



Agricultural Land Commission
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March 29, 2011

Reply to the attention of Martin Collins
ALC File: 52150

Philip T. Dunne
Omega Engineering Salmon Arm LLP
120 – 6th Street NE
Salmon Arm, BC
V1E 4P3

Dear Sir:

Re: Application for Transportation Utility Corridor in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **120/2011** outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: City of Salmon Arm

LS/52150/d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on March 29, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application: 52150

(Submitted pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation))

Applicant: 661071 BC Ltd
Agent: Omega Engineering Salmon Arm LLP
Proposal: To establish a 6 meter wide, 1000 meter long easement to pass through three properties for a sewer line. The total area of the easement is 0.6 ha.

Legal: 1) That Part of the North East 1/4 of Section 18 Township 20 Range 9 West of the 6th Meridian Kamloops Division Yale District Shown On Plan B542 Except Plans H360 and KAP47568

2) Lot 2 Section 18 Township 20 Range 9 W6M KDYD (Kamloops Div of Yale) Plan 1451

3) North East 1/4 Section 18 Township 20 Range 9 West of the 6th Meridian Kamloops Division Yale District Except Plans B116, B542, 1903, H360, KAP54099 and H10964

Location: 35th Street North East and Hwy 97B, Salmon Arm

Background: The proposed sewer pipeline will connect a proposed mobile home park development located on Hwy 97B to the existing sanitary system on 35th St. NE

Attachment: Map showing 6 meter easement corridor

DELEGATION OF DECISION-MAKING TO THE CHIEF EXECUTIVE OFFICER (CEO)

On January 26, 2011 the Commission delegated decision-making to the CEO by Resolution #008N-2011 (File: 135-45/ALC/CEO/APPL). In accordance with section 27 of the *Agricultural Land Commission Act* the Commission has specified that the following applications may be decided by the CEO.

Criterion 4

Non-farm use applications made pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation);

DECISION:

After reviewing the entire file material, I, Richard Bullock, Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion # 4 of Resolution #008N/2011 and approve the application on behalf of the Commission.

Approval is subject to the following conditions:

- Replacement of agricultural infrastructure, such as fencing and/or drainage systems, to the same or better standard upon completion of the project.
- Maintenance of temporary fences, farm accesses and other farm facilities during construction to minimize disruption to farm operations.
- Installation of the sewer pipe at a minimum depth of 1 meter (from the top of the pipe) to ensure that the easement can be cultivated.
- Topsoil excavation and replacement, and rehabilitation of the disturbed easement area so that agricultural capability is maintained or improved.
- The submission of a report confirming compliance with the above conditions within three months of the completion of construction. Photographs should be submitted with the report confirming the depth of the pipe, topsoil excavation and replacement, and other reclamation actions

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.

RESOLUTION # 120/2011

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION



Richard Bullock, Chief Executive Officer

