

## ALR Information Package

**File Number:** 3015-20/20190014

**Subdivision 21(2)**    **Non-Farm Use 20(3)**    **Exclusion 30(1)**

**Electoral Area:** B

**Date of Referral:** April 25, 2019

**Date of Application:** April 10, 2019

**Property Owner's Name(s):** Brandon Hames

**Applicant's Name:** Brandon Hames

### SECTION 1: Property Summary

**Legal Description(s):** Block D, District Lot 8643, Cariboo District

**Area of Application:** 92.3 ha (228 ac)

**Location:** 2941 Paradise Road

**Current Zoning:**

Resource/Agricultural (R/A) under the North Cariboo Area Rural Land Use Bylaw, 3505 - 1999

**Current Land Use:** *BC Assessment - 063* – 2 Acres or more Manufactured Home

**Agricultural Capability Classification:**

*Canada Land Inventory: Class 1 = Best, Class 7 = Worst*

<b>% of parcel</b>	<b>Unimproved rating</b>	<b>Improved rating</b>
25%	% 60 Class 5 - Topography	N/A
	% 40 Class 3 – Topography and Undesirable Soil Structure	N/A
75%	% 80 Class 4 – Topography and Perviousness	N/A
	% 20 Class 3 - Topography	N/A

The agricultural capability classification of the property ranges from Classes 3 to 5. The limiting factors are noted as topography and undesirable soil structure. Class 3 soils are capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive. Class 4 soils are suitable for only a few crops, or the yield of a wide range of crops is low. Soil and climate conditions are such that special development and management practices are required. Class 5 soils are capable of production of cultivated perennial forage crops and specially adapted crops. Soil and climate conditions severely limit capability.

\*\*\*note: the information above is an interpretation of Agricultural Capability from the Canada Land Inventory mapsheet #93B/16 (scale 1:50,000). An on-site visit of the property has not been conducted.\*\*\*

**Proposed Use:**

**SECTION 2: Planning Report**

Background:

The application is to subdivide 92.36 ha (228.22 ac) agricultural property under Agricultural Land Reserve into two lots of +/- 20 ha (49.42 ac) and a remainder +/- 70.5 ha (174.21 ac) lot sizes. The applicant has requested this subdivision to be able to sell the proposed +/- 20 ha (49.42 ac) agricultural lot to a family member. The proposal is shown in Appendix D. The subject property is zoned Resource/Agricultural (R/A) in the North Cariboo Area Rural Land Use Bylaw No. 3505, 1999.

Location and Soil Information:

The subject property is located on Paradise Road that passes through the property separating the proposed +/- 20 ha (49.42 ac) lot from the remainder +/- 70.5 ha (174.21 ac) lot. Currently, the subject property is a hay field used for growing and producing hay for horses/cows. There are mostly residential/agricultural lots surrounding the subject property with crown land to the east of the property.

The agricultural capability classification of the property ranges from Classes 3 to 5. The limiting factors are noted as topography and undesirable soil structure. Class 3 soils are capable of producing a fairly wide range of crops under good management practices. Soil and climate limitations are restrictive. Class 4 soils are suitable for only a few crops or yield of a wide range of crops is low. Soil and climate conditions require special management practices. Class 5 soils are capable of producing cultivated perennial forage crops and specially adapted crops. These lands cannot be cultivated due to severe soil and climate limitations.

The land capability classification gives two ratings: unimproved and improved. The "improved" rating indicates the land's potential once the appropriate management practice identified by the limiting factors has been implemented. The soil map indicates the improved ratings remain unchanged.

CRD Regulations and Policies:

*North Cariboo Area Rural Land Use Bylaw No. 3505, 1999*

**8.14 RESOURCE/AGRICULTURAL (R/A) ZONE**

**8.14.2 ZONE PROVISIONS**

- (a) LOT AREA (minimum): = 32.0 hectares (79.07 acres)

Rationale for Recommendations:

The existing Paradise Road passes through the subject property that separates the proposed +/- 20 ha (49.42 ac) lot from rest of the property. This limits the agricultural activities being held on the proposed smaller lot. Further, the proposal does not change the current use and existing land profile and therefore will have no impact on surroundings.

