



Agricultural Land Commission
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May 17, 2007

Reply to the attention of Simone Rivers
ALC File: D-37137

Susan, Mervin and Dorothy Deausy
3742 Horsefly Road, Box 1471
150 Mile House, BC V0K2G0

Dear Sir/Mesdames:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 205/2007 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. 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-F224)

Enclosure: Minutes/Sketch Plan

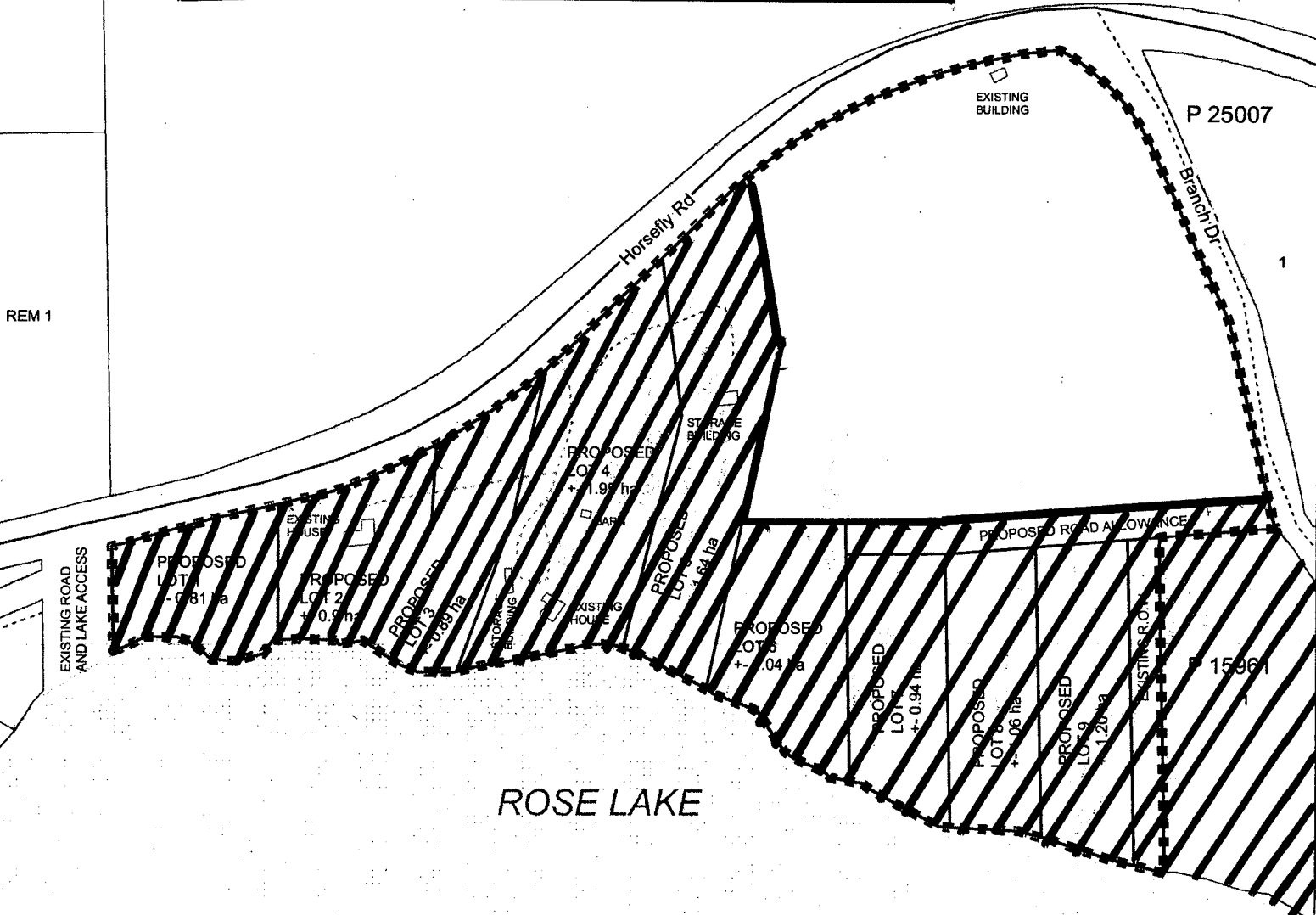
SR/eg
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L 4911



Provincial Agricultural Land Commission

Application # D-37137
Resolution # 205/2007

-  Subject Property
-  10± Hectare area approved for exclusion from the ALR



LEGEND

-  Subject Property
-  Proposed Lots



0 12.5 50 75 100
Meters

ALL MEASUREMENTS METRIC

RECEIVED
PROV. AGRICULTURAL
LAND COMMISSION
DEC 18 2006



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on April 26, 2007 at Kamloops B.C.

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

For Consideration

Application: # D- 37137
Applicant: Susan, Mervin and Dorothy Deausy
Proposal: To exclude the 20 ha property so that it can be subdivided into eleven (11) residential lots, ranging in size from 0.8 ha to 4 ha.
Legal: PID: 017-801-095
Location: Lot A, District Lot 4906 and 4911, Cariboo District, Plan PGP36252
3742 Horsefly Road adjacent to Rose Lake

Site Inspection

A site inspection was conducted on April 25, 2007. Those in attendance were:

- Grant Huffman Chair, Interior Panel
- Holly Campbell Commissioner
- Gordon Gillette Commissioner
- Simone Rivers Staff
- Mervin and Dorothy Deausy Applicants

The Commission viewed the subject property and discussed the applicants' proposal. The Commission noted that portions of the property had been cleared and other parts were forested. The Commission also noted that much of the surrounding area had been subdivided. The Commission further noted that there were two dwellings on the property as well as various sheds and other out-buildings.

Mr. and Mrs. Deausy confirmed that the staff report dated January 22, 2007 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 Commission noted that the majority of the lakeshore portion of the property had limited agricultural capability due to topography and its swampy nature. However it also noted that the north east corner of the property (approximately 8.7 ha) had been cleared and appeared to have better agricultural capability.

Assessment of Agricultural Suitability

The Commission viewed the property in the context of surrounding land use. It noted that the property is located on the edge of the ALR in this area and that much of Rose Lake has been subdivided into lakefront lots. The Commission believed that the configuration of the property and its location next to the lake rendered much of it unsuitable for agricultural use. However, the Commission also noted that a portion of the property had been cleared for agricultural use and was not adjacent to the lake. This area appeared to have better agricultural capability and could be used as hobby farm.

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 does not believe the proposal would impact existing or potential agricultural use of surrounding lands.

Conclusions

1. That the land under application has limited agricultural capability but that the 8.7 ha portion of the property located in the north east corner has agricultural capability and it appropriately designated as ALR.
2. That the land under application is not suitable for agricultural use except for the 8.7 ha portion of the property located in the north east corner.

IT WAS

MOVED BY: Commissioner Gillette

SECONDED BY: Commissioner Huffman

THAT the application be refused as proposed.

AND THAT the Commission would allow the exclusion of proposed Lots 1 to 9.

AND THAT the Commission would not allow the exclusion or subdivision of proposed lots 10 and 11. This area is to remain as one lot of 8.7 ha located within the ALR to continue to be used for farm purposes.

AND THAT the approval is 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 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 # 205/2007