



## Agricultural Land Commission Staff Report

**DATE:** July 26, 2010  
**TO:** Vice Chair and Commissioners - Interior Panel  
**FROM:** Simone Rivers

**RE:** Application # 51759  
**PROPOSAL:** To exclude the 2.4 ha property in order to facilitate its subdivision into two lots of approximately 1.2 ha each.

### PROPOSAL INFORMATION

**Background:** One of the lots contains the improvements and the other is largely vacant land.

The applicants originally applied for exclusion in 2008 but the application was deferred by the Regional District due to local opposition. The applicants had initially proposal to divide the property into nine 0.1 ha lots.

**Received Date:** May 20, 2010  
**Applicant:** GWR Resource Inc.  
**Agent:** Exton & Dodge Land Surveying Inc.  
**Local Government:** Cariboo Regional District

### DESCRIPTION OF LAND

**PID:** 007-730-098  
**Legal Description:** Lot A, District Lots 4 and 481, Lillooet District, Plan 20835  
**Civic Address:** 4027 Highway 97, Lac La Hache  
**Area:** 2.2 ha  
**ALR Area:** 2.2 ha  
**Purchase Date:** September 17, 2007  
**Owner:** GWR Resource Inc.

**Total Land Area:** 2.2 ha  
**Total ALR Area:** 2.2 ha  
**Current Land Use:** One residence, a barn, two sheds and two greenhouses

### PROPOSAL DETAILS

Exclusion Area	Agricultural Capability	Agricultural Capability Source
-------------------	----------------------------	-----------------------------------

2.3            Secondary                            CLI

**Surrounding Land Uses:**

North        One 2.3 ha residential lot  
East        One 4.1 ha residential lot and four 2 ha residential lots  
South       Highway 97 and residential lots  
West        Residential lots

**Official Community Plan**

**Bylaw Name:**        Lac La Hache Area OCP Bylaw No. 3200 (1996)  
**Designation:**        Serviced Residential (RS)  
**OCP Compliance:** Yes

**Zoning**

**Zoning Bylaw Name:** South Cariboo Area Zoning Bylaw No 3501 (1999)  
**Zoning Designation:** Residential 2 (R2)  
**Minimum Lot Size:**    0.1 ha  
**Zoning Compliance:** Yes

**RELEVANT APPLICATIONS**

**Application #:** 23011  
**Applicant:**        115 Ranch Ltd  
**Proposal:**        To exclude the 15.8 ha area lying north of the road.

**Decisions:**  
**Resolution**  
**Number**

**Decision Date**                            **Decision Description**

**Note:**            Legacy Application # 10437  
                      Resolution # 89/1981  
                      Decision Date: January 27, 1981  
                      Decision: Refused as proposed. However, the Commission would allow the subdivision of the 15.8 ha area into 2 ha parcels.

---

**Application #:** 12175  
**Applicant:**        115 Ranch Ltd.  
**Proposal:**        Request permission to subdivide 40 acres lying north of Highway 97 from the 126 acre property.

**Decisions:**  
**Resolution**  
**Number**

**Decision Date**                            **Decision Description**  
5416                            January 13, 1977                            Refused. The Commission acknowledged the

limitations to agriculture north of the hwy but did not feel there was any physical restriction to its utilization with other parcels north of the highway and the lots should be kept as large as possible.

**Note:** Legacy Application # 02864

---

**Application #:** 8407

**Applicant:** Provincial Agricultural Land Commission

**Proposal:** Block Application - To exclude approximately 700 ha from the Agricultural Land Reserve in the Cariboo Regional District, which had previously been identified by the Commission as appropriate for exclusion because of poor agricultural suitability.

**Decisions:**  
**Resolution**  
**Number**

**Decision Date**

**Decision Description**

389

July 21, 1997

The Commission agreed to the bulk of the proposal, however, it was not prepared to consider the exclusion of lands south of Horse Lake (proposed by the Regional District) because the property owners had not been notified and the land was too far removed from the areas identified at the hearing. Approximately 650 ha was approved for exclusion essentially those lands proposed, plus small pockets of rural residential lots adjacent to Highway 97 at Lac La Hache and Elliot Lake.

**Note:** Legacy Application # 31410

This Block Application resulted in the exclusion of the lands directly west of the subject property.

---

### **Committee Recommendations**

**Type**

**Recommendation**

**Description**

Board/Council

Approve

Cariboo Regional District Board: The Regional Board passed a total of four resolutions with respect to this application, starting in August 2008. The first three resolutions deferred decision making on the application to allow the applicant to "consider his options".

The final forwarding resolution was passed at a meeting on April 30, 2010 and forwarded the application with a recommendation of support. It also recommended that the Commission require:

1. the applicant to enter into an awareness covenant

with the Cariboo Regional District to advise that the subject property is located adjacent to land used for agricultural purposes and to establish/maintain fencing along the western boundary of Lot A, District Lots 4 and 481, Lillooet District, Plan 20835.  
2. That fencing follows the guidelines prescribed by the Agricultural Land Commission as detailed in Schedule D of Landscaped Buffer Specifications."

Advisory Planning  
Committee

Approve

Advisory Planning Commission: The APC passed two resolutions for this property.

The initial resolution, on August 29, 2008 was for a proposal that was not supported by the Regional Board and subsequently not forwarded to the Commission for consideration. The second comment, on April 9, 2010 stated that "Area G APC has no objection to this application providing that the CRD Agriculture fencing policy is adhered to and the applicant discloses the fact that an active agricultural business is operating adjacent to Lot #1"

## **STAFF COMMENTS**

The application was initially submitted in 2008 but tabled by the Regional District several times due to local opposition about the proposed use of the property should it be excluded. The applicants had proposed a subdivision of nine lots, which was allowed by local zoning, but was opposed by community members. The current proposal is to exclude the property and subdivide it into two lots.

The Commission received correspondence in 2008 from neighbouring land owners stating their opposition to the proposal. These same owners provided a letter of support for the current proposal provided there is assurance that the property will not be subdivided further (by placing a restrictive covenant on the lands).

These landowner owners further point out the their property as well as property to the north are large agricultural properties that are currently used for agricultural purposes.

Should the property be excluded from the ALR, the Commission will not be able to control future subdivision of the property. Should the property remain in the ALR, future subdivision requests would need to be made to the Commission.

The Commission may wish to consider requiring fencing and buffering of the north and west boundary of the property should it contemplate allowing exclusion or subdivision.

## **ATTACHMENTS**

51759\_ContextMap20k.pdf  
51759 ag cap.pdf  
51759 airphoto.pdf  
51759 comments from neighbours.pdf

51759 local government report.pdf  
51759 proposal sketch.pdf

**END OF REPORT**

**Signature**

---

**Date**

---