



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

May 8, 2007

Reply to the attention of Simone Rivers  
ALC File: D-37297

Nigel Hemingway  
Cariboo Geographic Systems  
Box 1270  
100 Mile House, BC V0K2E0

Dear Mr. Hemingway:

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

Please find attached the Minutes of Resolution # 195/2007 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:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a white background.

Erik Karlsen, Chair

cc: Cariboo Regional District (4035-20-H147)

Enclosure: Minutes/Sketch Plan

SR/eg  
i/37297d1



## 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 at Kamloops, B.C.**

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

### **For Consideration**

Application:            # D- 37297  
Applicant:             Creek Flats Resources Ltd Inc. No. BC0475146  
Agent:                 Nigel Hemingway: Cariboo Geographic Systems  
Proposal:              To subdivide the subject property to create a 2.8 ha lot for the  
                              existing home and outbuildings.  
Legal:                 PID: 013-312-758  
                              District Lot 2101, Lillooet District, EXCEPT Plans 33419, 41204 and  
                              H8275  
Location:              Located on Canim-Hendrix Lake Road, approximately 15 kms from  
                              100 Mile House near the Buffalo Creek Elementary School.

### **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
- Nigel Hemingway    Agent for the Applicant
- Peter Castonguay     Applicant
- Lisa Posnikoff    Purchaser of proposed lot.

The Commission viewed the location of the house that was proposed to be subdivided. It also discussed the history of the property and the house with the agent and applicant. The Commission noted that the house was located at one end of the subject property.

Mr. Hemingway confirmed that the staff report dated April 3, 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 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 application for subdivision, generally takes the view that rural residential lots are not consistent with long term agricultural activity and productivity. The Commission is concerned that the subdivision of an existing homesite from the subject property would allow another home to be built on the remainder, alienating further land from agricultural production. However, the applicant has offered to bind the titles of the remainder of the subject property with an adjacent 16 ha property thereby mitigating the impact of the creation of a new lot. As such, 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 agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will not impact agriculture.

### **IT WAS**

**MOVED BY:** Commissioner Huffman

**SECONDED BY:** Commissioner Campbell

THAT the application be allowed.

AND THAT the approval is subject to the following conditions:

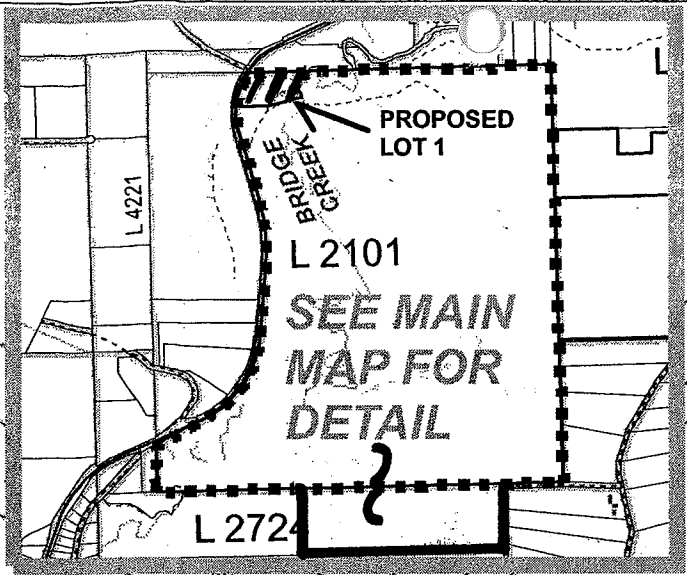
- the subdivision be in substantial compliance with the plan submitted with the application

- the registration of a covenant for the purpose of binding the titles of the remainder of the subject property with the North East  $\frac{1}{4}$  of District Lot 2724, Lillooet District.
- 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 # 195/2007**

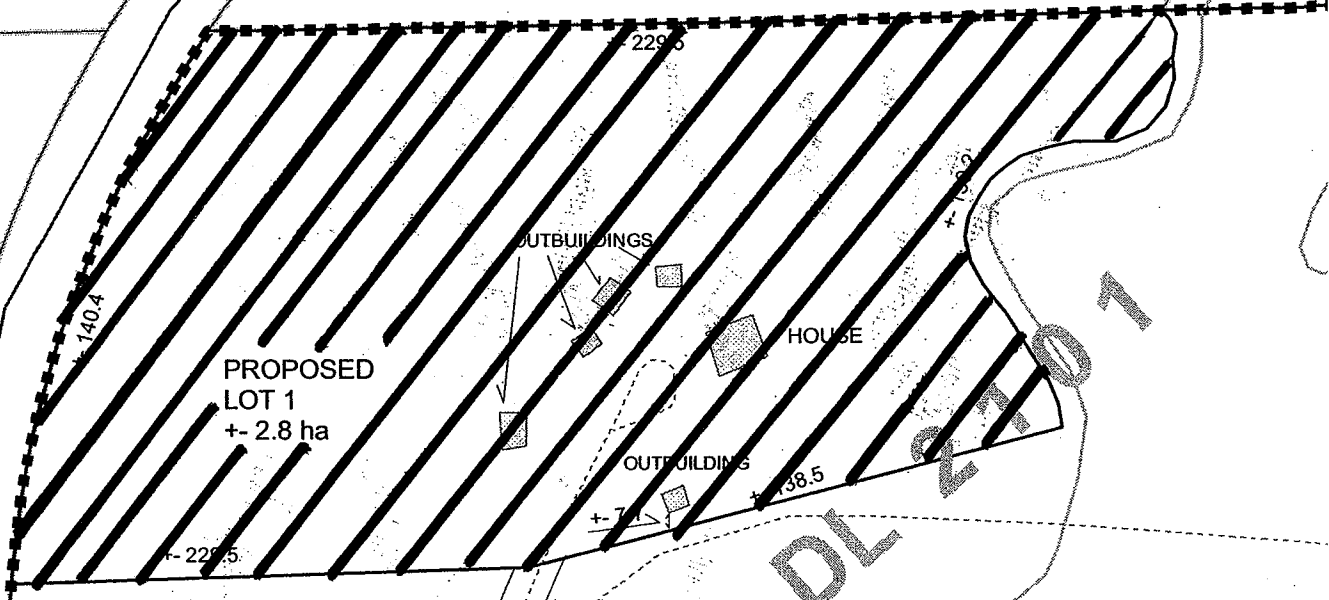
# MAIN MAP



Canim-Hendrix Lk Rd

LOT B  
PL 36584  
DL 610

Steinson Rd






PROPOSED LOT 1  
± 2.8 ha



PROPOSED REMAINDER  
DL 2101  
± 200.5 ha

**Provincial Agricultural Land Commission**

Application D-37297  
Resolution # 195/2007

-  Subject Property
-  Approved subdivision of ± 2.8 ha
-  Lots to be consolidated or bound by title

**LEGEND**

-  Subject Property
-  Proposed Lot

0 25 50 100 m

ALL MEASUREMENTS METRIC

Cariboo Regional District

ALR\_H\_147