As the proposed use complies with the North Cariboo Area Rural Land Use Bylaw, the application for ALR subdivision be authorized for submission to Provincial Agricultural Land Commission.

However, the requested subdivision lot will have to be rezoned as the proposed lot size of +/- 20 ha (49.42 ac) does not comply with the permitted lot size provisions under the current zoning of R/A.

**SECTION 3: Referral Comments**

**Advisory Planning Commission:** May 25, 2019  
Supported, see comments attached.

**Ministry of Agriculture:** May 25, 2019  
See comments attached.

**SECTION 4: Board Action**

Date of Meeting:

**ATTACHMENTS**

Appendix A: Application

Appendix B: Local Government Report

Appendix C: General Map

Appendix D: Specific Map

Appendix E: Orthographic Map

Other: APC Response Form  
Ministry of Agriculture Comments



# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 58950

**Application Status:** Under LG Review

**Applicant:** Brandon Hames

**Local Government:** Cariboo Regional District

**Local Government Date of Receipt:** 04/05/2019

**ALC Date of Receipt:** This application has not been submitted to ALC yet.

**Proposal Type:** Subdivision

**Proposal:** To sell to my father.

**Mailing Address:**



**Primary Phone:** [REDACTED]

**Email:** [REDACTED]

## Parcel Information

### Parcel(s) Under Application

- Ownership Type:** Fee Simple  
**Parcel Identifier:** 024-924-431  
**Legal Description:** BK D DL 8643 CARIBOO  
**Parcel Area:** 90.5 ha  
**Civic Address:** 2941 Paradise Rd  
**Date of Purchase:** 10/17/2016  
**Farm Classification:** No  
**Owners**

- Name:** Brandon Hames

**Address:**





## **Current Use of Parcels Under Application**

**1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**

*Growing and producing hay for horses/cows*

**2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**

*Land clearing for new fields*

**3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**

*non.*

## **Adjacent Land Uses**

### **North**

**Land Use Type:** Agricultural/Farm

**Specify Activity:** Farming

### **East**

**Land Use Type:** Agricultural/Farm

**Specify Activity:** Farming

### **South**

**Land Use Type:** Agricultural/Farm

**Specify Activity:** Farming

### **West**

**Land Use Type:** Agricultural/Farm

**Specify Activity:** Farming

## **Proposal**

**1. Enter the total number of lots proposed for your property.**

*20 ha*

*70.5 ha*

**2. What is the purpose of the proposal?**

*To sell to my father.*

**3. Why do you believe this parcel is suitable for subdivision?**

*Non arable land.*

**4. Does the proposal support agriculture in the short or long term? Please explain.**

*Yes, part of the land could be used for small livestock.*

**5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.**

**Applicant:** Brandon Hames

*No*

### **Applicant Attachments**

- Proposal Sketch - 58950
- Certificate of Title - 024-924-431

### **ALC Attachments**

None.

### **Decisions**

None.

Bell

5:17 PM

47%

publicmaps.cariboord.bc.ca



I want to...

