



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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October 29, 2012

Reply to the attention of Ron Wallace
ALC File: 52730

William and Mary Atkinson
14918 Dale Meadows Road
Summerland, BC
V0H 1Z8

Re: Application to Subdivide within the Agricultural Land Reserve

Please find attached the Minutes of Resolution #88/2012 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey 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 your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read 'B Underhill', is written over the typed name.

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: District of Summerland (Your File: 14918 Dale Meadows Rd)



PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on October 25, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

- Application: #52730
Applicant: William and Mary Atkinson
Proposal: A boundary line adjustment between two parcels, Lot 1 and Remainder Lot 2 located at 14918 and 14718 Dale Meadows Road, Summerland.
Current size of lots: Lot 1 = 1.9 ha (4.7 acres); Lot 2 = 0.9 ha (2.2 acres)
Proposed size of lots: Lot 1 = 2.6 ha (6.6 acres); Lot 2 = 0.2 ha (0.5 acres)
(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)
- Legal: Lot 2, District Lot 476, ODYD, Plan 8860, Except Plan KAP68509
Location: 14718 Dale Meadows Road, Summerland
Legal: Lot 1, District Lot 476, ODYD, Plan 8860
Location: 14918 Dale Meadows Road, Summerland
Background: The owners own both lots and they wish to re-align the shared property line to increase the larger lot and decrease the smaller lot as shown on the attached plan. As a result, the larger lot would contain the majority of the arable land along with the full irrigation system and farm buildings. The remaining smaller lot is the minimum size permitted under the zoning bylaw for subdivision allowed in the ALR with both Council and ALC permission.
- Attachment:
- Council Resolution in support
 - Applicants proposal (Atkinson's Orchard)
 - Advisory Planning Commission Recommendation
 - District of Summerland Report, dated April 12, 2012
 - Schedule A showing proposal

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

On June 27th, 2011 the Commission delegated decision-making to the CEO by Resolution #016N/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 application 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;
(Clarification: This criterion for decision-making does not include permission for the CEO to consider boundary adjustment subdivisions of non-contiguous parcels.)

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 #016N/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 # 88/2012

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION

A handwritten signature in dark ink, appearing to read 'Richard Bullock', written over a horizontal line.

Richard Bullock, Chief Executive Officer

Schedule B

