



Agricultural Land Commission
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May 24, 2007

Reply to the attention of Simone Rivers
ALC File: # ZZ - 37235

Les Hunnie
PO Box 4112 - 2589 Kinvig Street
Lower Nicola, BC V0K 1Y0

Dear Mr. Hunnie:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 214/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read "Erik Karlsen". The signature is fluid and cursive, written over a white background.

Erik Karlsen, Chair

cc: Thompson-Nicola Regional District (#ALR-M-59)

Enclosure: Minutes

SBR/lv
37235d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 14, 2007 by telephone conference call.

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

For Consideration

Application: # ZZ- 37235
Applicant: Les Hunnie
Proposal: To subdivide the 64 ha property into seven +-9 ha lots.
Legal: PID: 017-407-508
District Lot 4444, Kamloops Division of Yale District
Location: East of Stump Lake

Site Inspection

A site inspection was conducted on April 27, 2007. Those in attendance were:

- Holly Campbell Commissioner
- Gordon Gillette Commissioner
- Simone Rivers Staff
- Les Hunnie Applicant

The Commission viewed the property and noted that it had been partially logged. It was adjacent to one other privately held property of the same size and otherwise surrounded by Crown Land that is not in the ALR. Although the land immediately adjacent to the subject property is not in the ALR, the majority of the surrounding area is in the ALR and is used for grazing.

Mr. Hunnie confirmed that the staff report dated March 27, 2007 was received and no errors were identified.

Commissioner Eligible to Vote

Commissioner Huffman was not present at the site inspection. It was confirmed that a summary of the site inspection was provided thus establishing the Commissioner's 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.

The Act provides processes for landowners, local governments and First Nations to apply to the Commission to remove land from or to include land into the ALR or to subdivide or use land in the ALR for non-farm purposes.

Discussion

Assessment of Agricultural Capability

The agricultural capability of the subject properties is typical of ALR in this area, comprising lands of grazing potential interspersed with forested areas.

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, when it considers applications for subdivision generally takes the view that rural residential lots are not consistent with long term agricultural activity and productivity. The introduction of new permanent residents into grazing areas may be incompatible, because of unrealistic expectations or careless behaviour (i.e. trespass etc.) The Commission believes the proposal would impact existing or potential agricultural use of surrounding lands. The Commission believes that any subdivision of the subject property would be inappropriate.

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 Campbell

SECONDED BY: Commissioner Gillette

THAT the application be refused.

CARRIED

Resolution # 214/2007



Staff Report
Application # ZZ – 37235
Applicant: Les Hunnie

DATE RECEIVED: February 12, 2007

DATE PREPARED: March 27, 2007

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To subdivide the 64 ha property into seven ±9 ha lots.

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

BACKGROUND INFORMATION:

Local Government:

Thompson-Nicola Regional District

Legal Description of Property:

PID: 017-407-508
District Lot 4444, Kamloops Division of Yale District

Purchase Date:

May 2006

Location of Property:

East of Stump Lake

Size of Property:

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

Present use of the Property:

Bare land, no buildings, property was logged

Surrounding Land Uses:

WEST: Crown Land
SOUTH: Crown Land
EAST: Crown Land
NORTH: Residence

Agricultural Capability:

Data Source: Agricultural Capability Map # 921/8
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

Regional Growth Strategy Human Settlement, Economic Development and Environmental Protection policies all have an impact on this application proposal.
Designation: N/A

Zoning Bylaw and Designation:

Zoning: Bylaw No. 940
Designation: RL-1 (Rural)
Minimum Lot Size: 4 ha

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

No comments or recommendations as per policy

STAFF COMMENTS:

Staff note the following:

- The subject property is one of two 64 ha properties in an isolated block of ALR that is surrounded by Crown Land.
- The property was once part of Stump Lake Ranch; this is likely the reason for the property's inclusion into the ALR.
- The property was not considered a satellite property of Stump Lake Ranch and therefore was not part of Stump Lake Cattle Company's application to the Commission
- The applicant bought the property in 2006
- The majority of the property is given agricultural capability ratings of 6TR and 6TP
Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.
Subclasses – T- Topography, P - Stoniness and R - shallow soil / bedrock outcroppings
- The Commission may wish to determine what the surrounding land use is. Although the surrounding land is not in the ALR, this area is known to be a grazing area and the creation of seven rural residential lots may be incompatible with this type of land use.
- Although there are smaller lots located along the shores of Stump Lake, the majority of the properties in the area are large agricultural holdings.

ATTACHMENTS:

- Sketch showing proposed subdivision (submitted by the applicant)
- ALC Context Map - 921.039 - 1:50,000 (created by ALC Staff)
- Airphoto - 1:10,000 (created by ALC staff)

END OF REPORT

Simone Rivers
Signature

April 4, 2007
Date