Search



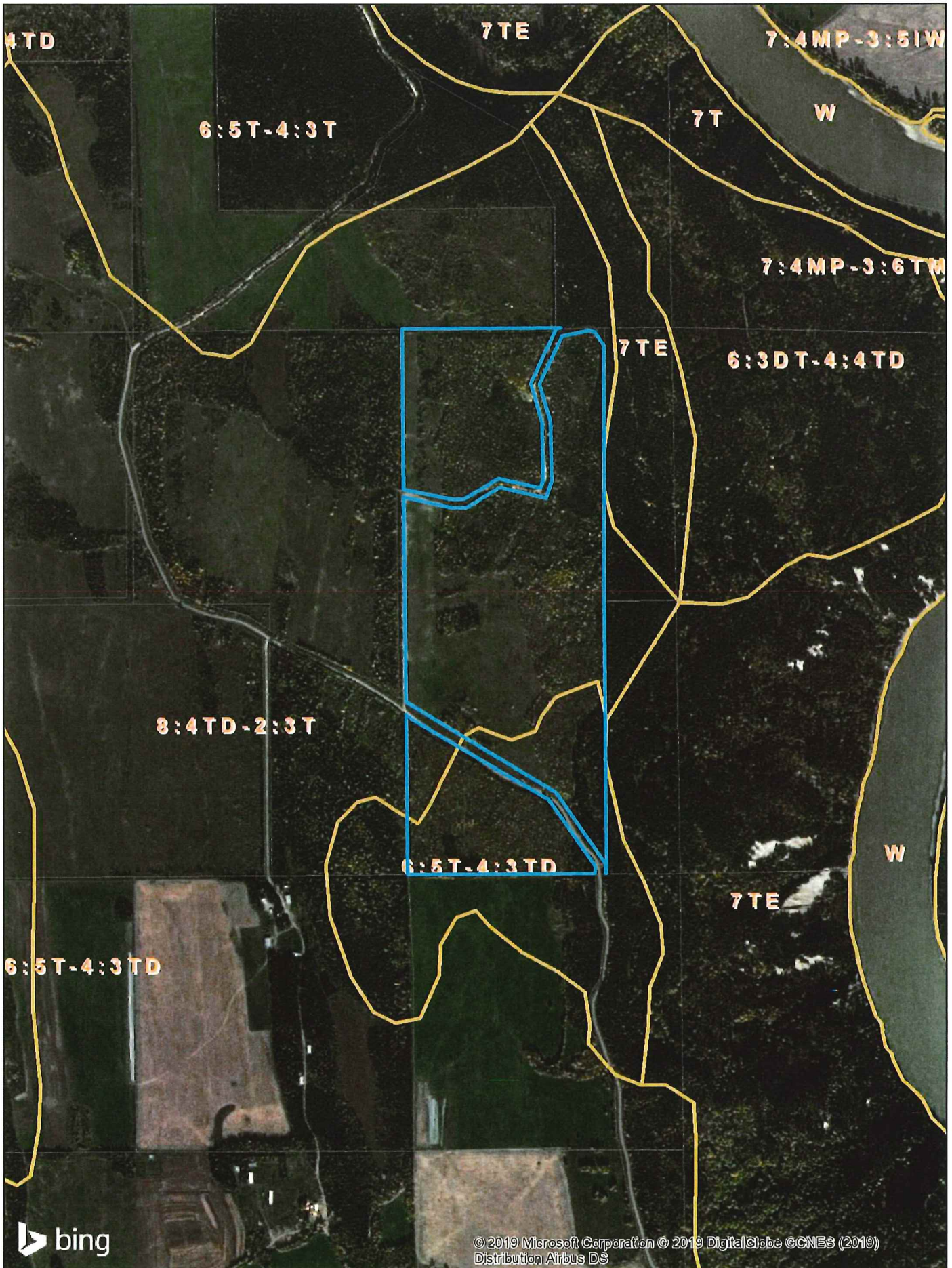
← PID : 024-924-431



[View Additional Details](#) [Run a Report](#)









**Local Government Report  
under the Agricultural Land Reserve  
Use, Subdivision and Procedure Regulation**

R.D./Mun. File No. 3015-20/20190014
Fee Receipt No. 0002008006
Fee Amount \$900
ALR Base Map No. 093G007
ALR Constituent Map No.
Air Photo No.

Information supplied by:

Cariboo Regional District

Local Government

In respect of the application of:

Brandon Hames

Name of Applicant

PLANS and BYLAWS *(Attach relevant sections of bylaws)*

Zoning Bylaw name and designation: North Cariboo Area Rural Land Use Bylaw, 3505 -1999

Resource/Agricultural (R/A)

Minimum Lot Size: 32 ha (79.07 ac)

Uses permitted: Please refer to Sections 8.14.1 of the North Cariboo Area Rural Land Use Bylaw, 3505 - 1999

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Are amendments to Plans or Bylaws required for the proposal to proceed?

