



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

March 26, 2008

Reply to the attention of Brandy Ridout
ALC File: #H-36579

William E. Maddox
3500-30th Street
Vernon, BC V1T 5E8

Dear Mr. Maddox:

Re: Request for Reconsideration

Please find attached the Minutes of Resolution #104/2008 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly.

If your client wishes to pursue the Commission's alternate decision, please send the inclusion application to this office prior to submission of the two (2) paper prints of the final survey plans. 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:

A handwritten signature in black ink, appearing to be 'Erik Karlsen', written over a light blue horizontal line.

Erik Karlsen, Chair

cc: Columbia Shuswap Regional District (LC2332-D)

Enclosure: Minutes/Sketch Plan/Inclusion application

BR
i\36579d2

ALL DISTANCES ARE IN METRES.



REM SW 1/4
SEC. 30

'APPROXIMATE'
ALL boundary
location

LOT 1
PLAN 35902

Bush

185.00

34.02

145.83

Open
Field

$\alpha = 27.349$
 $r = 168.820$
 $\alpha = 27.967$

PROPOSED LOT 1
3.00ha

Bush

x Well

183.70

DEEP CREEK ROAD

128.09

REM NW 1/4 SEC. 19
TP. 18 RGE 9 W6M

Provincial Agricultural Land Commission
Application #H-36579
Resolution #104/2008



3 ha area approved for relocation
of previously approved subdivision
in the ALR



Area to be included into the ALR

PLAN OF PROPOSED SUBDIVISION OF
PART OF THE NW 1/4, SEC. 19, TP. 18,
RGE. 9, W6M, K.D.Y.D. EXCEPT PLANS
5416, 8535, 35902, KAP52344, AND
KAP54943

84610R00

SCALE: 1 : 2500

OUR FILE: R8461

DATE: 28 NOV 07

DRAWN: CT

YONKMAN

WILLIAM E. MADDUX
B.C. LAND SURVEYOR
3500 - 30th STREET
VERNON, B.C. V1T 5E8
TELEPHONE (250)542-4343

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

The Commission noted that the proposed 3 ha lot would encompass the existing cleared field on this portion of the subject property while the previously approved 3 ha lot would only encompass a portion of the field. The Commission also noted that a portion of the cleared field was not in the ALR. It discussed that the intention of the alternate proposal was to retain the field on one lot and believed that the non-ALR portion of the proposed 3 ha lot should be included into the ALR.

IT WAS

MOVED BY: Commissioner Irvine

SECONDED BY: Commissioner Sidhu

THAT for the purposes of Section 33(2) of the *Agricultural Land Commission Act*, there are no persons it considers affected by the reconsideration.

THAT the request to relocate the approved 3 ha lot be approved subject to the following conditions:

- The subdivision be in substantial compliance with the plan submitted with the reconsideration request.
- The inclusion of the non-ALR portion of the proposed 3 ha lot into the ALR.
- The subdivision must be completed within three (3) years from the date of this decision.

Approval for a homesite severance subdivision is granted for the sole benefit of the applicant and is non-transferable.

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 #104/2008