



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

December 12, 2012

ALC File: 52965

Sim Porcellato
AllTerra Land Surveying Ltd.
2489 Main St.
Westbank, BC
V4T 2H7

Dear Sir:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 438/2012 and a sketch plan 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.

By way of a copy of this letter, the Commission is advising the Registrar of Land Titles of its order and confirming that the ALR notation is to be removed from Certificate of Title #LB40783

Further correspondence with respect to this application should be directed to Ron Wallace.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Regional District of Okanagan Similkameen (File: H12-00683.000)
Registrar of Land Titles: Kamloops



PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on December 6, 2012, at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application: 52965
Applicant: Brian Forbes
Agent: Sim Porcellato, Allterra Land Surveying Ltd.
Proposal: To exclude the 0.4 ha ALR portion of the 2.4 ha parcel from the ALR. The purpose of the exclusion is to subdivide the property into two roughly equal sized lots. (Submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*)
Legal: PID: 015-015-491
Location: Parcel A (DD 170420F) of District Lot 274, Yale Division Yale District North of Otter Lake, west of Coalmont Road

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 14

Exclusion, subdivision, non-farm use and inclusion applications that are not consistent with any of the existing approved criteria (Criteria 1 - 13) but nonetheless are minor in nature, and in the opinion of the CEO the interests of the Commission would be unaffected by an approval of the application.

DECISION:

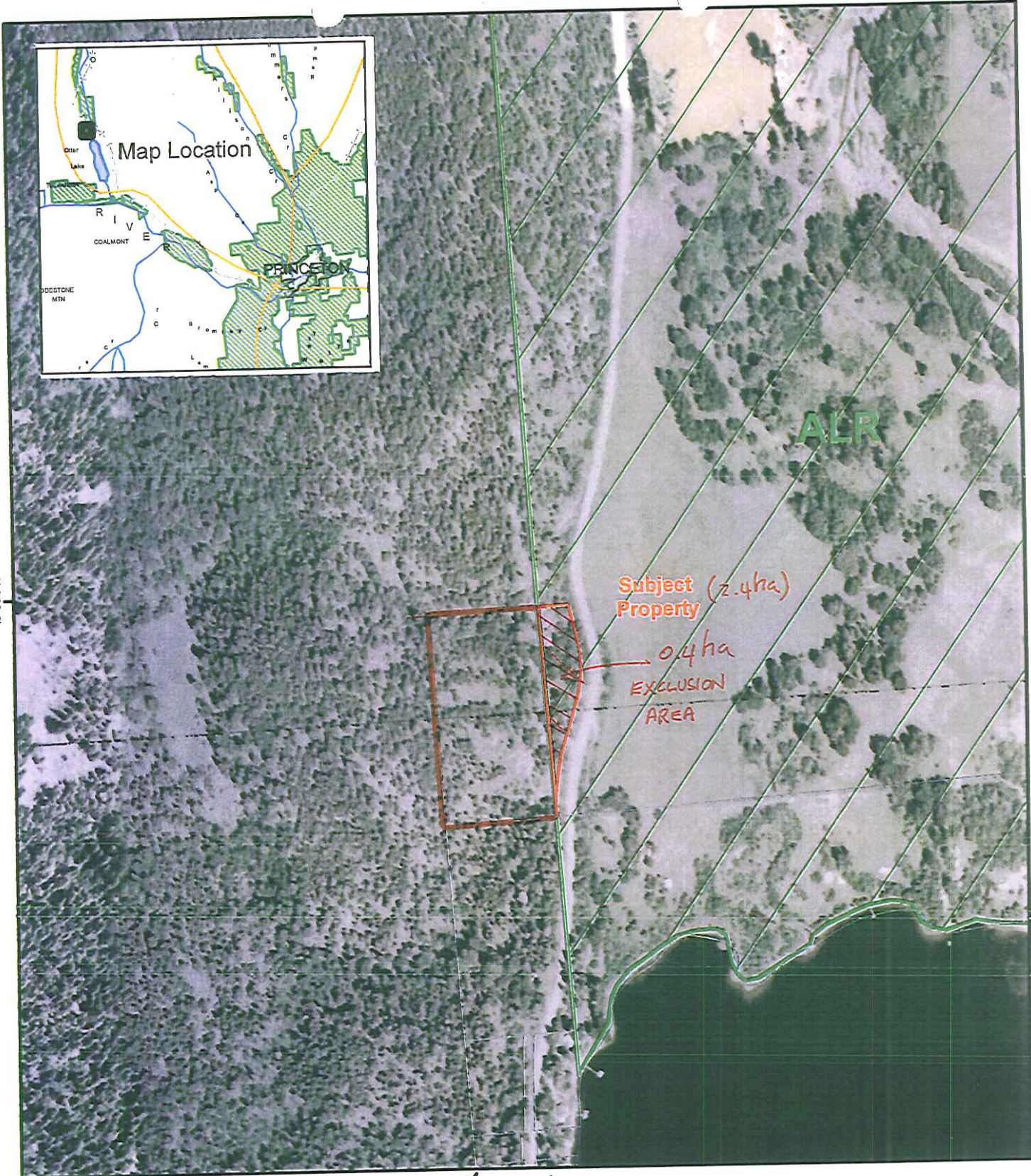
After reviewing the entire file material, I, Richard Bullock, Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion #14 of Resolution #016N/2011 and approve the exclusion application on behalf of the Commission on the grounds the 0.4 ha area has limited capability for agriculture due to its small size, poor soil, and rough topography.

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 #438/2012

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION

Richard Bullock, Chief Executive Officer



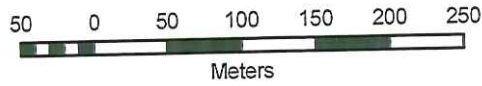
49°36'0"N

RESOLUTION # 438/2012

Airphoto Map

2004 Natural Colour - Ortho

Map Scale: 1:5,000



ALC File #:	52965
Mapsheet #:	92H.057
Map Produced:	Nov 7, 2012
Regional District:	Okanagan Similkameen