Plan     Yes         No                      Bylaw    Yes         No

Is authorization under Sec. 25 (3) or 30 (4) of the Agricultural Land Commission Act required?

Yes        *(If yes, please attach resolution or documentation)*         No

**COMMENTS AND RECOMMENDATIONS** *(Include copies of resolution)*

Board or Council:

Advisory Planning Commission:

Agriculture Advisory Committee:

Planning staff:

Others:

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*Signature of Responsible Local Government Officer*

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*Date*



# Appendix C: GENERAL MAP



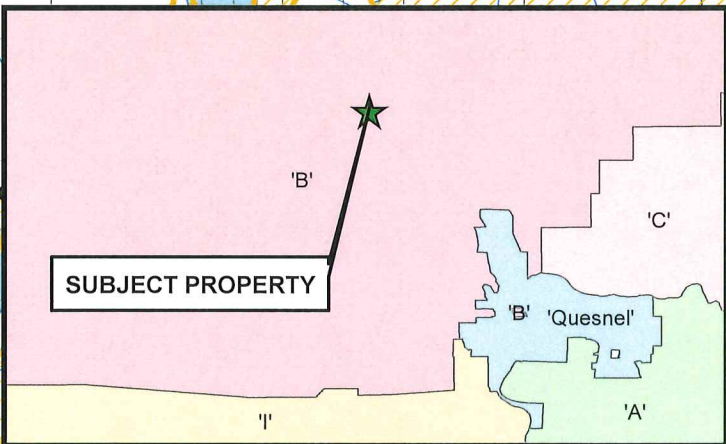
## LEGEND

 SUBJECT PROPERTY

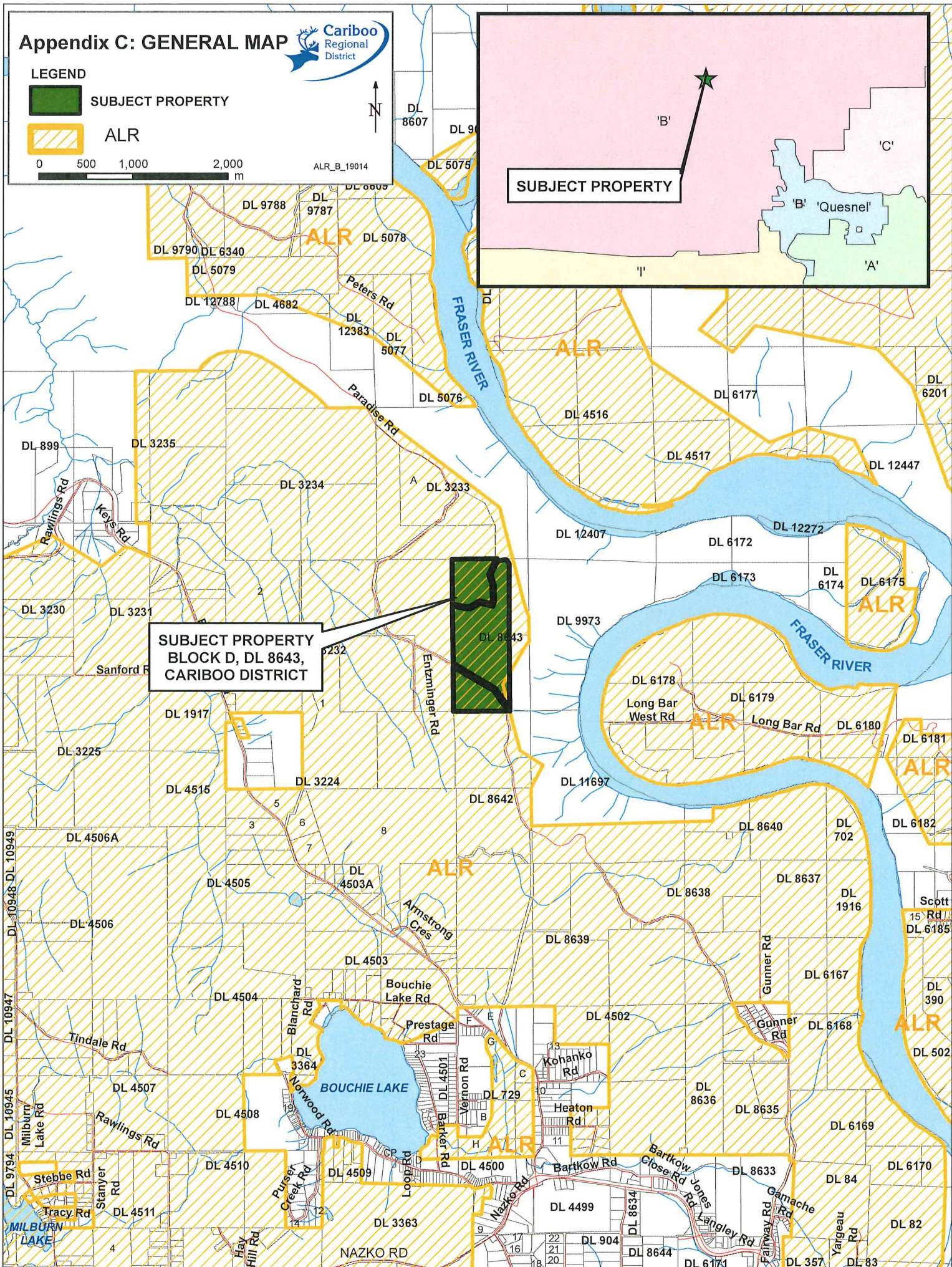
 ALR

0 500 1,000 2,000 m

ALR\_B\_19014



**SUBJECT PROPERTY**  
BLOCK D, DL 8643,  
