



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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www.alc.gov.bc.ca

May 14, 2007

Reply to the attention of Simone Rivers  
ALC File: ZZ-37275

Dalgleish Ranching Co. Ltd.  
3701 Pinantan-Pritchard Road  
Pinantan Lake, BC V0E3E1

Dear Sir/Madam:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 189/2007 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-P-103)





Enclosure: Minutes/Sketch Plan

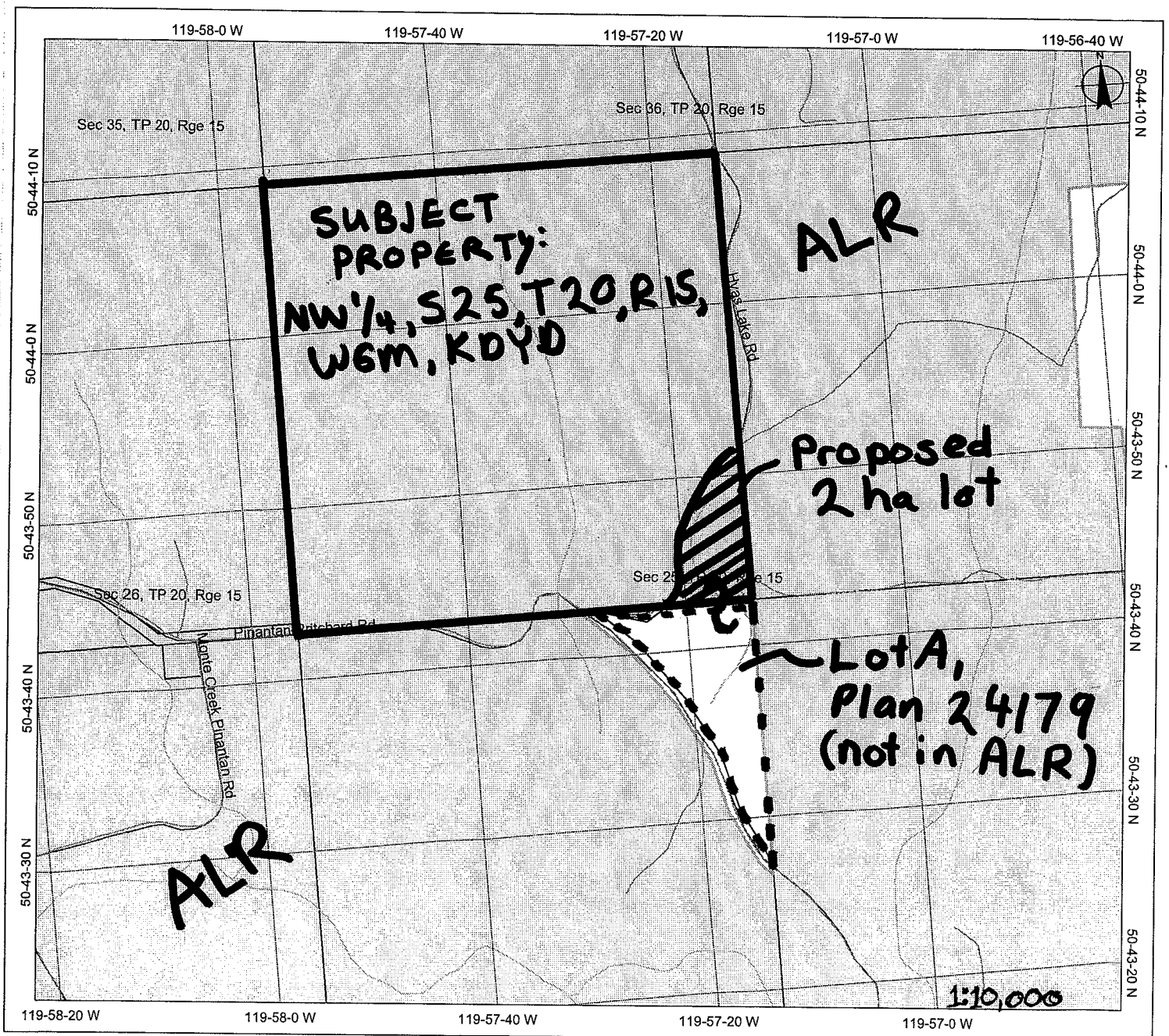
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**Provincial Agricultural Land Commission**

