



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

February 6, 2014

ALC File: # 37438

Corey Paiement
Corporate Officer
PO Box 40
Salmon Arm, BC
V1E 4N2

Dear Sir:

Re: Request to Subdivide Land within the Agricultural Land Reserve (ALR)

Thank you for your letter dated January 28th, 2014 which provided information about the process for developing a 10 ha municipal cemetery, and suggested options for approaching the Commission to subdivide the 10 ha cemetery area from the 32 ha subject (ALR) property. The Agricultural Land Commission has now had opportunity to consider your subdivision request.

Please find attached the Minutes of Resolution # 43/2014 as it relates to your request. The Commission has also attached a Sketch Plan depicting its decision.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions outlined by Resolution #469/2007 have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact any other authorities that have jurisdiction.

Further correspondence with respect to this application is to be directed to Ron Wallace.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Deputy Chief Executive Officer

Enclosure(s): Minutes of Resolution #43/2014
Sketch Plan



PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on February 6, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

REQUEST FOR RECONSIDERATION

The Commission received a letter dated January 28th, 2014 from the City of Salmon Arm requesting reconsideration of its decision recorded as Resolution #469/2007, by which, the proposal to use 10 ha of a 32 ha parcel for a municipal cemetery was approved.

Owner: City of Salmon Arm

Original Proposal: (Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

To use 10 ha of a 32 ha property for a municipal cemetery

Original Decision: Allow, subject to conditions; fencing/buffering, time limit

Current Request: To subdivide a 10 ha area from the 32 ha remainder in order to get a *Certificate of Public Interest* from the province for the 10 ha cemetery area. The *Certificate...* is necessary to develop a cemetery, and can only be issued on an entire parcel, not a portion of a parcel.

Legal: PID: 014-072-491
E ½ of the SE ¼ of Section 12, Twp. 20, R. 10, W6M, KDYD

Location: 20th Avenue SE – Salmon Arm

LEGISLATIVE CONTEXT FOR COMMISSION RECONSIDERATION

Section 33 (Reconsideration of decisions) of the *Agricultural Land Commission Act* states:

- 33 (1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:
- (a) evidence not available at the time of the original decision has become available,
 - (b) all or part of the original decision was based on evidence that was in error or was false.

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

On June 27, 2011 the Commission delegated decision-making to the CEO of the ALC 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 applications may be decided by the CEO.

Criterion 14

Exclusion, subdivision, non-farm use and inclusion applications that are not consistent with any of the existing approved criteria (Criteria 1 - 13) but nonetheless are minor in nature, and

in the opinion of the CEO the interests of the Commission would be unaffected by an approval of the application.

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 #14 of Resolution #016N/2011 and approve the application on behalf of the Commission.


Approval is subject to the following conditions:

- The conditions of approval outlined in Resolution #469/2007 remain in effect.
- the subdivision must be completed by September 20th, 2017.

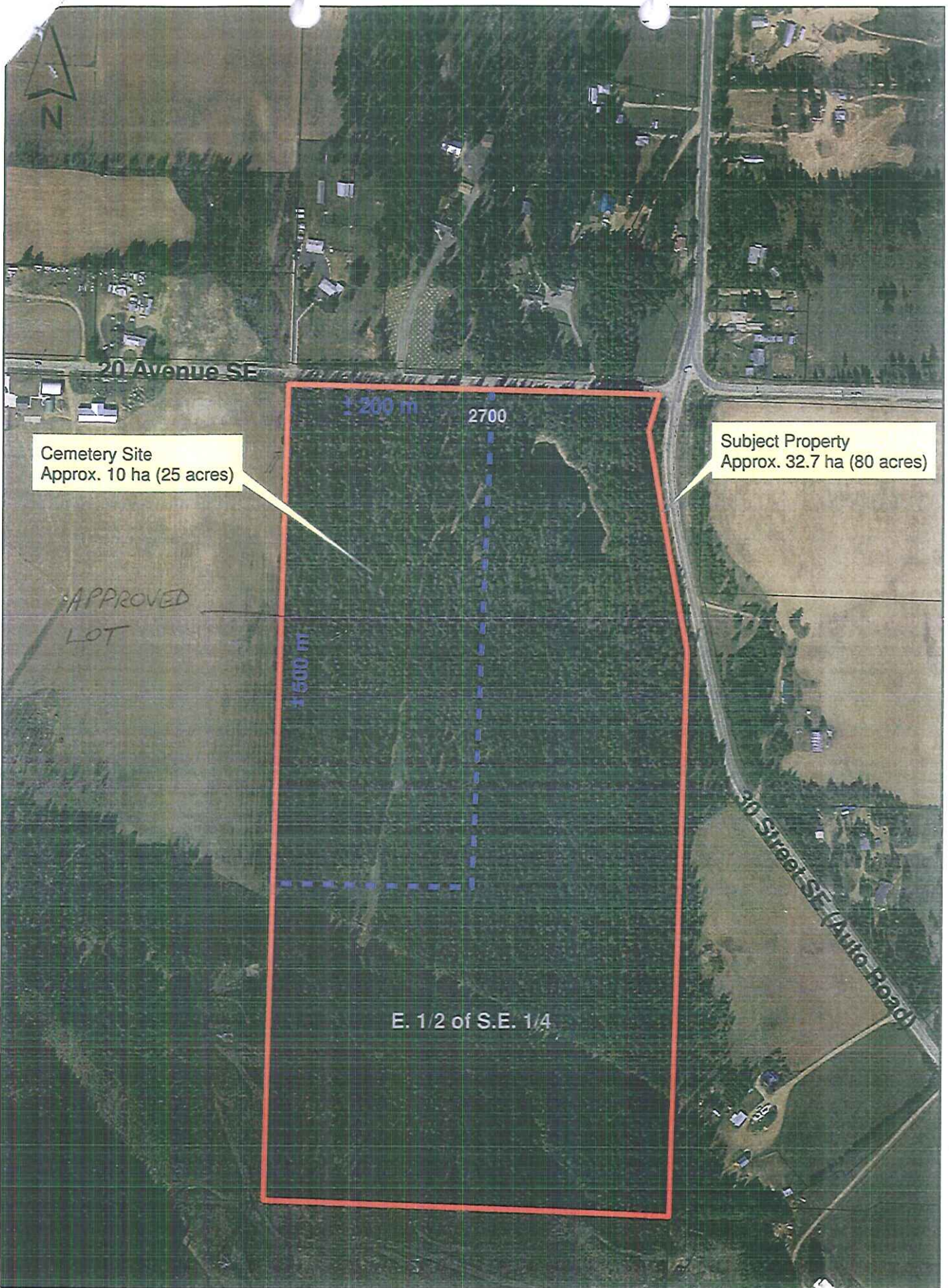
This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

RESOLUTION # 43/2014

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION



Richard Bullock , Chief Executive Officer



Cemetery Site
Approx. 10 ha (25 acres)

Subject Property
Approx. 32.7 ha (80 acres)

APPROVED
LOT

± 200 m 2700

± 500 m

E. 1/2 of S.E. 1/4

30 Street SE (Auto Road)

20 Avenue SE

ALC APPLICATION # 37438 RESOLUTION # 43/2014