



Agricultural Land Commission
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Reply to the attention of Simone Rivers
ALC File: ZZ-37046

November 20, 2007

Beverley Baker and Lidio Daneluzzi
1573 East 10th Ave
Vancouver, B.C.
V5N 1X6

Dear Sir/Madam:

Re: Reconsideration of Application Zz-37046

Please find attached the Minutes of Resolution # 588/2007 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:

Erik Karlsen, Chair

cc: Thompson-Nicola Regional District (ALR-I-77)

Enclosure: Minutes/Sketch Plan



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 15, 2007 at Vancouver, B.C.

PRESENT:	Grant Huffman	Chair, Interior Panel
	Holly Campbell	Commissioner
	Gordon Gillette	Commissioner
	Simone Rivers	Staff
	Martin Collins	Staff

For Consideration

Application: # ZZ- 37046
Applicant: Beverley Baker Lidio Daneluzzi
Agent:
Proposal: To subdivide;
1) a 32 ha property into three lots (6 ha, 11 ha and 15 ha) as divided by two roads (and the consolidation of five 0.4 ha lots)
2) a 2-3 ha lot from the northwest and northeast corner of two subject properties (#2 and #3 noted below) and the consolidation of two adjoining 0.4 ha lots

Legal: 1. PID: 001-887-947
The West 1/2 of the North West 1/4, Section 19, Township 20, Range 23, W6M, Kamloops Division of Yale District, as shown on Plan of said Township dated the 30th of August, 1920
2. PID: 001-887-980
The East 1/2 of the North West 1/4, Section 19, Township 20, Range 23, W6M, Kamloops Division of Yale District, EXCEPT Plan 14168
3. PID: 001-887-998
The West 1/2 of the North East 1/4, Section 19, Township 20, Range 23, W6M, Kamloops Division of Yale District, EXCEPT Plan 14168

Site Inspection

Commissioners Campbell and Huffman recalled their February 28th, 2007 site visit.

Commissioner Eligible to Vote

Commissioner G. Gillette was not present at the site inspection, but was provided with summary of the site inspection thus establishing his eligibility to vote on the application.

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

The Commission had the following comments on the amended subdivision proposal.

The Commission recalled its previous decision on application # ZZ-37054 (Wilson) which allowed the subdivision of the 65 ha property into two lots as divided by Barnes Lake Rd. It believed that the soil and topographic situations to be similar in this proposal and therefore had no objection to the subdivision of a ~5 ha (Lot A on the attached sketch) north of Barnes Lake Rd.

The Commission also had no objection to the subdivision of a 2-3 ha lot lying in the northwest corner of PID 001-887-980 because this land is isolated from the remainder by the residential subdivision. However, the Commission did require that the area be consolidated with Lots 17 and 18.

The Commission was not prepared to subdivide proposed Lot B (13 ha) lying between Barnes Lake Rd and YD Road and consolidate this area with five 0.4 ha lots. It did not believe the benefit of consolidating five small residential lots balanced the negative implications of dividing the area south of Barnes Lake Rd. into two lots of roughly equal size. Nor did it consider the separation of the parcel by YD Road to be a significant restriction to using this land for agriculture. The Commission believes that the most effective way to ensure that parcels in this area continue to be used for grazing and pasture is to maintain them in the largest possible sizes.

The Commission reflected that the small lot subdivision in the midst of the larger ranch sized parcels was a less than ideal situation. However it also believed that given the requirements of the ranching community, the most suitable outcome from an agricultural perspective is to continue to concentrate and maintain the small lots within their existing relatively small land base, limiting the expansion of these lots into the larger surrounding properties.

Conclusions

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

IT WAS

MOVED BY: Commissioner G. Huffman
SECONDED BY: Commissioner H. Campbell

THAT there were no persons affected by the reconsideration, and

AND THAT the revised subdivision proposal be refused.

