



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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Fax: 604 660-7033  
www.alc.gov.bc.ca

April 9, 2010

Reply to the attention of Simone Rivers  
ALC File:51178

William and Louise Flint  
10012 Telkwa High Road  
Smithers, BC  
V0J 2N7

Dear Sir/Madam:

**Re: Application to Release Restrictive Covenant and adjust Subdivision Boundaries on land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 2349/2010 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.

The Commission requires a discharge of covenant form which it will execute concurrently with its final authorization of the survey plans. Please send a draft discharge to the Commission prior to completion.

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 purple ink that reads "Simone Rivers". The signature is written in a cursive, flowing style.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of Bulkley Nechako (ALR #1084)

rc/SBR  
51178d1



# MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

**A meeting was held by the Provincial Agricultural Land Commission on 9<sup>th</sup> March 2010 in Smithers, B.C.**

<b>PRESENT:</b>	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	Jim Collins	Commissioner
	Roger Cheetham	Staff

### For Consideration

Application: #51178  
 Applicant: William and Louise Flint  
 Proposal: To remove a restrictive Covenant preventing the separate sale of two properties and allow boundary adjustment  
 Legal: PID: 015-088-693, The North East ¼ of District Lot 1203, Range 5, Coast District  
 PID 015-098 731, The South East ¼ of District Lot 1203, Range 5, Coast District Except Portions in Plans 10246 and BCP 13078  
 Location: 10012 Telkwa High Road, 4 kms east of Smithers

### Site Inspection

A site inspection was conducted on 9<sup>th</sup> March 2010. Those in attendance were:

- |                            |                    |
|----------------------------|--------------------|
| • William Norton           | Chair, North Panel |
| • Denise Dowswell          | Commissioner       |
| • Jim Collins              | Commissioner       |
| • Roger Cheetham           | Staff              |
| • William and Louise Flint | Applicants         |

The Commission discussed the proposal to adjust the boundaries of the two subdivisions, the effect of which is to adjust the boundary line between the two parcels so that follows Jollymore Road rather than cut through the more southerly property. The applicants explained that the properties have been in the Flint family since 1949 and Bill has lived on the property and run the farm since 1965. They explained that they wished to sell the one property and carry on living and farming the other. They indicated that they considered that both parcels could be farmed independently.

### 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 noted that the applicants appear to fulfill the requirements of the Commission's Homesite Severance Policy, in the light of which it had no objection to the removal of the covenant. Further it considered that the reconfiguration of the parcels along Jollymore Road was preferable from an agricultural perspective to the present boundary location.

**IT WAS**

**MOVED BY:** Commissioner D. Dowswell.

**SECONDED BY:** Commissioner J. Collins

THAT the application be approved.

AND THAT the approval is subject to the following conditions:

- the new subdivision boundary being located along Jollymore Road.
- 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. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

**CARRIED**




**Resolution # 2349/2010**



Provincial Agricultural Land Commission

Specific Location

Application 51178  
Resolution # 2349/2010

-  Subject Properties
-  Approved lot line adjustment
-  Approved new lot, south of Jollymore Road

