



Subject Property



20 Hectare area to be included into the ALR



Approved subdivision into three lots



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 ALR portion of the subject property is rated as Class 4C improvable to Class 2P

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

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 P stoniness

The subject property can be divided into three sections. The first area (in the ALR) is bounded by the Lake and Highway 97. The three proposed lots are located in this area. Another portion of the subject property is located between Highway 97 and Roberston Road. This portion of the subject property is in the ALR and has been improved for agricultural use. The third portion is located to the east of Roberston Road and is not in the ALR, however some of this area has been improved for agricultural use.

Assessment of Agricultural Suitability

The Commission next assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission recalled its decision to allow subdivision and conditional exclusion of the property directly south of the subject property (this decision has not been acted upon). The Commission also noted the abundance of small lots between Highway 97 and McLeese Lake that have been subdivided both prior to and after the establishment of the ALR. The Commission believes that the small lot subdivision that has occurred nearby and the separation of this portion of the property from the remainder by Highway 97 have reduced but not eliminated the agricultural suitability of this portion of the subject 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 accepts that the land between McLeese Lake and Highway 97 has been previously impacted by other subdivisions. However, the Commission notes that the applicant is still using portions of the area under application for her ranching operation. The Commission does not believe the proposal would impact existing or potential agricultural use of surrounding lands. However the Commission believes that subdivision will have an impact on the continued agricultural use of the area under application. At the moment, the area between the lake and road is used as part of the applicant's ranch and subdivision of the area into three lots would effectively eliminate this use. However, the Commission believed that the inclusion of a portion of the non-ALR portion of the subject property would provide a benefit to agriculture that would outweigh the loss of the area under application for subdivision. This non-ALR land is improved for agricultural use and inclusion into the ALR would ensure its use is continued.

Conclusions

1. That while the land under application has agricultural capability and is appropriately designated as ALR, nearby small lot subdivision and highway 97 have reduced (but not eliminated) the suitability of the portion of the subject property under application for agricultural use.
2. That the impact on agriculture of the proposal can be mitigated by the inclusion of some of the applicant's non-ALR land.

IT WAS

MOVED BY: Commissioner Huffman
SECONDED BY: Commissioner Campbell

THAT the application be allowed.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the submission of an application to include approximately 20 ha of non-ALR land to be shown on a sketch prepared by Staff.
- the conditions must be met and the subdivision must be completed within 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 # 635/2006



Staff Report
Application # D – 37037
Applicant: Sandra MacAlister

DATE RECEIVED: October 30, 2006

DATE PREPARED: November 9, 2006

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To subdivide 91.8 ha property into a 1 ha lot a 1.7 ha lot a 2 ha lot and a 87.1 ha remainder. Should the Commission accept the subdivision proposal, the applicant has offered to include 8.9 ha of hay field into the Agricultural Land Reserve.

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: 015-039-544
District Lot 313, Cariboo District, EXCEPT Plans H838, H403, B7033, 6990, 7320, 11311, 12248, 14966, 16731, 22512, 22980, 22543, 28253, PGP36431 and PGP42765

Purchase Date:

In the family since 1930

Location of Property:

Macalister Road, McLeese Lake

Size of Property:

91.8 ha (± 22 ha are in the ALR)

Present use of the Property:

Pasture to winter bulls and summer for grazing, no buildings

Surrounding Land Uses:

WEST: Lake
SOUTH: Residential
EAST: Highway 97, Ranch, Pasture and Hayfields
NORTH: Residential

Agricultural Capability:

Data Source: Agricultural Capability Map # 93B/8
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

Central Cariboo Area Rural Land Use Bylaw No. 3503 (1999)
Designation: Resource/Agricultural (R/A)
Minimum Lot Size: 32.0 ha

PREVIOUS APPLICATIONS:

Application #30901-0

Applicant: MacAlister, Sandra
Decision Date: November 19, 1996
Proposal: To exclude a 0.85 ha portion of the 92.6 ha ranch in order to subdivide the 0.85 ha area for an uncle's summer cabin which has been on the property since 1968.
Decision: Refused exclusion because future use of land proposed for subdivision could impact on adjacent agricultural uses but allow subdivision subject to fencing.

Application #12452-0

Applicant: McAlister, A.H.
Decision Date: June 04, 1981
Proposal: To subdivide a 0.4 ha parcel from the 96 ha property of which only approx. 30 ha are in the ALR.
Decision: Allowed. The proposed lot has an existing house on it and there is a 99 year lease with option to purchase.

RELEVANT APPLICATIONS:

Application #31952-0

Applicant: Currie, Ian & Lorna
Decision Date: July 23, 1998
Proposal: To exclude approximately 16.6 ha of the 55.5 ha property of which approximately 48 ha are in the ALR.
Decision: Allow the subdivision and exclusion of lots 1 - 7 inclusive (4.0 ha) subject to the remainder of the property remaining in one parcel and the non-ALR land located in the vicinity of Robertson Road being included into the ALR.

Application #31952-1

Applicant: Currie, Ian & Lorna
Decision Date: October 19, 1998
Proposal: Request to amend the Commission decision issued under Resolution #529/98 which allowed the exclusion of 7 lots for residential purposes to add an 8th lot to the excluded lots which contains the Currie's home which is operated as a Bed and Breakfast.
Decision: Allowed.

Application #33233-0

Applicant: Ministry of Transportation & Highways
Decision Date: August 09, 2000
Proposal: To subdivide land for the purpose of widening Highway 97 to extend a southbound passing lane in the vicinity of McLeese Lake.
Decision: Allowed

Application #35013-0

Applicant: Currie, Ian & Lorna
Decision Date: October 30, 2003
Proposal: To exclude 4.9 ha of the 55.2 ha property to construct an extension to the eight lot residential development which was already approved. The applicants plan to extend the proposed public road and create an additional four waterfront properties.
Decision: The Commission allowed the exclusion of 4.9 ha from the ALR on the grounds the land has poor capability for agriculture due to rock outcroppings. In addition the Commission rescinded the requirement, by resolution # 529/98, that the non ALR area lying east of Highway #97 be included within the ALR.

Application #36097-0

Applicant: Currie, Ian & Lorna
Decision Date: September 13, 2005
Proposal: To exclude 13.5 ha
Decision: To allow the exclusion of 13.5 ha from the ALR subject to the inclusion of 1.1 ha on the grounds that the land had limited agricultural capability and that drawing the ALR boundary along the existing road is more practical than the existing configuration.


LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

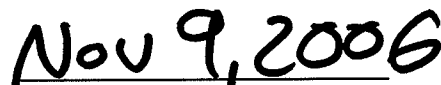
Cariboo Regional District Board: The Regional District forwarded the application with a recommendation of support.

ATTACHMENTS:

- Proposal: Description of the proposal as submitted by the applicant
- Sketch plan showing proposed subdivision and inclusion (Submitted by the Cariboo Regional District)
- ALC Context Map - BCGS - 93B.049 - 1:10,000 (created by ALC Staff)
- Air Photo - BCGS - 93B.049 - 1:10,000 (created by ALC Staff)

END OF REPORT


Signature


Date