



**Agricultural Land Commission**  
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March 14, 2007

Reply to the attention of Simone Rivers  
ALC File: #ZZ-37157

550983 BC Ltd  
PO Box 20  
1651 Monte Creek Road  
Monte Creek, B.C. V0E 2M0

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 83/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

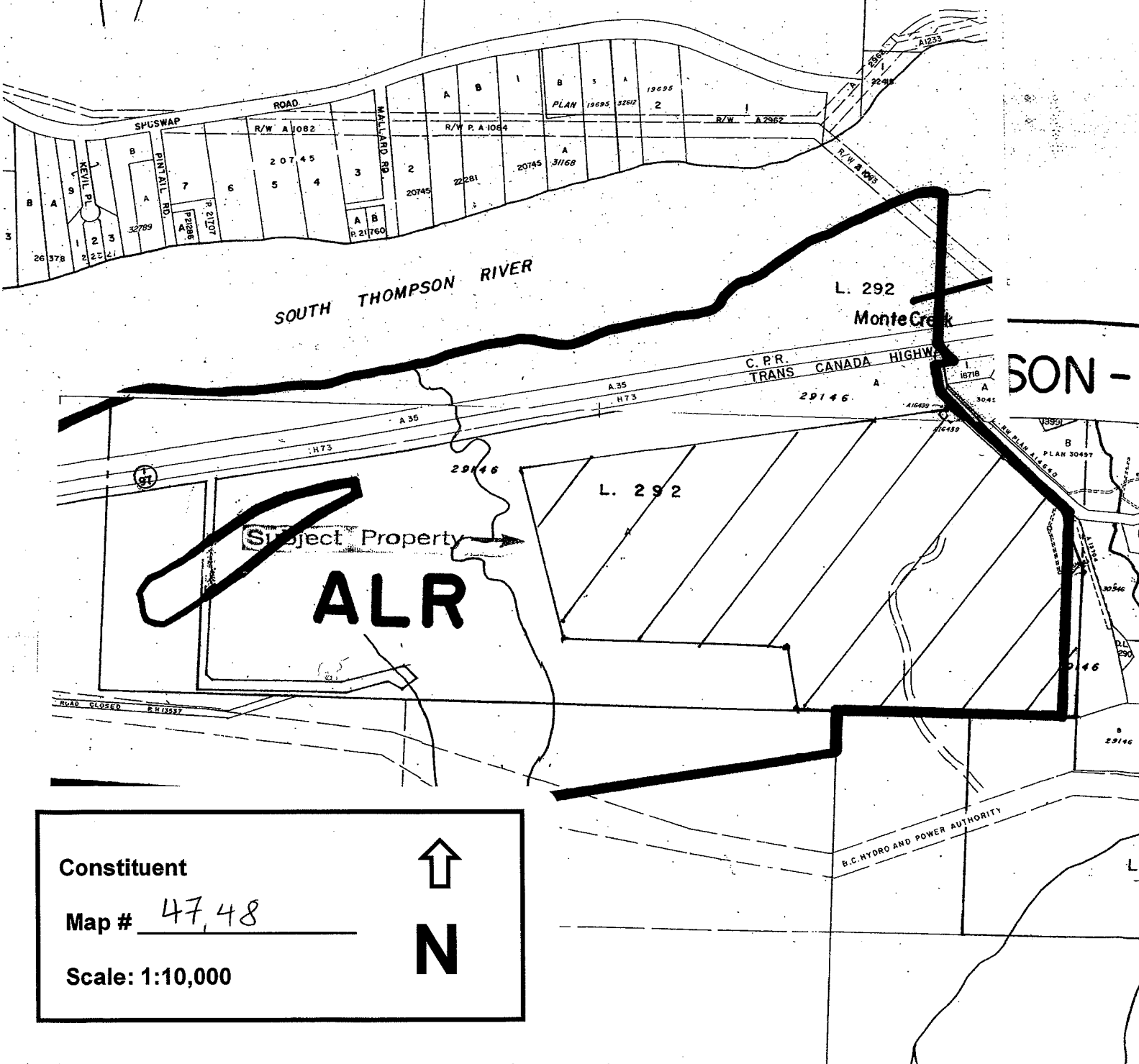
cc: Thompson-Nicola Regional District (#ALR-L-381)

Enclosure: Minutes/Sketch Plan

SBR/lv  
37157d1

TP. 19, R. 15, W6M

SEC. 35



Subject Property

**ALR**

Constituent



Map #

47,48

Scale: 1:10,000

**N**



# MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

**A meeting was held by the Provincial Agricultural Land Commission on March 1, 2007 at Barriere, B.C.**

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

<b>ABSENT:</b>	Gordon Gillette	Commissioner
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### For Consideration

Application: # ZZ- 37157  
 Applicant: 550983 BC Ltd  
 Proposal: To subdivide an 8 ha lot from the 48 ha property for a retirement residence. About 2 ha would be fenced for the applicant's use, and 6 ha remain in hay production.  
 Legal: PID: 002-694-956  
 Lot A, District Lot 290 and 292, Kamloops Division of Yale District, Plan 29146, EXCEPT Plans 36166, 38509, KAP48902, KAP53891 and KAP62927  
 Location: 1651 Monte Creek Road, east of Kamloops

### Site Inspection

A site inspection was conducted on February 28, 2007. Those in attendance were:

- Grant Huffman                      Chair, Interior Panel
- Holly Campbell                     Commissioner
- Frank Read                          Commissioner
- Simone Rivers                       Staff
- Martin Collins                       Staff
- Diane and Gordon McNabb       Applicants
- Mark and Debbie Ulinder         Purchasers of proposed lot.

