



Agricultural Land Commission
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www.alc.gov.bc.ca

October 6, 2008

Reply to the attention of Simone Rivers
ALC File: ZZ-38338

Patrick and Kymm Ducharme
1048 Barnhartvale Road
Kamloops, BC V2C6Y1

Dear Mr. and Mrs. Ducharme:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 573/2008 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:

A handwritten signature in black ink, appearing to read 'Simone Rivers', is written over the printed name 'Erik Karlsen, Chair'. The signature is fluid and cursive.

Erik Karlsen, Chair

cc: Thompson-Nicola Regional District (ALR-L-394)

Enclosure: Minutes/Sketch Plan

SBR/
38287d1



A meeting was held by the Provincial Agricultural Land Commission on September 18, 2008 at the Plaza Heritage Hotel, Kamloops, B.C.

| | | |
|-----------------|-----------------|-----------------------|
| PRESENT: | Grant Huffman | Chair, Interior Panel |
| | Gordon Gillette | Commissioner |
| | Simone Rivers | Staff |

For Consideration

Application: # ZZ- 38338
Applicant: Patrick and Kymm Ducharme
Proposal: To subdivide the 32 ha property into two 8 ha lots and one 16 ha lot.
Legal: PID: 015-114-724
The South 1/2 of the South East 1/4 of Section 22, Township 19, Range 19, West of the 6th Meridian, Kamloops Division Yale District
Location: Barnhartvale Road - South-east of Kamloops

Site Inspection

A site inspection was conducted on September 18, 2008. Those in attendance were:

- Grant Huffman Chair, Interior Panel
- Gordon Gillette Commissioner
- Simone Rivers Staff
- Kymm Ducharme Applicant

The Commission met the applicant on the subject property and viewed the area proposed for subdivision. It noted that the back of the property was outside of the ALR. There are currently two homes on the property. The second dwelling appeared to be located on the non-ALR portion of the property.

Ms. Ducharme confirmed that the staff report dated August 15, 2008 was received and no errors were identified.

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 believes that the property has limited agricultural capability due to topography and configuration.

The Commission noted that there were already two houses on the property, one of them having been built on the non-ALR portion of the property. The Commission does not believe the proposal would impact existing or potential agricultural use of surrounding lands as there are similar sized lots located to the east of the subject property.

IT WAS

MOVED BY: Commissioner Gillette
SECONDED BY: Commissioner Huffman

THAT the application be allowed.

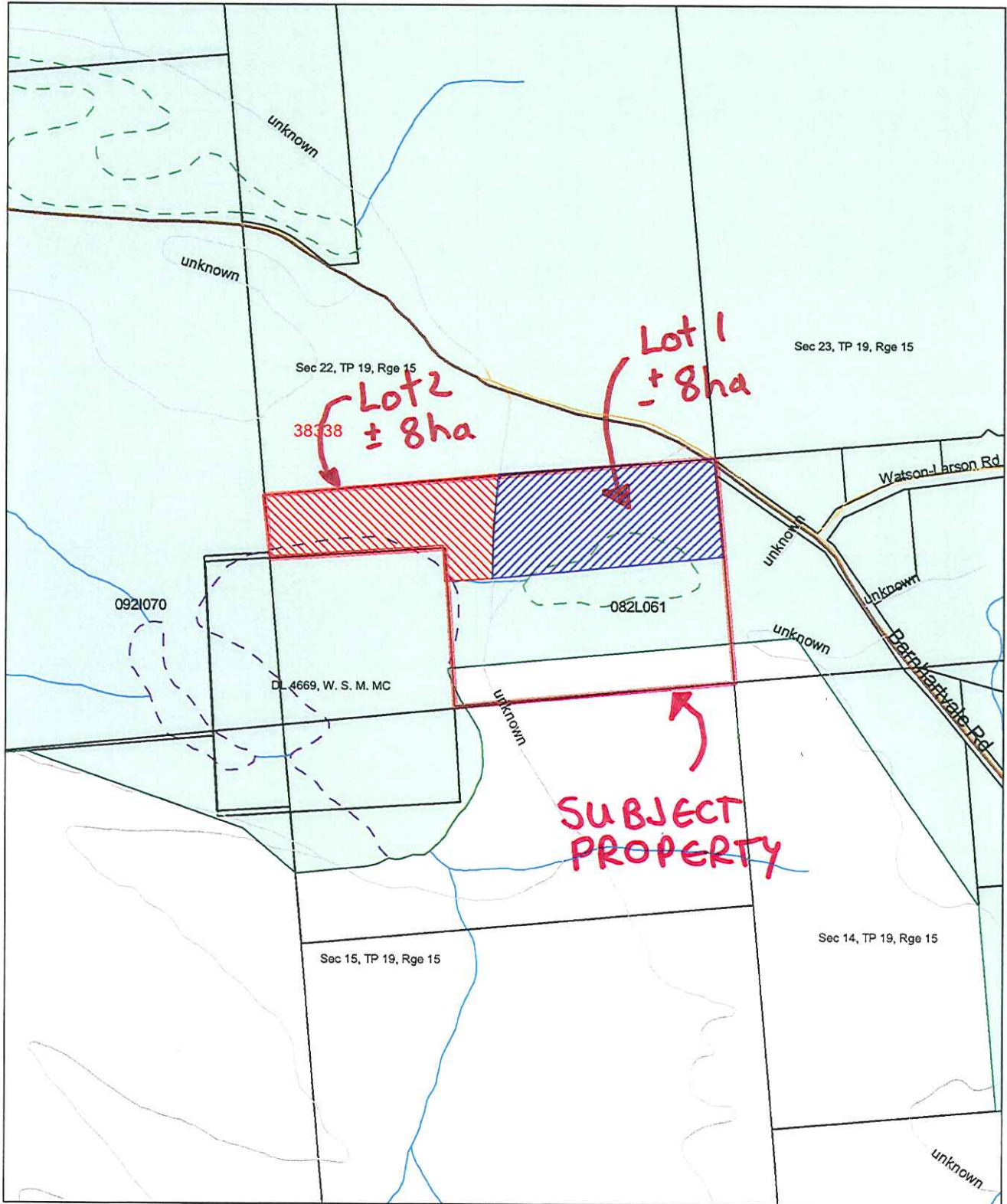
AND THAT the approval is subject to the following conditions:

- 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 # 573/2008



Scale: 1: 10,000

BCGS Mapsheet(s): 82L.061