CARIBOO DISTRICT





# Appendix D: SPECIFIC MAP



## LEGEND



SUBJECT PROPERTY



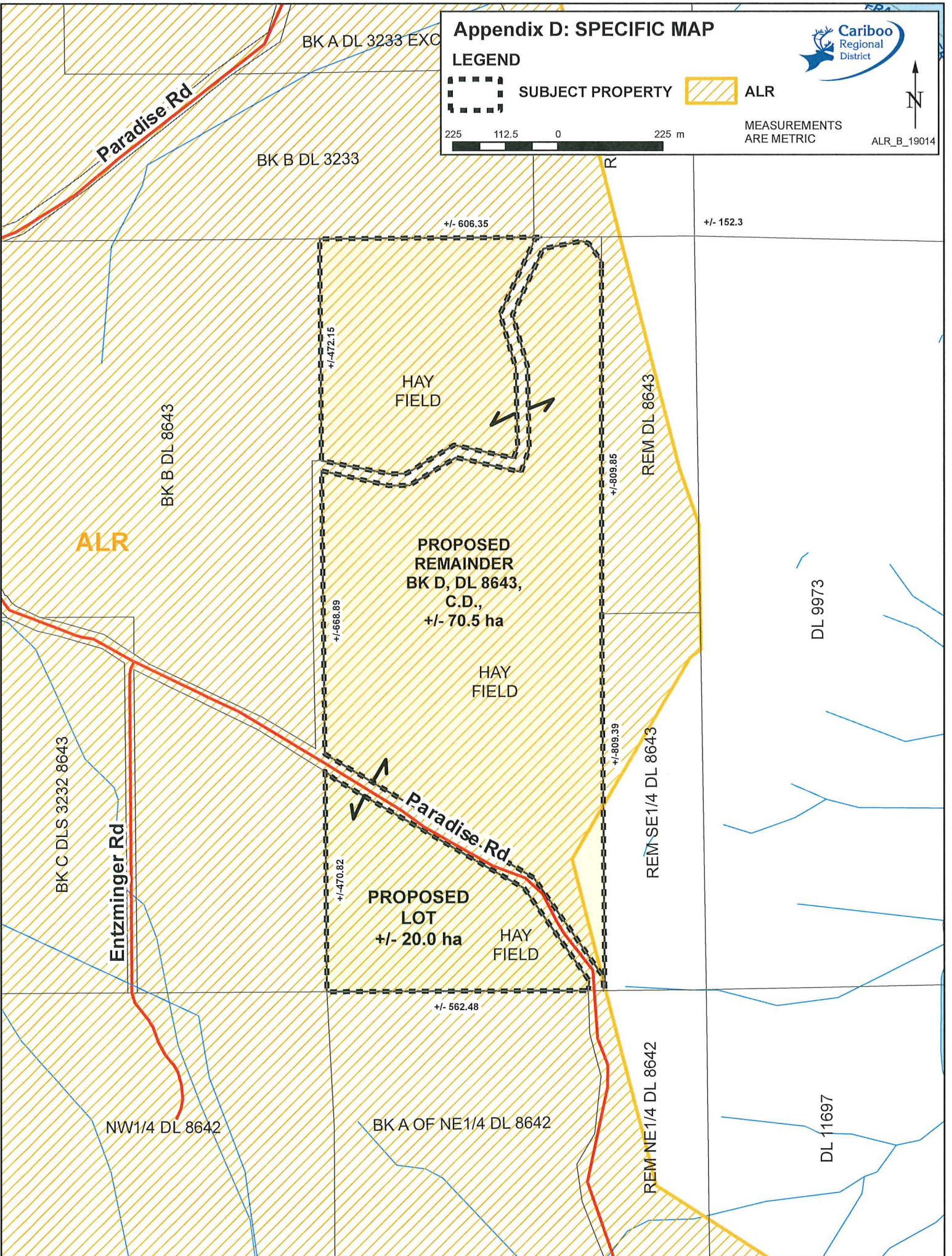
ALR

225 112.5 0 225 m

MEASUREMENTS ARE METRIC



ALR\_B\_19014





DL 3233

DL 12407

SUBJECT PROPERTY  
BLOCK D, DL 8643,  
CARIBOO DISTRICT

DL 8643

DL 9973

Entwinger Rd

Paradise Rd

DL 864

### Appendix E: ORTHOGRAPHIC MAP

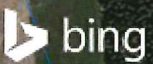


#### LEGEND

 SUBJECT PROPERTY

0 80 160 320 m

ALR\_B\_19014





ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'B' advisory planning commission was held on May 24, 2019 in the PROPERTY, located at 2941 Paradise Road, Quesnel BC 6:30 pm

**PRESENT:** Chair  
Members  
STEPHANIE HANES Neil MacDonnell  
R Ross (ROB ROSS)  
STAN HALL  
Tony McHale  
Recording Secretary  
Owners/Agent, or BRANDON HANES/GORDON HANES.  
 Contracted but declined to attend

**ABSENT:** MAGNUS VINJE, Desiree Stobbes/Spaine Stobbes  
LOWEN GIESBRITZ

**ALSO PRESENT:** Electoral Area Director Barb Bachmeier DIRECTOR AREA B  
Staff support (if present) ELIZABETH ONSLOW  
ATT. DR.

Agenda Items

**SUBDIVISION APPLICATION UNDER THE LAND COMMISSION ACT -3015-20/20190014**  
**(Block D, District Lot 8643, Cariboo District)**

1 : "THAT the application to Subdivide property at 2941 Paradise Road, be supported/rejected for the following reasons;

- i) Reasonable request; the creation of two parcels will not have a negative impact on the operations
  - ii) Not have any impact on agricultural activity in the surrounding area
- For: 5 Against: 0

**CARRIED/ DEFEATED**

Termination

.That the meeting terminated.