The Commission discussed the proposal with the applicants who stated that they required some help with the farm as they aged. They pointed out the proposed subdivision boundary. The Commission also further viewed the proposed subdivision as it drove by the property and noted that the area was under cultivation and had good agricultural capability.

Mrs McNabb confirmed that the staff report dated January 25, 2007 was received and pointed out that the subdivision was not for a retirement residence but to provide a homesite for her daughter and her husband.

### 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 subject property has good agricultural capability and is improved for agricultural use.

#### **Assessment of Agricultural Suitability**

The Commission 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.

#### **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 believes the proposal would impact existing or potential agricultural use of the subject property. Subdivision would reduce the size of the parent parcel by 8 ha. The applicant had stated that they really only needed a small lot (approximately 2 ha) but had applied for 8 ha so that they would not have to rezone the property. The Commission noted that the subject property was created by a previous subdivision application and does not support any further subdivision of this property. Even the subdivision of a small lot would reduce the agricultural potential of the property.

### **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 Huffman  
**SECONDED BY:** Commissioner Read

THAT the application be refused.

### **CARRIED**

**Resolution # 83/2007**



**Staff Report**  
**Application # ZZ – 37157**  
**Applicant: 550983 BC Ltd**  
**Location: Monte Creek, east of Kamloops**

**DATE RECEIVED:** January 8, 2007

**DATE PREPARED:** January 25, 2007

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

**FROM:** Martin Collins, Regional Planner

**PROPOSAL:** To subdivide an 8 ha lot from the 48 ha property for a retirement residence. About 2 ha would be fenced for the applicant's use, and 6 ha remain in hay production.

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

**BACKGROUND INFORMATION:**

Previously the Commission has allowed the subdivision of the westerly portion of the property. See previous application noted below.

**Local Government:**

Thompson-Nicola Regional District

**Legal Description of Property:**

PID: 002-694-956  
Lot A, District Lots 290 and 292, Kamloops Division of Yale District, Plan 29146, EXCEPT Plans 36166, 38509, KAP48902, KAP53891 and KAP62927

**Purchase Date:**

August 1999

**Location of Property:**

1651 Monte Creek Road, east of Kamloops

**Size of Property:**

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

**Present use of the Property:**

Agricultural Hay Crops

**Surrounding Land Uses:**

**WEST:** 23 ha undeveloped parcel in the ALR  
**SOUTH:** 8 ha rural residential properties  
**EAST:** small rural residential properties  
**NORTH:** Dallas frontage road, Trans Canada Highway, Railroad, South Thompson River

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82L/12  
The majority of the property is identified as having prime dominant ratings.

**Official Community Plan and Designation:**

South Thompson Valley and Pinantan OCP Bylaw No. 1451  
Designation: Agricultural and Hazard Lands

**Zoning Bylaw and Designation:**

Zoning: Bylaw No. 940  
Designation: AF-1 (Agricultural/Forestry) Minimum Lot Size: 8 ha

**PREVIOUS APPLICATIONS:**

**Application #20589-0**

**Applicant:** White, R L & C E  
**Decision Date:** October 22, 1986  
**Proposal:** To subdivide the 76 ha property into two lots of 23 ha and 53 ha to separate a ranch and a market garden operation.  
**Decision:** The Commission allowed the subdivision as proposed

**RELEVANT APPLICATIONS:**

Application #08547-0  
**Applicant:** Bar H H Cattle Co Ltd  
**Decision Date:** February 26, 1980  
**Proposal:** To exclude 33 ha of silt cliffs and terraces above the bottomland of the South Thompson River.  
**Decision:** The Commission refused the exclusion as proposed, but did allow the subdivision of the land into 8 ha lots, as a reflection of its limited agricultural capability. The Commission then reconsidered and reconfirmed its decision by Resolution #902/80

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

No comments or recommendations as per Thompson Nicola Regional District Policy.

**STAFF COMMENTS:**

Staff suggests that the Commission consider the following;


- The proposal represents a continued erosion of the larger farming unit.
- The land proposed for subdivision is in agricultural production.
- There may be limitations to agricultural development due to unfavorable soil conditions.
- The applicant cites the Commission's previous decision to allow the subdivision of 23 ha from the easterly part of the ranch operation.
- Generally the Commission does not consider retirement as a suitable rationale for subdivision.

**ATTACHMENTS:**

- Description of proposal – submitted by the applicants
- Sketch of proposed subdivision – submitted by the applicants
- ALC Context Map – Thompson Nicola Regional District Constituent maps 47 & 48 – 1:10,000 (created by ALC staff)
- Airphoto – showing proposed subdivision
- Airphoto – 1:10,000 (created by ALC staff)

END OF REPORT

  
Signature

  
Date