AND THAT, the Commission allow the following:

- the subdivision of a ~ 5 ha lot from the W ½ of the NW ¼ of Section 19, as divided by Barnes Lake Rd.,
- the subdivision of a 3 ha lot from the East ½ of the NW ¼, Section 19, and the West ½ of the NE ¼ of Section 19 (subject to the consolidation of Lots 17 and 18 with the area proposed for subdivision)

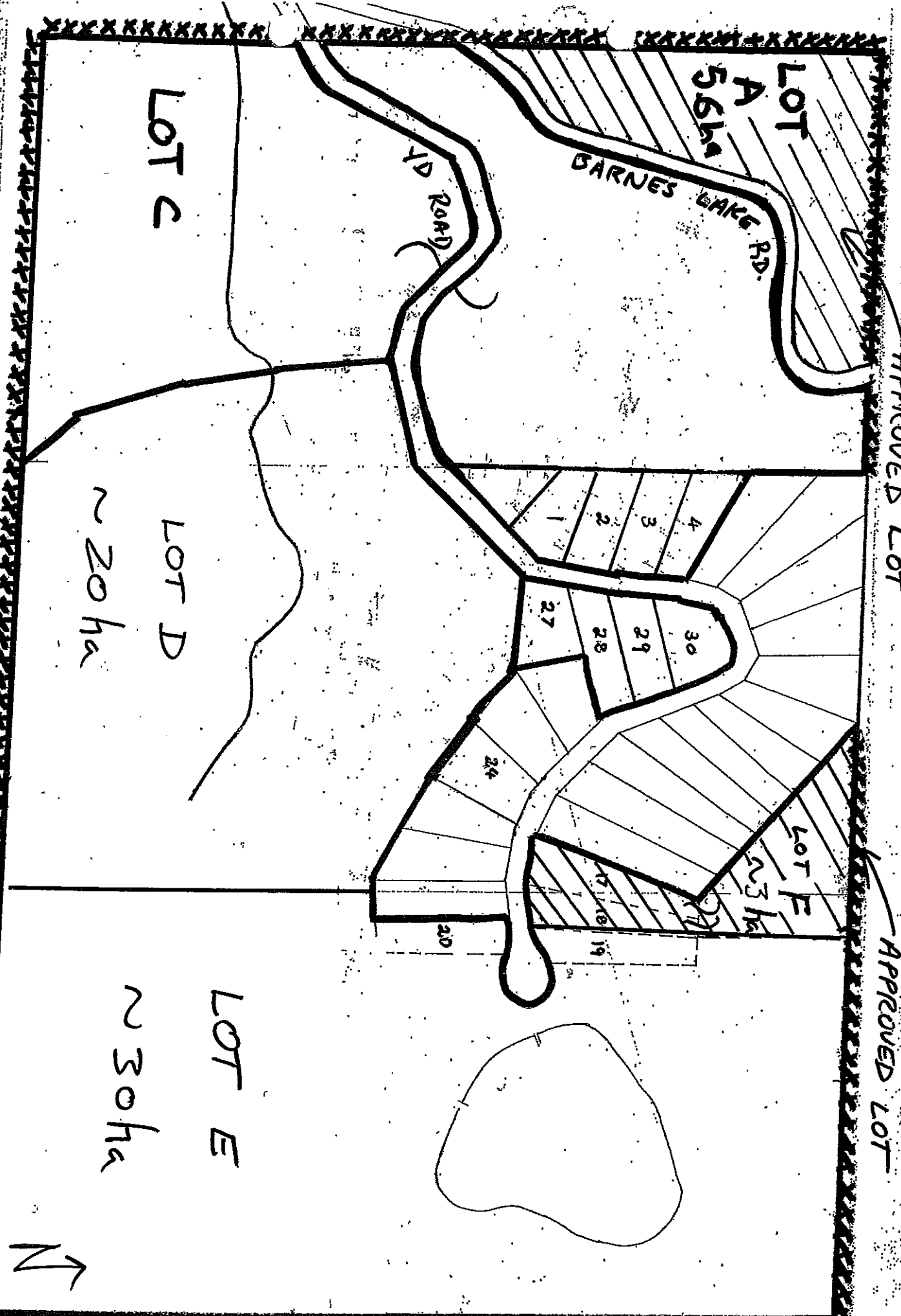
The decision is subject to the following:

- the subdivision being in substantial compliance with the attached sketch plan,
- 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 # 588/2007



APPROVED LOT

APPROVED LOT

LOT A
56ha

LOT C

LOT D
~20ha

LOT E
~30ha

LOT F
~3ha

BARNES LAKE RD

YD ROAD

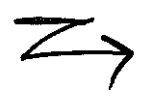
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APPLICATION # 22-57046
RESOLUTION # 588/2007