



# Provincial Agricultural Land Commission - Staff Report

## Application: 52124

**Applicant:** Edmond Michael Kiss  
**Agent:** Exton, Dodge & Galibois Land Surveying Inc.  
**Local Government:** Cariboo Regional District

**Proposal:** Proposal to subdivide an 8.7 ha lot into two lots. The applicant submitted a revised subdivision proposal to the MoTI to subdivide Lot 1 into a 4.3 ha lot and a 4.4 ha lot.

### BACKGROUND INFORMATION

The ALC approved Application #D-34895 on July 23, 2003 to subdivide Lots 1 and 2 DL 4907 Plan 29045, into four 4 ha lots within the ALR. Lot 2, Plan 29045 has been sold to new owners. The MoTI Approving Officer approved the current proposal on December 7, 2009 to subdivide Lot 1, Plan 29045 into two 4 ha lots. The ALC has refused to consider this amended proposal without the submission of a new application.

### PROPERTY INFORMATION

**PID:** 005-790-344  
**Legal Description:** Lot 1 District Lot 4907 Cariboo Regional District Plan 29045  
**Property Area:** 8.7 ha  
**ALR Area:** 8.7 ha  
**Purchase Date:** June 30, 1997  
**Location:** Just southwest of Rose Lake, in 150 Mile House  
**Owner:** Edmond Michael Kiss

### LAND USE

**Current Land Use:**  
 Vacant, undeveloped

**Surrounding Land Uses:**

North: ALR - 10 ha Rural residential  
 East: Non-ALR/ALR - Rural residential  
 South: ALR - 8 ha Rural residential  
 West: Non-ALR - 64 ha+ Undeveloped adjacent to site, cultivated further west

### PROPOSAL DETAILS

**Subdivision - ALR Area:** 8.7 ha

Number of Lots	ALR Area of Lot (ha)
1	4.3
1	4.4

**Agricultural Capability:**

The majority of the area under application is rated as: Secondary

**Source:** CLI

**Mapsheet:** 93A/4

### PREVIOUS APPLICATIONS

## PREVIOUS APPLICATIONS

**Application ID:** 40458

**Legacy #:** 34895

**Applicant:** Edmond Michael Kiss

**Proposal:** To exclude two 8 ha lots from the ALR in order to subdivide into four 4 ha lots.

**Decision:**

Resolution #	Decision Date	Decision Description
322/2003	July 10, 2003	The Commission refused the exclusion of two 8 ha lots from the ALR on the grounds the land had agricultural capability. The Commission did allow the subdivision of the 16 ha area into four 4 ha lot lots because the agricultural utility of 4 ha and 8 ha lots was similar.

## RELEVANT APPLICATIONS

**Application ID:** 22993

**Legacy #:** 13745

**Applicant:** R & L Moore

**Note:** September 1982 - The applicants proposed to exclude 4 ha from the ALR in order to subdivide two 2 ha lots.

The Commission approved the exclusion but refused the subdivision.

**Application ID:** 22894

**Legacy #:** 13832

**Applicant:** Wayne Finkenbinder

**Note:** September 1982 - The applicant proposed to exclude 32 ha from the ALR for the purpose of subdividing seven lots.

The Commission refused the exclusion of the 32 ha, but allowed the subdivision of a 7.4 ha, 8 ha, 8.5 ha, 9 ha, and 5 ha lot.

## LOCAL GOVERNMENT INFORMATION

**Official Community Plan:**

**Bylaw Name:** N/A

**Zoning:**

**Zoning Bylaw Name:** Central Cariboo Rural Land Use By. No. 3503, 1999

**Zoning Designation:** Rural 1 (RR1)

**Minimum Lot Size:** 4.0 ha

**Zoning Compliance:** Yes

**Comments and Recommendations:**

**Advisory Planning Committee**

The proposal had previously been approved by the ALC and now does not diminish the lands agricultural utility.

**Board/Council**

The Cariboo Regional District Board recommends that the application to the ALC for approval.

**Planning Staff**

The Electoral Area 'F' Planning Department recommends that this application for subdivision be approved and authorized for submission to the ALC.

## ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

1) The improved CLI rating of the 8 ha subject property is 50% O5W 50% 8:6TP 2:5TP which has agricultural potential restricted by excessive wetness, topography, and stoniness. The property is currently vacant and not in agricultural use.

## **ALC STAFF COMMENTS**

2) The ALC previously approved the subdivision proposal (ALC File #34895) for Lots 1 and 2 of Plan 29045. Lot 2 has since been sold to new owners, hence the current proposal to subdivide Lot 1 only.

3) There are several other lots of similar size to the proposed subdivision to the east of the subject property.

## **ATTACHMENTS**

52124\_Proposal Sketch.pdf  
52124\_ContextMap20k.pdf  
52124\_AirphotoMap10k.pdf

## **END OF REPORT**

**Prepared by:** Liz Sutton