



**Agricultural Land Commission**  
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August 31, 2007

Reply to the attention of Simone Rivers  
ALC File: # D - 37562

Shirley Furlong  
Double Diamond Furlong Holdings Inc.  
PO Box 699  
150 Mile House, BC V0K 2G0

Dear Ms. Furlong:

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

Please find attached the Minutes of Resolution # 425/2007 outlining the Commission's decision as it relates to the above noted application. Should you wish to proceed on this basis please provide a sketch plan showing the location of the two lots to be bound by covenant for the Commission's information.

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-F236)

Enclosure: Minutes/Sketch Plan

SBR/lv  
37562d1



# MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on August 23, 2007 at the offices of the Ministry of Agriculture and Lands, Kamloops, B.C.

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

### For Consideration

Application: # D- 37562  
 Applicant: Double Diamond Furlong Holdings Inc.  
 Proposal: Subdivision for a Relative: To subdivide 4 ha lot from two adjacent properties (2.4 ha from one parcel and a 1.6 ha from the other parcel) to provide a homesite for the owner's son. Only one new lot would be created. The two subject properties total 185 ha.

Legal:
 

1. PID: 015-274-519  
District Lot 9051, NE 1/4, Cariboo District
2. PID: 015-446-506  
District Lot 9051, S 1/2, Cariboo District, EXCEPT Plans 21506 and 20414

Location: Horsefly Road - 1.1km North of the Spokin Lake Road Junction

### Site Inspection

A site inspection was conducted on August 21, 2007. Those in attendance were:

- Grant Huffman                      Chair, Interior Panel
- Holly Campbell                     Commissioner
- Gordon Gillette                    Commissioner
- Simone Rivers                      Staff
- Martin Collins                      Staff
- Russ Furlong                        Son of the applicants

Mr. Furlong showed the Commission the area proposed for subdivision. It was noted that a foundation for a new house had already been poured and that Mr. Furlong had started preparing logs for the construction of the house.

Mr. Furlong confirmed that the staff report dated August 8, 2007 was received. He pointed out that the applicants had owned the property since 1971. The purchase date on the application was listed as 1995. The Commission was informed that 1995 was the date that the ranch was incorporated. Mr. Furlong also pointed out that the Local Government Report submitted by the Cariboo Regional District and attached to the staff report referenced the wrong property in part of its description.

### **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 agricultural capability of the soil of the subject property is rated as being 50% Class 4P – 30% Class 5TP – 20% Class 6 TP improvable to 40% Class 4P – 40% Class 3X – 20% Class 6 TP

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Subclasses:

P	stoniness	T	topography
X	cumulative and minor adverse		

The Commission believes that the subject property has agricultural capability and is appropriately designated as ALR.

#### **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 Commission believes that a new 4 ha rural residential lot could negatively impact existing or potential agricultural use of surrounding lands. The potential negative impacts of this type of subdivision include, but are not limited to; minor but reduced grazing capacity; conflict between a future owner of the 4 ha lot and the ranch operation over trespass and complaints about typical farm activities; heightened expectations of subdivision and similar proposals for small lot subdivision in the surrounding farm area, resulting in a change of ownership patterns, and a gradual erosion of the farm resource by rural residential subdivision.

However, the Commission believes that the negative impacts of a 4 ha subdivision could be mitigated if a covenant was registered against each of the titles of the two subject properties which restricted their separate sale (i.e. binding of titles). In this way the farm resource could be enhanced and preserved for future generations. Should the applicants not wish to bind the titles of the two properties under application, the Commission would be willing to consider a revised proposal that binds together two other ranch properties of the applicants choice.

### **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 consolidation or binding of titles by restrictive covenant would mitigate the negative impact of subdivision.

### **IT WAS**

**MOVED BY:** Commissioner Gillette  
**SECONDED BY:** Commissioner Huffman

THAT the application be refused as proposed.

However, the Commission would allow the subdivision of the 4 ha lot subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the registration of a covenant against the titles of the subject properties that restricts their separate sale .
- 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 # 425/2007**

DL 8130

**INSET MAP  
OVERVIEW**

DL 9052

DL 9051

NE 1/4  
DL 9051

S 1/2  
DL 9051

DL 9050

DL 9047

Horsefly Rd

**SEE  
INSET MAP  
FOR  
OVERVIEW**

DL 9050

P 21462

PROPOSED  
REM NE 1/4  
DL 9051

PROPOSED  
REM S 1/2  
DL 9051

DL 9051

PROPOSED  
LOT 1

± 4.0 ha

Burch Rd

Horsefly Rd

Application # D-37562  
Resolution # 425/2007

**LEGEND**



Subject Properties



Approved Lot ± 4 ha  
subject to binding of titles of two other properties

0 25 50 100 m

ALL MEASUREMENTS  
METRIC

ALR F 236



of two other  
properties