



**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

August 26, 2011

Reply to the attention of Ron Wallace  
ALC File: 52410

Town of Oliver  
PO Box 638  
Oliver, BC  
V0H 1T0

Attention: Helen Koning, Interim Corporate Officer

**Re: Application to register a right-of-way within the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 303/2011 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final statutory right-of-way plans to this office. The Commission will then authorize the registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over a white rectangular area.

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: BC Assessment, Penticton

RW52410d1



## PROVINCIAL AGRICULTURAL LAND COMMISSION

**Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on August 24, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.**

### FOR CONSIDERATION

**Application:** (Submitted pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation))  
Application: 52410  
Applicant: The Town of Oliver  
Proposal: To register a right-of-way over an existing irrigation line that was originally installed by the South Okanagan Land and Irrigation District in the 1960's.  
Legal: That Part Block A of Lot 115 Shown on Plan B5205 District Lot 2450S Similkameen Division Yale District Plan 1820 Except Plan B6735  
Location: 9117 – 342<sup>nd</sup> Avenue

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### 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 condition:

- The statutory right of way plan be in substantial compliance with the plan submitted with the application

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 # 303/2011

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION

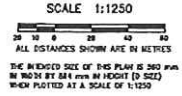


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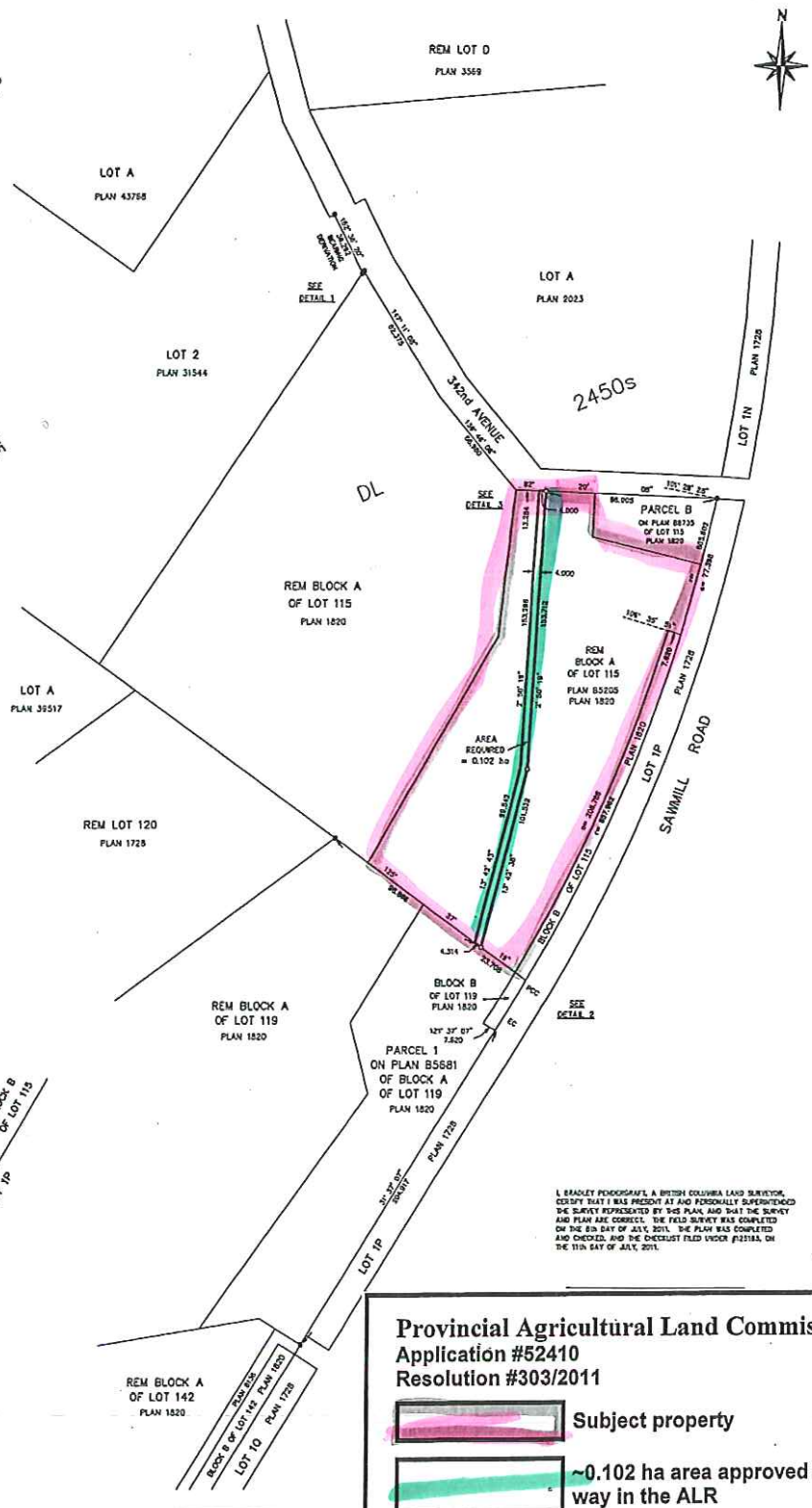
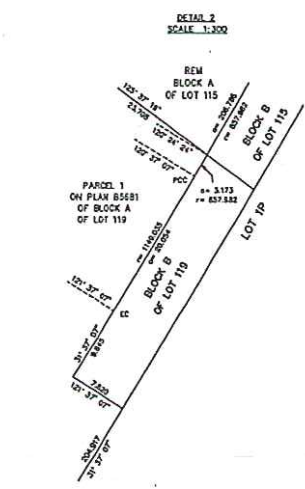
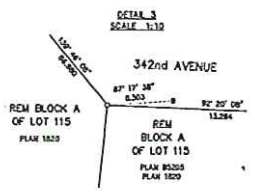
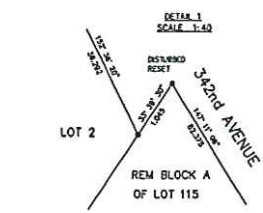
Richard Bullock, Chief Executive Officer

STATUTORY RIGHT OF WAY PLAN OVER PART OF:  
 THAT PART BLOCK A OF LOT 115 SHOWN ON PLAN B5205,  
 SDYD, PLAN 1820, EXCEPT PLAN B6735.

PURSUANT TO SECTION 113 L.T.A.  
 BOSS 82E.013



LEGEND  
 BEARINGS ARE AZIMUTHIC AND DERIVED  
 FROM PLAN 31544.  
 ○ DENOTES STANDARD IRON POST PLACED  
 ● DENOTES SIMULATED IRON POST FOUND



I, BRADLEY PODKOSZKIEL, A BRITISH COLUMBIA LAND SURVEYOR,  
 CERTIFY THAT I WAS PRESENT AT AND PERSONALLY SUPERVISED  
 THE SURVEY REPRESENTED BY THIS PLAN, AND THAT THE SURVEY  
 AND PLAN ARE CORRECT. THE FIELD SURVEY WAS COMPLETED  
 ON THE 8th DAY OF JULY, 2011. THE PLAN WAS COMPLETED  
 AND CHECKED, AND THE CHECKLIST FILED UNDER P21184, ON  
 THE 11th DAY OF JULY, 2011.

Provincial Agricultural Land Commission  
 Application #52410  
 Resolution #303/2011

- Subject property
- ~0.102 ha area approved for statutory right of way in the ALR