Application ZZ-37275

Resolution 189/2007

-  Subject Property
-  Approved subdivision of ± 2 ha
-  Lot to be bound by title to new 2 ha lot.
-  Location of "No-Build" covenant





## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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

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

### **For Consideration**

Application: # ZZ- 37275  
Applicant: Dalgleish Ranching Co. Ltd.  
Proposal: To subdivide 2 ha from the existing property for the purpose of selling to a neighboring rancher whose property is adjacent.  
Legal: PID: 007-498-365  
North West ¼ of Section 25, Township 20, Range 15, W6M,  
Kamloops Division of Yale District  
Location: 3701 - Pinantan-Pritchard Road and Hvas Lake Road

### **Site Inspection**

A site inspection was conducted on April 26, 2007. Those in attendance were:

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

The Commission viewed the subject property and noted that the proposed subdivision was not improved for agricultural use. The Commission viewed the property that the new lot might be added to and noted that it was not in the ALR although agricultural uses were taking place on the property.

Mr. Dalgleish confirmed that the staff report dated March 29, 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 subject property had agricultural capability typical of this area of Thompson-Nicola Regional District. It noted that the area proposed for subdivision had not been used for agriculture in the recent past and that portions of the proposed lot appeared to be quite swampy.

### **Assessment of Agricultural Suitability**

The Commission assessed whether 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. The road that separates the proposed lot from the remainder of the property is small and the Commission did not believe it impeded the use of the property as a unit.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Agricultural Land 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 another permanent resident into the farm area may be incompatible, or conflict with typical farm practices 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 if a new stand-alone lot were created. However, the Commission believes that the impact could be mitigated if the lot were bound by title to Lot A to the south, and a no-build covenant registered on the new lot preventing the construction or placement of residential buildings. This would ensure that the new lot was used to expand the agricultural area of the southern property and not create a new stand-alone rural residential lot.

### **IT WAS**

**MOVED BY:** Commissioner Gillette

**SECONDED BY:** Commissioner Campbell

THAT the application be allowed with conditions.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the registration of a covenant for the purpose of binding the titles of the newly created lot with Lot A, Plan 24179 so that they can not be sold separately and the registration of a covenant restricting the building of residential buildings on the newly created lot.
- 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 # 189/2007**



**Staff Report**  
**Application # ZZ – 37275**  
**Applicant: Dalgleish Ranching Co. Ltd.**

**DATE RECEIVED:** March 7, 2007

**DATE PREPARED:** March 29, 2007

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

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

**PROPOSAL:** To subdivide 2 ha from the existing property for the purpose of selling to a neighboring rancher whose property is adjacent to Lot B.

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: 007-498-365  
North West ¼ of Section 25, Township 20, Range 15, W6M, Kamloops Division of Yale District

**Purchase Date:**

March 1983

**Location of Property:**

3701 - Pinantan-Pritchard Road and Hyas Lake Road

**Size of Property:**

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

**Present use of the Property:**

No buildings, primarily bush, no livestock and area is not under cultivation

**Surrounding Land Uses:**

**WEST:** Livestock grazing  
**SOUTH:** Livestock grazing  
**EAST:** Livestock grazing  
**NORTH:** Livestock grazing

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82L/12  
The majority of the property is identified as having Mixed Prime and Secondary ratings.

**Official Community Plan and Designation:**

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

**Zoning Bylaw and Designation:**

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

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

No comments or recommendation as per policy

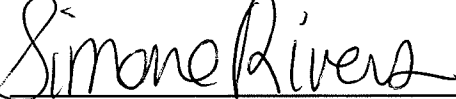
**STAFF COMMENTS:**

Staff recommend a site visit to determine the impact of the creation of a small parcel will have in this area of predominantly larger properties.  
It appears that the proposed land is to be sold to the owner of lot A, directly south of the subject property. This 5 ha property is not in the ALR.

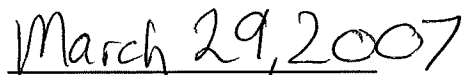
**ATTACHMENTS:**

- Letter describing the proposal, (submitted by the applicants)
- Sketch showing the proposed subdivision (submitted by the applicants)
- ALC Context Map 82L.071 - 1:50,000 - (Created by ALC Staff)
- Airphoto - 1:10,000 (created by ALC Staff)

**END OF REPORT**

  
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**Signature**

  
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**Date**