



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

Reply to the attention of Terra Kaethler
ALC File: P-37933

August 12, 2008

Robert Miles
PO Box 230
New Aiyansh, BC V0J1A0

Dear Sir:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 414/2008 outlining the Commission's decision as it relates to the above noted application.

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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: Regional District of Kitimat-Stikine (3370-20-277)

Enclosure: Minutes/Sketch Plan

TK/
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A meeting was held by the Provincial Agricultural Land Commission on July 24, 2008 in Terrace, B.C.

PRESENT:	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	John Kendrew	Commissioner
	Terra Kaethler	Staff

For Consideration

Application: # P- 37933
Applicant: Robert Miles
Proposal: To subdivide the 30 ha parcel to create one 4.0 ha parcel for the landowner to build on. The subject property is not located in the Agricultural Land Reserve, but is within the area subject to the original Provincial Order-in -Council land freeze.
Legal: PID: 008-185-522
District Lot 4011, South West 1/4, Cassiar District, EXCEPT Plans 10005 and 12223
Location: New Aiyansh

Site Inspection

A site inspection was conducted on July 24, 2008. Those in attendance were:

- William Norton Chair, North Panel
- Denise Dowswell Commissioner
- John Kendrew Commissioner
- Terra Kaethler Staff

The Commission met with the applicant on the subject property and walked the area proposed for subdivision. The Commission noted that the property was been previously logged and was mostly brush. The property was bordered by Nass Road, the Ksi Sii Aks River and facilities of the RCMP and other agencies. There did not appear to be any agricultural uses in the area.

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 assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission discussed that there was no agricultural activity happening on the property or in the area. As such, the Commission did not believe that the proposal would negatively impact existing or potential agricultural use of the subject property or surrounding lands.

Conclusion

That the proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner Norton

SECONDED BY: Commissioner Kendrew

THAT the application be approved;

AND THAT the approval is subject to the following conditions:

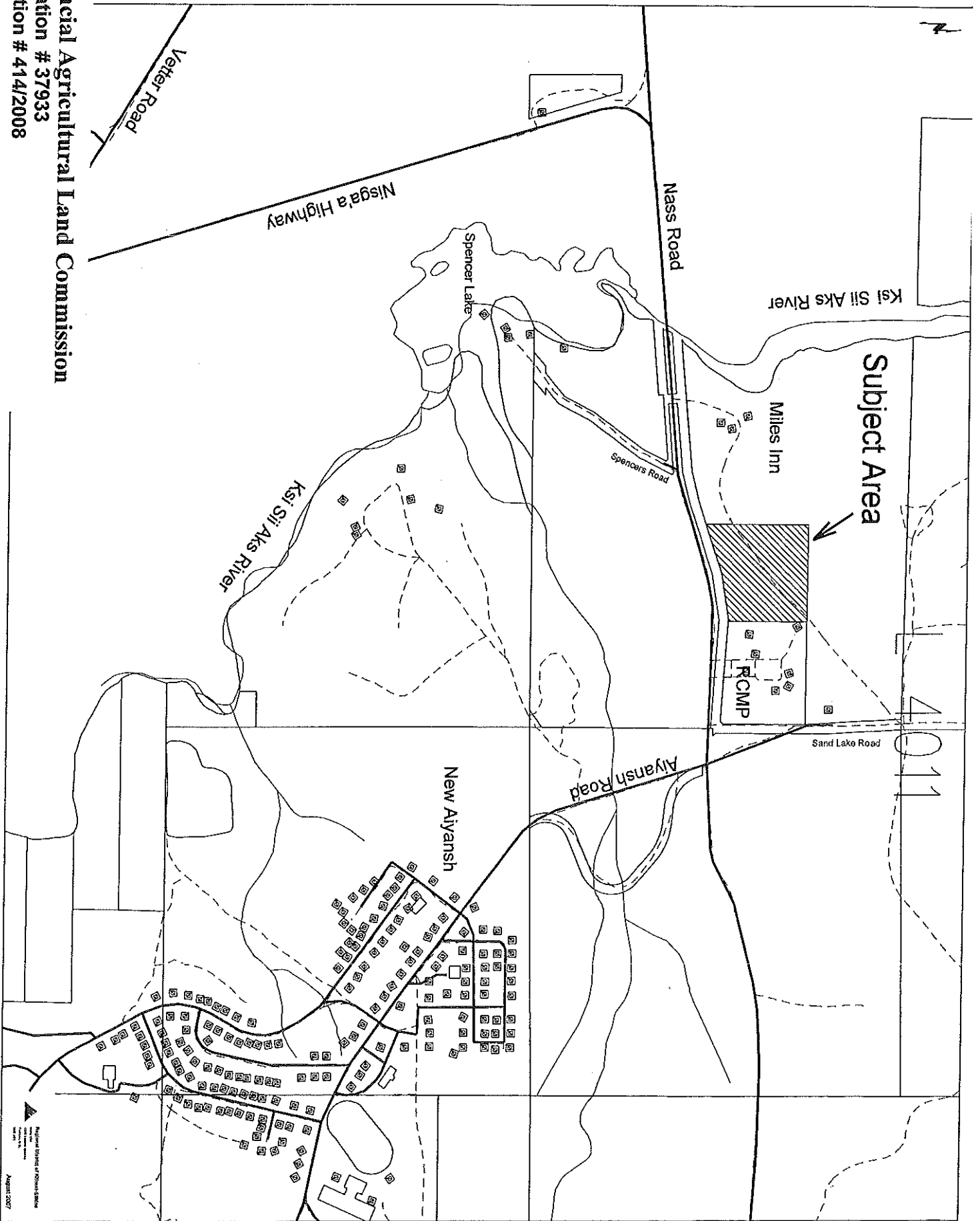
- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.

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.

CARRIED

Resolution # 414/2008

Subject Area



Provincial Agricultural Land Commission

Application # 37933

Resolution # 414/2008

Approved area for 4.0 ha subdivision



