



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

May 30, 2014

ALC File: #53529

Robert Anderson
1950 Old North Thompson Hwy
Clearwater, B.C. V0E 1N2

Dear Mr. Anderson:

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #138/2014 as it relates to the above noted application.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:

- (a) evidence not available at the time of the original decision has become available,
- (b) all or part of the original decision was based on evidence that was in error or was false.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Further correspondence with respect to this application is to be directed to Ron Wallace at Ron.Wallace@gov.bc.ca.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Colin J. Fry', is written over a white background.

Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution #138/2014

cc: Thompson Nicola Regional District (File # ALR 64)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 26, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53529.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

COMMISSION STAFF PRESENT:

Ron Wallace	Planner
Colin Fry	Chief Tribunal Officer

PROPOSAL (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

To subdivide approximately 3 ha off the 43.0 ha subject property as divided by Old North Thompson Highway.

PROPERTY INFORMATION:

Owner: Robert Anderson

Legal: PID: 013-162-152
District Lot 1657, Kamloops Division, Yale District, Except: 1) Plans B3137, 27725, H558 and H11093; 2) That Part Lying to the North and West of the North Westerly Boundary of Plan H11093

Location: 1950 Old N Thompson Hwy, Clearwater

Size: 43.0 ha

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
 - (a) to preserve agricultural land;
 - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and

- (c) 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.
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COMMISSION CONSIDERATION

The Commission reviewed two previous applications involving the subject property:

- | | |
|--------------------------------------|---|
| Application #27901
(Miller, 1993) | To subdivide the 90.9 ha property along the Yellowhead Highway creating two lots of roughly 50 ha and 41 ha. Allowed as the proposed lot sizes were comparable with surrounding lot sizes. This subdivision created the subject property. |
| Application #00980
(Erlar, 1975) | To subdivide from the subject property a 2.2 ha parcel. Refused as the ALC was reluctant to allow the creation of small parcels of land in areas of generally large holdings. |

After considering the information the Commission concluded as follows:

The Commission did not consider the road to be a significant impediment to using the property as an agricultural unit.

IT WAS

MOVED BY: **Commissioner Dyson**
SECONDED BY: **Commissioner Dempsey**

THAT the proposal to subdivide the subject property along the road be refused.

CARRIED

Resolution #138/2014