



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

December 12, 2012

ALC File: 52838

Browne Johnson Land Surveyors
PO Box 362
Salmon Arm
V1E 4N5
Dear Sir:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **439/2012** and a sketch plan 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.

The Commission will advise the Registrar of Land Titles that the property has been excluded from the ALR when it has received confirmation that the conditions of approval have been met.

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. It will also confirm for the Registrar the area excluded from the ALR.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: City of Salmon Arm File: ALC 345



PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on Thursday, December 6, 2012, at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application: 52838
Applicant: E. Belway; J. Grieve; A. Evans; K. Appledoorn; R. & N. McKibbon; 0695662 BC Ltd.
Agent: Browne Johnson Land Surveyors
Proposal: To exclude the 10 ha of ALR - comprising three adjoining properties of roughly equal size. The purpose of the exclusion is for residential subdivision development. (Submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*)
Legal: PID 006-953-832; Lot A, Sec. 12, Twp. 20, R. 10, W6M, KDYD, Plan 22344, Except Plans KAP53247 and KAP89781
PID 006-077-137 Lot B, Sec. 12, Twp 20, R. 10, W6M, KDYD plan 24221
PID 004-270-975 The E ½ of the NW ¼ of the NE ¼, of Sec. 12, Twp 20, W6M, KDYD Except Plan 22344
Location: 10th Ave SE, 20th St. SE, City of Salmon Arm
Background: Endorsed by the ALC for inclusion into the City of Salmon Arm's growth area by Resolution #12N/2011. Portions of this area have been identified by the ALC for potential exclusion since 1993 on the grounds of poor soils and rough topography. The Commission's 2011 endorsement of the inclusion of these parcels into the City's growth area was based on the City's commitment to establish a linear park buffer between residential subdivision and farmland.
Attachment: Maps, subdivision sketch, airphoto, ALC Minutes of resolution #12N/2011

DELEGATION OF DECISION-MAKING TO THE CHIEF EXECUTIVE OFFICER (CEO)

On June 27th, 2011 the Commission delegated decision-making to the CEO by Resolution #016N/2011 (File: 135-45/ALC/CEO/APPL). In accordance with section 27 of the *Agricultural Land Commission Act* the Commission has specified that the following application may be decided by the CEO.

Criterion 2

New exclusion, subdivision, non-farm use and inclusion applications that are consistent with a specific planning decision of the Commission made by resolution.

DECISION:

After reviewing the entire file material, I, Richard Bullock, Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion #2 of Resolution #016N/2011 and approve the application on behalf of the Commission on the grounds the 10 ha area was endorsed by the Commission by Resolution #12N/2011 as a future growth area in the 2011 City of Salmon Arm OCP review.

The decision to allow exclusion is subject to the following conditions:

- Submission of a subdivision layout plan consistent with the plan submitted with the application, showing road endings that do not abut the ALR boundary
- Establishment of a 10 meter wide linear park on the south boundary of the excluded properties.
- Fencing both sides of the linear park with trespass proof fencing (Schedule D). Proof of completion of the fencing must be provided prior to exclusion
- Registration of a covenant prohibiting:
 - the construction of residential dwellings within 30 meters of the ALR boundary,
 - the removal of natural vegetation within 5 meters of the north boundary of the linear park.
- The above noted conditions must be completed within three years of the date of the 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.

RESOLUTION #439/2012

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION



Richard Bullock, Chief Executive Officer

ALC APPLICATION #52838

RESOLUTION # 439/2012

