



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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May 8, 2007

Reply to the attention of Simone Rivers  
ALC File: D-37240

Exton Dodge & Galibois Land Survey Inc.  
133 Borland Street  
Williams Lake, BC V2G1R1

Dear Sir:

**Re: Application to subdivide land within the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 172/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

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: Cariboo Regional District (4035-20-F227)

Enclosure: Minutes/Sketch Plan

SR/eg  
i/37240d1

UNSURVEYED CROWN LAND

Meek Rd

P PGP38436

PCL 1

P PGP35790

P 31746

P 34097

PROPOSED EASEMENT FOR ACCESS

Simmons Rd

Walters Dr

P 29507

PROPOSED LOTA +/- 1.68 ha

LAGOON

MOBILE HOME

WELL

PROPOSED REM FRAC E 1/2 DL 1502 +/- 30.28 ha

APPROVED LOT

HARPER'S LAKE

HOUSE

SHED

WELL

BARN

SHED

OLD HOUSE

BARN

LOTA

LOT B

PL BGP6273

DL 2562

UNSURVEYED CROWN LAND

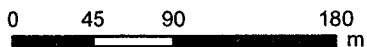
LEGEND



Subject Property



Proposed Lots



ALL MEASUREMENTS METRIC

ALR\_F\_227

FILE D-37240  
RESOLUTION # 172/2007

DL 1502

DL 348



## 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.**

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

### For Consideration

Application: # D- 37240  
Applicant: Shirley Windeler  
Agent: Exton Dodge & Galibois Land Survey Inc.  
Proposal: Subdivision for a Relative: The proposal is to subdivide a 1.7 ha lot from the 32 ha parcel for the applicant's mother.  
Legal: PID: 004-381-319  
The Fractional East 1/2 of District Lot 1502, Cariboo District, EXCEPT Plans 28178 and 29507  
Location: 5655 Walters Drive, Horsefly

### Site Inspection

A site inspection was conducted on April 25<sup>th</sup>, 2007. Those in attendance were:

- Grant Huffman           Chair, Interior Panel
- Holly Campbell        Commissioner
- Gordon Gillette        Commissioner
- Simone Rivers          Staff
- Shirley Windeler        Applicant

Ms Windeler confirmed that the staff report dated March 26<sup>th</sup>, 2007 was received and no errors were identified.

The Commission noted that the proposed lot was divided from the remainder of the property by a stream.

### 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/Suitability**

The Commission does not believe that the subdivision of the 1.7 ha lot represents a significant productive loss to the parent parcel. The 1.7 ha area is separated from the agricultural remainder by a stream, is comprised of secondary soils, and is not in cultivation.

### **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 will not affect the existing or potential agricultural use of surrounding lands. The adjoining lands to the north are rural residential parcels of a similar size.

## **Conclusions**

1. That the 1.7 ha area under application has limited capability for agriculture.
2. That the subdivision proposal will not substantively affect the agricultural capability of the remnant parcel either through potential conflict, or by removing a significant arable area from production.

## **IT WAS**

**MOVED BY:** Commissioner Grant Huffman

**SECONDED BY:** Commissioner Holly Campbell

THAT the application to subdivide a 1.7 ha lot from the 32 ha property 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 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 # 172/2007**



**Staff Report**  
**Application # D – 37240**  
**Applicant: Shirley Windeler**  
**Agent: Exton Dodge & Galibois Land Survey Inc.**

**DATE RECEIVED:** February 12, 2007

**DATE PREPARED:** March 26, 2007

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

**FROM:** Simone Rivers, Land Use Planner

**PROPOSAL:** Subdivision for a Relative: The proposal is to subdivide a 31.96 ha parcel to create a 1.68 ha parcel for the applicant's mother to construct a home on.

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: 004-381-319

The Fractional East ½ of District Lot 1502, Cariboo District, Except Plans 28178 and 29507

**Purchase Date:**

July 1994

**Location of Property:**

5655 Walters Drive, Horsefly

**Size of Property:**

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

**Present use of the Property:**

Two residences (1 house and 1 mobile home), 1 hay shed/livestock, 1 barn, 1 log building, 1 pig shed, 1 small storage building

**Surrounding Land Uses:**

**WEST:** Crown Land  
**SOUTH:** Woodlot and Farm/Ranch  
**EAST:** Harpers Lake  
**NORTH:** Residential Lots

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 93A/6  
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 (199)  
Designation: Resource/Agricultural (R/A)

**Zoning Bylaw and Designation:**

Zoning: N/A  
Designation: N/A  
Minimum Lot Size: 32.0 ha

**PREVIOUS APPLICATIONS:**

**Application #14129-0**

**Applicant:** Simmons, C  
**Decision Date:** January 20<sup>th</sup>, 1982  
**Proposal:** To subdivide along the ALR boundary to create two lots, one of 32.9 ha and 29.7 ha. The 32.9 ha property will be within the ALR.  
**Decision:** Allowed as requested.  
**Note:** This application created the subject property.

**RELEVANT APPLICATIONS:**

**Application #08933-0**

**Applicant:** Walters, G  
**Decision Date:** September 18, 1979  
**Proposal:** To exclude 1.2 ha for use as a church and church parking.  
**Decision:** Refused exclusion but allowed the subdivision of the 1.2 ha lot and the use of the lot for a church and parking lot.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

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

**STAFF COMMENTS:**

Staff note the following:

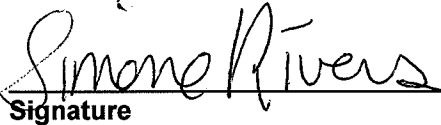
- Nearby small lot subdivision is largely located outside of the ALR although adjacent to the subject property.
- One subdivision that is within the ALR on Horsefly Road was created prior to the establishment of the ALR.
- The applicant's state that the area proposed for subdivision has limited agricultural capability.
- The applicant's are proposing to subdivide an existing mobile home and homesite from the subject property.

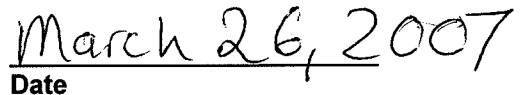
Staff recommend a site visit to determine the viability of the proposed area for agriculture as well as the impact subdivision may have on surrounding agricultural operations.

**ATTACHMENTS:**

- Proposal - description of proposed subdivision, submitted by the applicant.
- Sketch of proposed subdivision (submitted by the Cariboo Regional District.
- ALC Context Map - 93A.033 - 1:20,000 (created by ALC staff)
- Airphoto - 1:15,000 (created by ALC Staff)

**END OF REPORT**

  
Signature

  
Date