Time: 7:03 pm

**CARRIED**

Neil MacDonnell  
Recording Secretary

[Signature]  
Chair



File: 3015-20/20190014

Nyree Alexander  
Development Services Clerk  
Cariboo Regional District  
Suite D, 180 North 3<sup>rd</sup> Avenue  
Williams Lake, BC V2G 2A4

Via email: [nalexander@cariboord.ca](mailto:nalexander@cariboord.ca)

Date: May 27, 2019

Dear: Nyree Alexander, Development Services Clerk

**Re: ALC Subdivision Application Referral - 2941 Paradise Road (Brandon Hames)**

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the above noted ALC subdivision application referral. Ministry staff have reviewed the documents you have provided, conducted an on-site visit of the property, and would like to provide the following comments:

- The proposal is to subdivide +/- 20.0 ha of Agricultural Land Reserve (ALR) land below Paradise Road from a larger ALR parcel above the road under *Agricultural Land Commission Act* Section 21(2). I note that the property (DL8643) was obtained in late 2016, with the subdivision application dated early 2019.
- The B.C. Soil Information Finder Tool (SIFT) shows this property to have an agriculture capability of 8:4TD ~2:3T. This means that about 80% of the soil is Class 4 capability with a limitation due to topography and soil structure. About 20% is Class 3 capability with topography being a limitation. The on-site visit photos (attached) show that the southern edge of the property does slope down to the abutting lot and active hayfield. Not unlike the pasture on the north side of Paradise Road, Class 4 land requires special management considerations and Class 3 requires moderately intensive management. The soil data also shows the soils to be Beaverley soils of 60% silty clay loam, moderately well drained; 25% Pineview soils of silty clay, imperfectly drained; and 15% Aleza soil of silt loam, poorly drained. The included photos also show the extent of the topography.

The site inspection Marisa Nightingale (Resource Development Agrologist, Ministry of Agriculture) and I conducted May 15, 2019 with Brandon Hames (applicant) showed a portion of the Hames property to the north of Paradise Road currently in pasture. A road and two structures were also observed on-site south of Paradise Road (see attached photos). In speaking with Mr. Hames, the road was to facilitate the logging of the spruce trees at the south end of the property. Application referral Appendix D however states that all three blocks of DL8643 are hayfields; which the orthophoto and photos from the site visit do not support. Mr. Hames stated that there were too many rocks to actively farm the non-pasture portions of the property.

- Subdivision and the creation of smaller lots can erode long term agricultural and economic potential of property parcels, increase land cost per acre, which can limit farm business

opportunities, and in some cases have been shown to increase conflict between adjacent land uses. When asked why he applied for subdivision, Mr. Hames said his father wanted a small place away from others. There are other properties in the CRD that could meet these needs, which are not in the Agricultural Land Reserve (ALR). The proposed subdivision does not appear to provide a clear advantage or benefit to agricultural use.

- Ministry staff also note North Cariboo Area Rural Land Use Bylaw, 3505, 1999 s.3.5 regarding the general Board policy to discourage fragmentation of agricultural land by subdivision, and s.8.14.2, requiring a 32 hectare minimum lot area in the R/A zone. Given that this application is for a +/- 20 hectare subdivision, it would appear a Development Variance Permit would also be required if the ALC application were to be approved.
- The provincial government's recent Bill 52 received Royal Assent November 27, 2018 and has now come into force (February 22, 2019). These [new provincial rules](#) created two (2) new ALR regulations; the ALR Use Regulation and the ALR General Regulation. Ministry staff suggest updating the referral's 'Local Government Report under the Agricultural Land Reserve Use, Subdivision and Procedure Regulation' to reflect these changes.

If you have any questions about these comments, please feel free to contact me.

Sincerely,

Nicole Pressey, P. Ag.,  
Regional Agrologist  
Ministry of Agriculture – Cariboo Chilcotin Coast  
Office: 236 713-2223  
E-mail: [nicole.presse@gov.bc.ca](mailto:nicole.presse@gov.bc.ca)

pc: Sara Huber, ALC Land Use Planner, [Sara.Huber@gov.bc.ca](mailto:Sara.Huber@gov.bc.ca)



















