



May 16, 2011

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

Reply to the attention of Martin Collins
ALC File: 52180

Dean Colpitts and Marcia Rothfield
15019 Mellor Road
Summerland, B.C.
V0H 1Z6

Richard and Susan Templin
15207 Mellor Road
Summerland, B.C.
V0H 1Z6

Dear Sirs/Mesdams:

Re: Application for subdivision within the Agricultural Land Reserve

Please find attached the Minutes of Resolution #184/2011 and a sketch plan outlining the Commission's decision as it relates to the above noted application.

Prior to approaching the Registrar of Land Titles to register the subdivision plan, please submit two (2) paper prints of the final subdivision 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.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact the District of Summerland.

If you have any further questions please contact this office.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

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

Brian Underhill, Executive Director

Enclosure: Sketch plan

cc: District of Summerland



PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on Monday May 16th, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

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

Application: 52108
Applicant: Richard and Susan Templin, Marcia Rothfield, Dean Colpitts
Proposal: To amend the boundary between two adjoining lots of 1.2 ha and 0.65 ha. The proposed parcel sizes are virtually the same (347 sq meters difference), but on a slightly different configuration to solve an encroachment issue for structures and a septic field.
Legal: 028-180-798 Lot A, DL 455 ODYD, Plan EPP6223
004-314-212 Lot 1, DL 455, ODYD, Plan 18731
Location: Mellor Road, Summerland
Background: One previous ALC subdivision application on the 1.2 ha parcel was refused in 1993. A small vineyard and a single residence occupy each parcel. The proposed boundary adjustment will result in one of the parcels acquiring land at the base of a bank which is part of another vineyard.
Attachment: Sketch plan

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 7

Subdivision applications for boundary adjustments that are consistent with the intent of section 10 BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation) but cannot be approved by the local approving officer due to the limitations on parcel size and on the number of parcels involved in the proposed boundary line adjustment;

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 # 7 of Resolution #008N/2011 and approve the application on behalf of the Commission.

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.

RESOLUTION # 184/2011

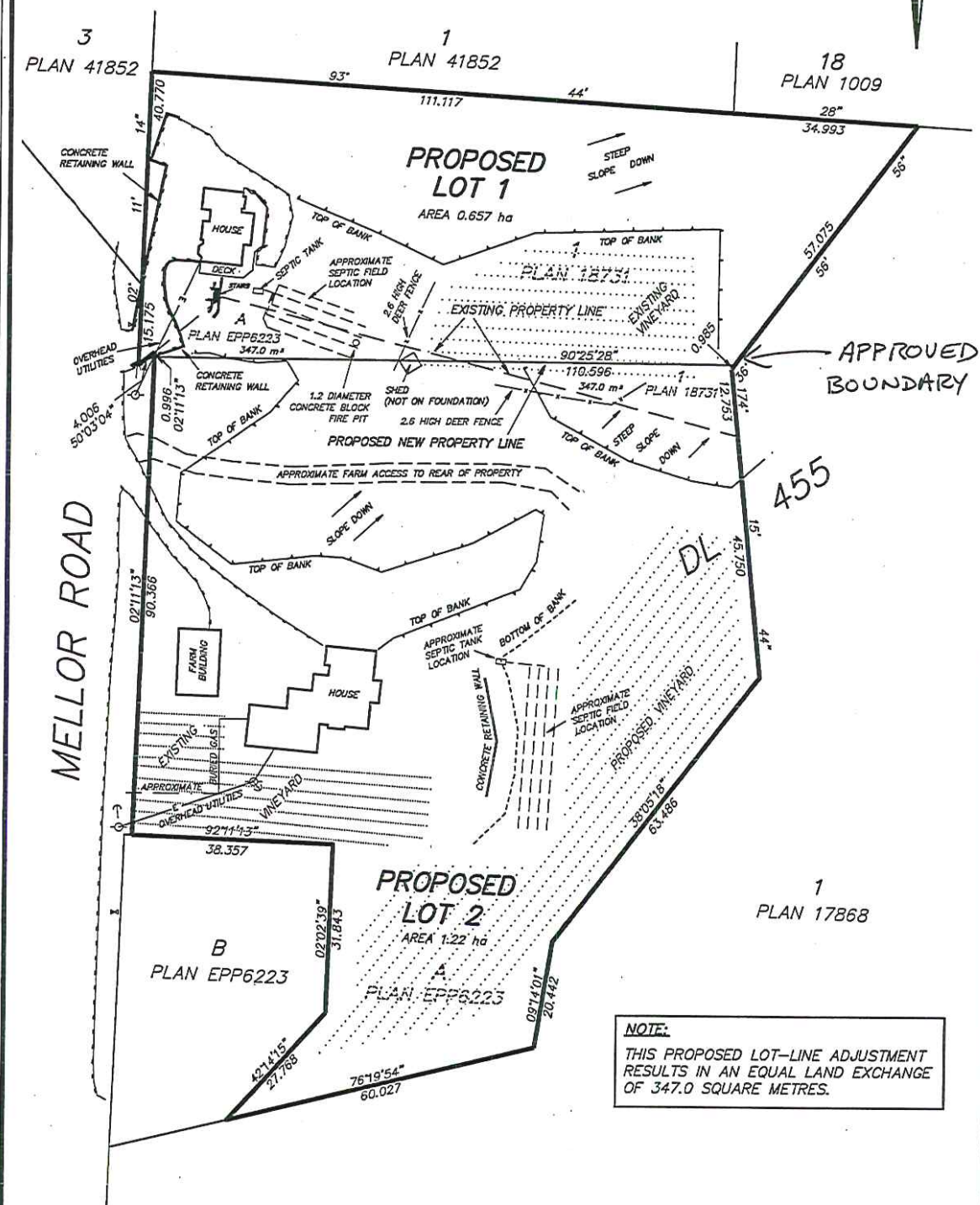
I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION



Richard Bullock, Chief Executive Officer

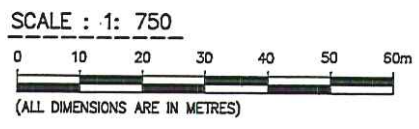
SKETCH PLAN OF PROPOSED SUBDIVISION OF:
1) LOT 1 DL 455 ODYD PLAN 18731, AND
2) LOT A DL 455 ODYD PLAN EPP6223

CIVIC ADDRESS:
 15019 & 15207 MELLOR ROAD,
 SUMMERLAND, BC



NOTE:
 THIS PROPOSED LOT-LINE ADJUSTMENT
 RESULTS IN AN EQUAL LAND EXCHANGE
 OF 347.0 SQUARE METRES.

- LEGEND:**
- UTILITY POLE
 - ANCHOR
 - WATER VALVE
 - OVERHEAD UTILITIES
 - APPROXIMATE BURIED GAS (TERASEN ASBUILT DRAWING)



McElhenny
 #102-130 NANAIMO AVENUE W.
 PENTICTON B.C.
 V2A 8G1
 TEL: 250-492-7399
 FAX: 250-492-5488
 OUR FILE NO. 2832-1-SUB-PRELIM.DWG

ALC APPLICATION # 52180
 RESOLUTION # 184/2011