



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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August 29, 2007

Reply to the attention of Simone Rivers
ALC File: # D - 37580

Nigel Hemingway
Cariboo Geographic Systems
PO Box 1270, 490 Cedar Avenue
100 Mile House, BC V0K 2E0

Dear Mr. Hemingway:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 405/2007 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

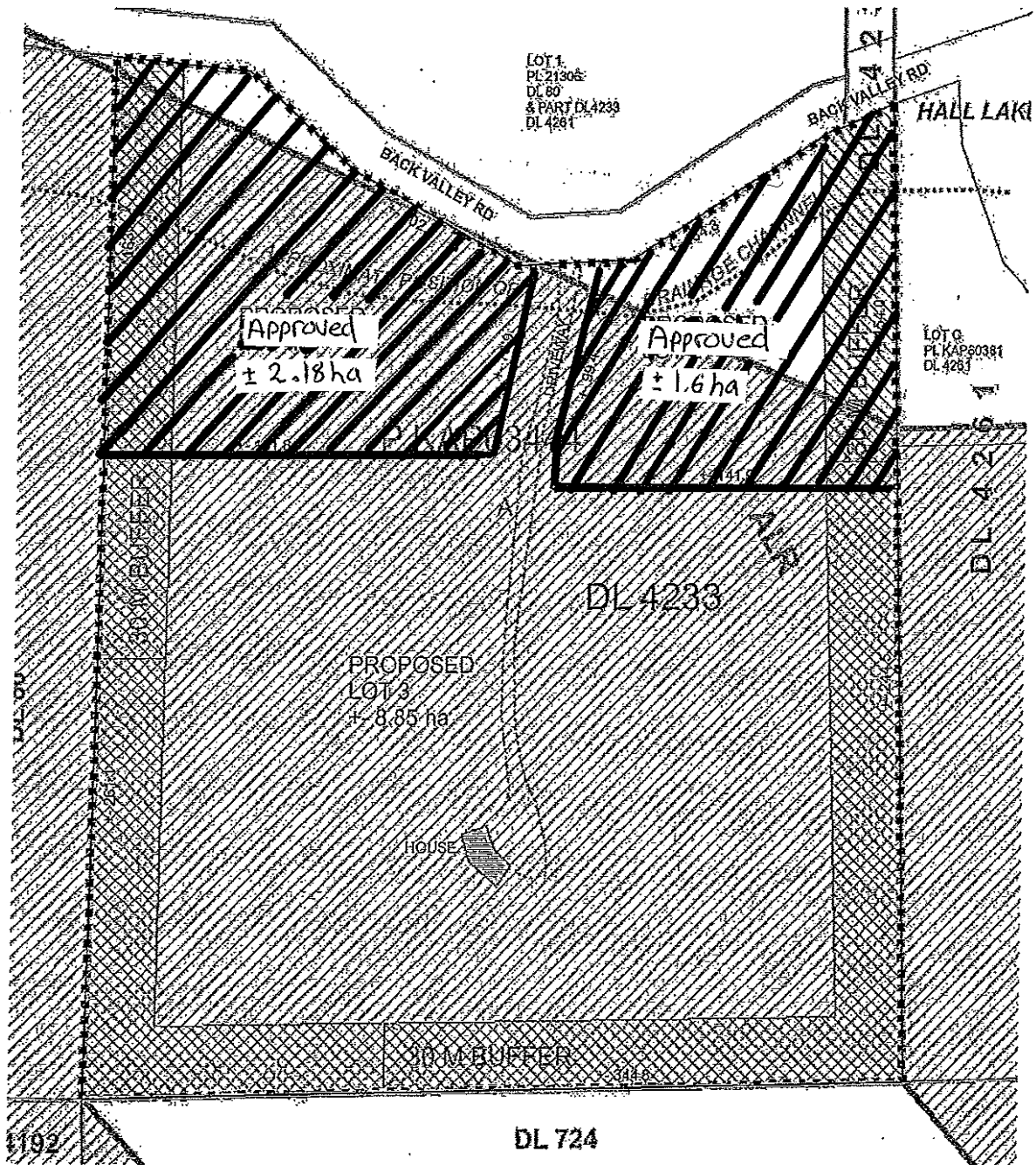
Per:

Erik Karlsen, Chair

cc: Cariboo Regional District (4035-20-G255)

Enclosure: Minutes/Sketch Plan

SBR/lv
37580d1



Provincial Agricultural Land Commission

Application # D-37580
 Resolution # 405/2007



Subject Property



Approved subdivision into one ±2.2 ha lot and one ±1.6 ha lot



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.

