



Agricultural Land Commission
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October 29, 2010

Reply to the attention of Ron Wallace
ALC File: 51944

City of Merritt
2185 Voght Street
Box 189
Merritt, BC
V1K 1B8

Attention: Sean O'Flaherty, Development Services Officer

Re: Application for Non-Farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **2724/2010** outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

RW
51944d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 8, 2010 via telephone conference.

PRESENT: Gordon Gillette Vice Chair, Interior Panel
Lucille Dempsey Commissioner

For Consideration

Application: 51944
Applicants: Gordon, Scott, Amy & Tyler Garthwaite, Gail Sahara, Jeanne Rutherford
Agent: City of Merritt
Proposal: The City of Merritt proposes to install a Storm Outfall/Sewer. The proposal is for a 6 m Statutory right-of-way on an existing sewer main.
Legal: Lot A District Lots 121, 123, and 171 Kamloops Division Yale District Plan 30934 Except Such Under Surface Rights as are Registered in Absolute Fees Book Volume 8 Folio 7 No 1078A and Absolute Fees Book Volume 7 Folio 706 No 10241A and Plan 41425

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

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission supports the application but to help minimize the impact to agriculture, it would allow a width of 6 meters for the construction phase, but the actual statutory right-of-way be confined to ± 3.5 meters.

Conclusions

1. That the proposal will not have a significant impact on agriculture.
2. That the proposal is not inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Gillette
SECONDED BY: Commissioner Dempsey

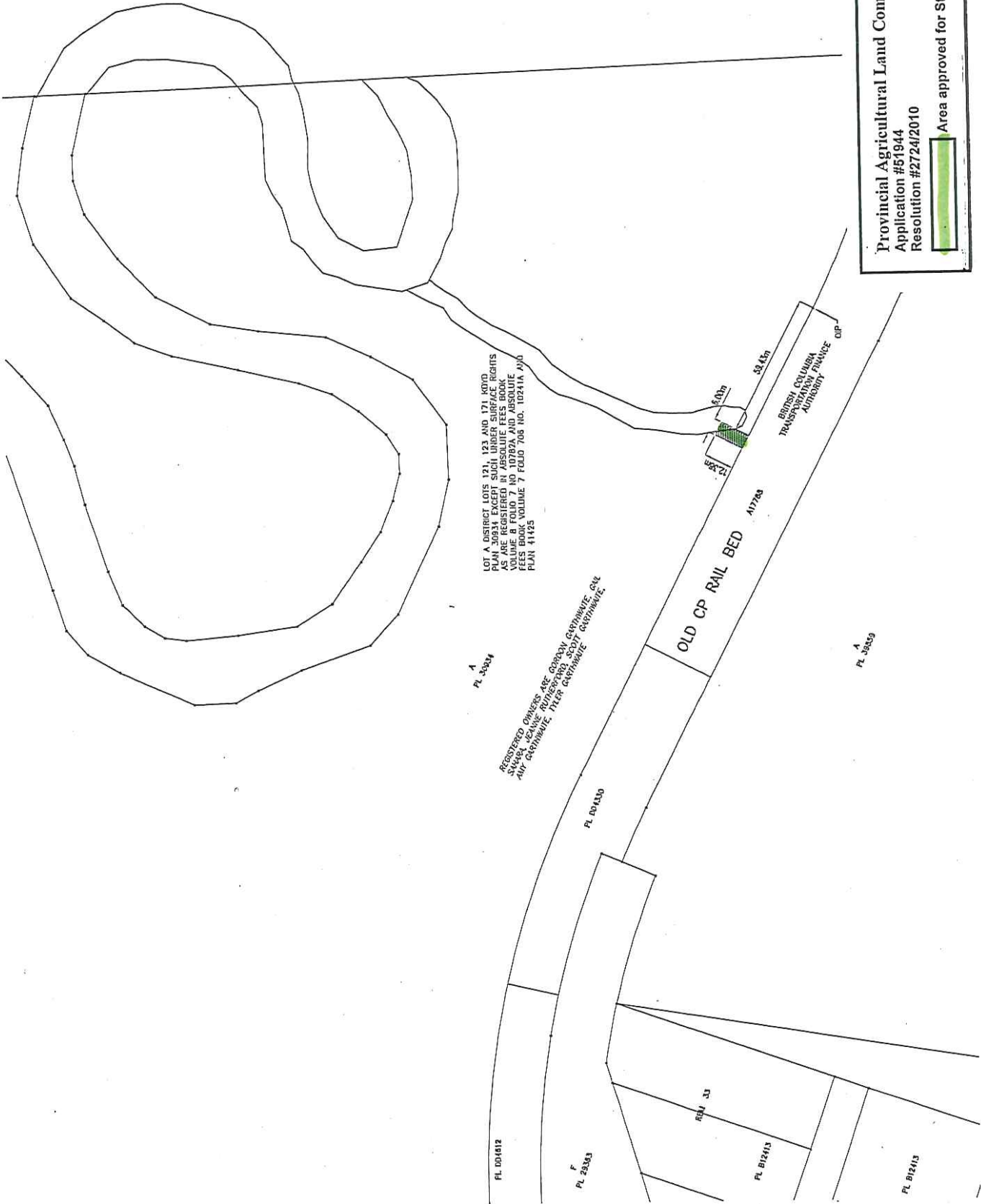
THAT the application to install a Storm Outfall/Sewer be allowed subject to the following conditions:

- The final statutory right-of-way for the storm outfall/sewer be confined to ± 3.5 meters
- approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

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 # 2724/2010

Schedule A



Provincial Agricultural Land Commission
 Application #51944
 Resolution #2724/2010

Area approved for Storm Outfall

