



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

June 10, 2009

Reply to the attention of Simone Rivers
ALC File: ZZ-38789

Robert H Leavitt
840 Leavitt Road
Heffley Creek, BC V0E1Z1

Dear Mr. Leavitt:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 221/2009 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 that reads "Simone Rivers". The signature is written in a cursive, flowing style.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Thompson-Nicola Regional District (ALR-P-116)

SBR/
i/38789d1

Discussion

While the Commission is generally reluctant to allow subdivision in areas of large holdings such as this, the Commission noted slightly less than half of the property was in the ALR and that the majority of the proposed lot was outside of the ALR. It discussed the proposed configuration with the applicant. The applicants stated that local government bylaws required that the creation of lots less than 16 ha in the AF-1 zone required the applicants to either prove water or dig a well. The applicants did not want to meet that requirement and therefore had applied for a lot that size.

As the Commission had not previously heard of this bylaw it instructed staff to conduct additional research into the matter. Staff obtained a copy of the bylaw from TNRD staff and confirmed that these conditions were in effect.

As the applicant had proposed a lot that included minimal ALR and the proposal did not remove the ability to access Crown lands beyond, the Commission did not believe that the proposal would have a negative impact on the agricultural capability of the subject property nor would it impede the applicants from being able to continue to use the remainder for agricultural purposes.

IT WAS

MOVED BY: Commissioner Gillette

SECONDED BY: Commissioner Huffman

THAT the application be approved.

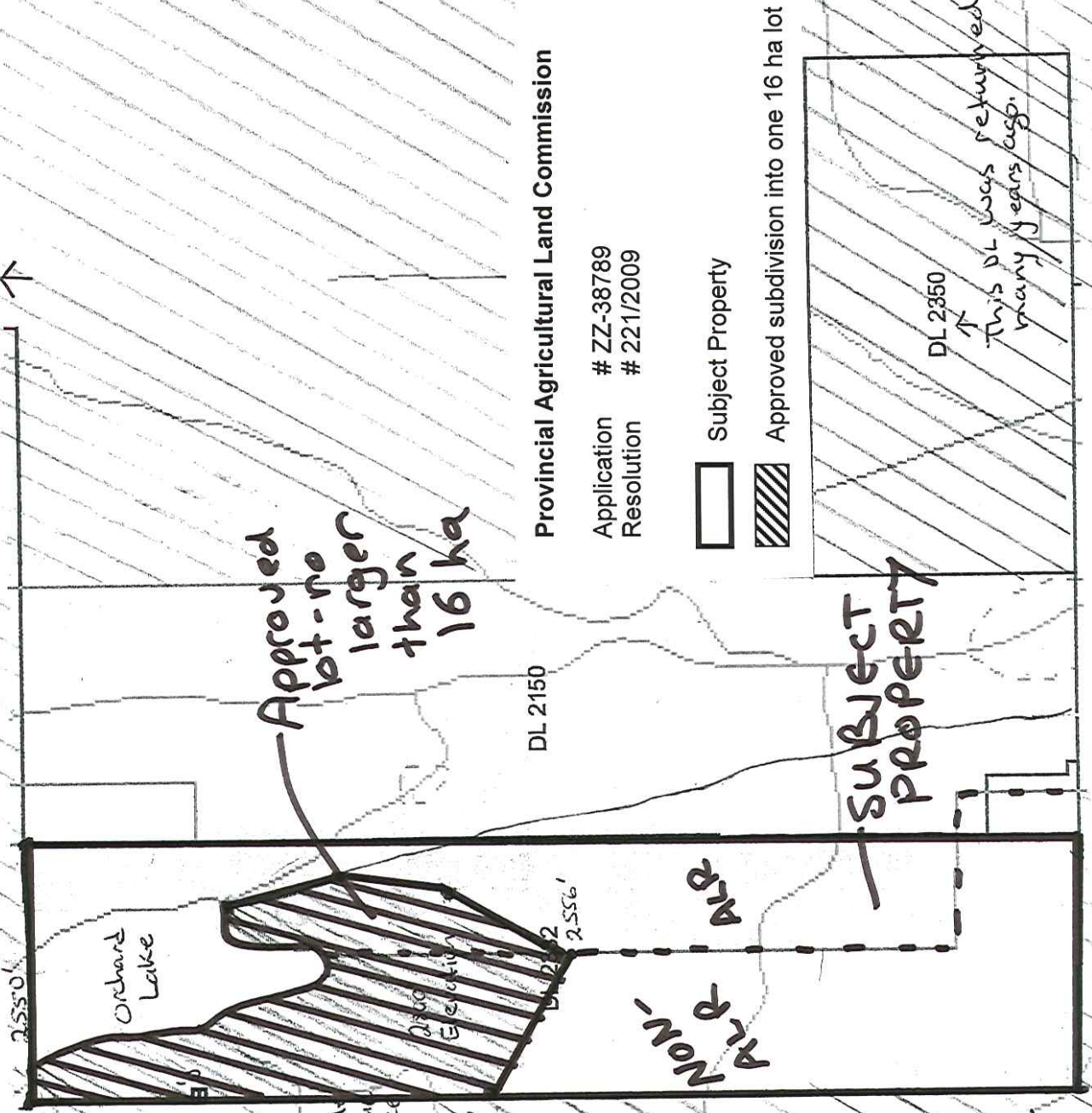
AND THAT the approval is subject to the following conditions:

- 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 # 221/2009



Provincial Agricultural Land Commission

Application # ZZ-38789
Resolution # 221/2009

-  Subject Property
-  Approved subdivision into one 16 ha lot

DL 2350
↑
This DL was returned to crown many years ago.

Orchard

Lake

2d) Little Orchard via Lake

2736

DL 2150

DL 2152
2556'

ALP - Non-

ALP

SUBJECT PROPERTY

map for: Robert Leavitt
840 Leavitt Rd
Hoffley Creek Bc
VOE = 121
250-578-7184