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

For Consideration

Application: # D - 37580
Applicant: Travis and Cindy Monical
Agent: Cariboo Geographic Systems - Nigel Hemingway
Proposal: To subdivide the 12.7 ha subject property into three (3) parcels one at 1.62 ha, one at 2.18 ha and one remainder at 8.85 ha
Legal: PID: 024-348-449
Lot A, District Lot 4233, Lillooet District, Plan KAP63444
Location: 5550 Back Valley Road, 700 m East of Cariboo Highway 97 at 105 Mile House

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
- Nigel Hemingway Agent
- Cindy Monical Applicant

The Commission viewed the property and discussed the plans for subdivision with the agent. The Commission noted that the portion of the property was not in the ALR and that this portion was quite hilly. It also noted that the subject property was topographically separated from the lands to the west that are being used for grazing.

Mr. Hemingway confirmed that the staff report dated August 13, 2007 was received. He pointed out a small mapping error which showed a tiny portion of the road as being part of the subject property.

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 believed that the subject property had limited agricultural capability due to topography and its size. The northern part of the property, which was proposed for subdivision, was very hilly and sloped from east to west.

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 does not believe the proposal would impact existing or potential agricultural use of surrounding lands.

Conclusions

1. That the land under application has limited agricultural.
2. That the proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner Gillette
SECONDED BY: Commissioner Huffman

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 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 # 405/2007



Staff Report
Application # D – 37580
Applicant: Travis and Cindy Monical
Agent: Cariboo Geographic Systems

DATE RECEIVED: July 27, 2007

DATE PREPARED: August 13, 2007

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To subdivide the 12.7 ha subject property into three (3) parcels one at 1.6 ha, one at 2.2 ha and one remainder at 8.9 ha

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: 024-348-449
Lot A, District Lot 4233, Lillooet District, Plan KAP63444

Purchase Date:

September 2001

Location of Property:

5550 Back Valley Road, 700 m East of Cariboo Highway 97 at 105 Mile House

Size of Property:

12.7 ha. (about 11.7 ha of the subject property is in the ALR)

Present use of the Property:

Residential

Surrounding Land Uses:

WEST: Large acreage holding used for seasonal grazing
SOUTH: Large Acreage Holding
EAST: Residential Properties and large acreage holdings
NORTH: Back Valley Road and Residential Property

Agricultural Capability:

Data Source: Agricultural Capability Map # 92P/11
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

OCP: N/A
Designation: N/A

Zoning Bylaw and Designation:

South Cariboo Area Zoning Bylaw No. 3501 (1999) Designation: Rural 1 (RR1)
Minimum Lot Size: 4 ha

PREVIOUS APPLICATIONS:

Application #31494-0

Applicant: Thomas, Terry & Ann
Decision Date: November 17, 1997
Proposal: To subdivide the 38.2 ha property (of which only approximately 3.5 ha is in the ALR) into two lots of 12.7 ha of which 9.2 ha would be in the ALR and a 25.5 remainder all of which would be in the ALR.
Decision: Allowed subject to the submission of an inclusion application for that part of the proposed lot A at the southern end of the property which is presently outside the ALR.

Application #31953-0

Applicant: Thomas, Terry & Ann
Decision Date: April 20, 1998
Proposal: Inclusion of approximately 2.25 ha to satisfy a Commission decision issued under Res. #697/97 which required the inclusion as a condition of subdivision.
Decision: Allowed.

RELEVANT APPLICATIONS:

Application #37561-0

Applicant: Blanck, Klaus & Angelika
Decision Date: *Pending*
Proposal: To subdivide a 2.4 ha property from the 165.1 ha subject property.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

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


STAFF COMMENTS:

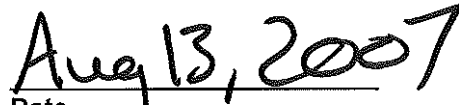
The applicants are proposing to create two small lots next to the road with the larger remainder located away from the road. A portion of each of the proposed small lots is outside of the ALR. The applicant has proposed inclusion of these areas so they can continue to be used as hobby farms. About half of the proposed 1.6 ha lot is outside of the ALR. A small portion (about 0.1 ha) of the other lot is not in the ALR.

ATTACHMENTS:

- Description of the proposal as submitted by the agent for the applicant.
- Local Government Staff Report: including sketch of proposed subdivision.
- ALC Context Map - 1:20,000 - 92P.074 (created by ALC Staff)
- Airphoto - 1999 - 1:5000 (created by ALC Staff)

END OF REPORT


Signature


Date