



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 Terra Kaethler
ALC File: I-37865

March 3, 2008

Steven Hoerbinger
280A Anderton Road
Comox, BC V9M1Y2

Dear Sir:

Re: Application for Transportation Corridor in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 56/2008 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.

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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

cc: Islands Trust Denman Island

Enclosure: Minutes/Sketch Plan

TK/37865d1.doc

3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Discussion

The Commission noted a previous approval under #456/2005 which allowed panhandle access off Swan Road and along the south and west boundaries of Sec. 25, SE ¼, Denman Island to access the proposed most westerly lot, subject to the consolidation of the proposed most easterly lot with the adjacent parcel to the south. The panhandle access has not been constructed.

The Commission considered that although the current proposed road access would cut through the properties, it believed that overall the current proposal would require less roads to be built.

Further, the Commission recognized that the proposed access is an existing logging road and along a ridge of the property, and as such would have minimal impact on the existing or potential agricultural use of the properties or surrounding lands.

Conclusion

That the proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner Rugg

SECONDED BY: Commissioner Seitz

THAT the application be approved;

AND THAT the approval is subject to the following conditions:

- The rescission of Resolution #456/2005, which allowed panhandle access to the northern lot off Swan Road and along the south and west boundaries of Sec. 25, SE ¼, Denman Island.
- The survey 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.

CARRIED

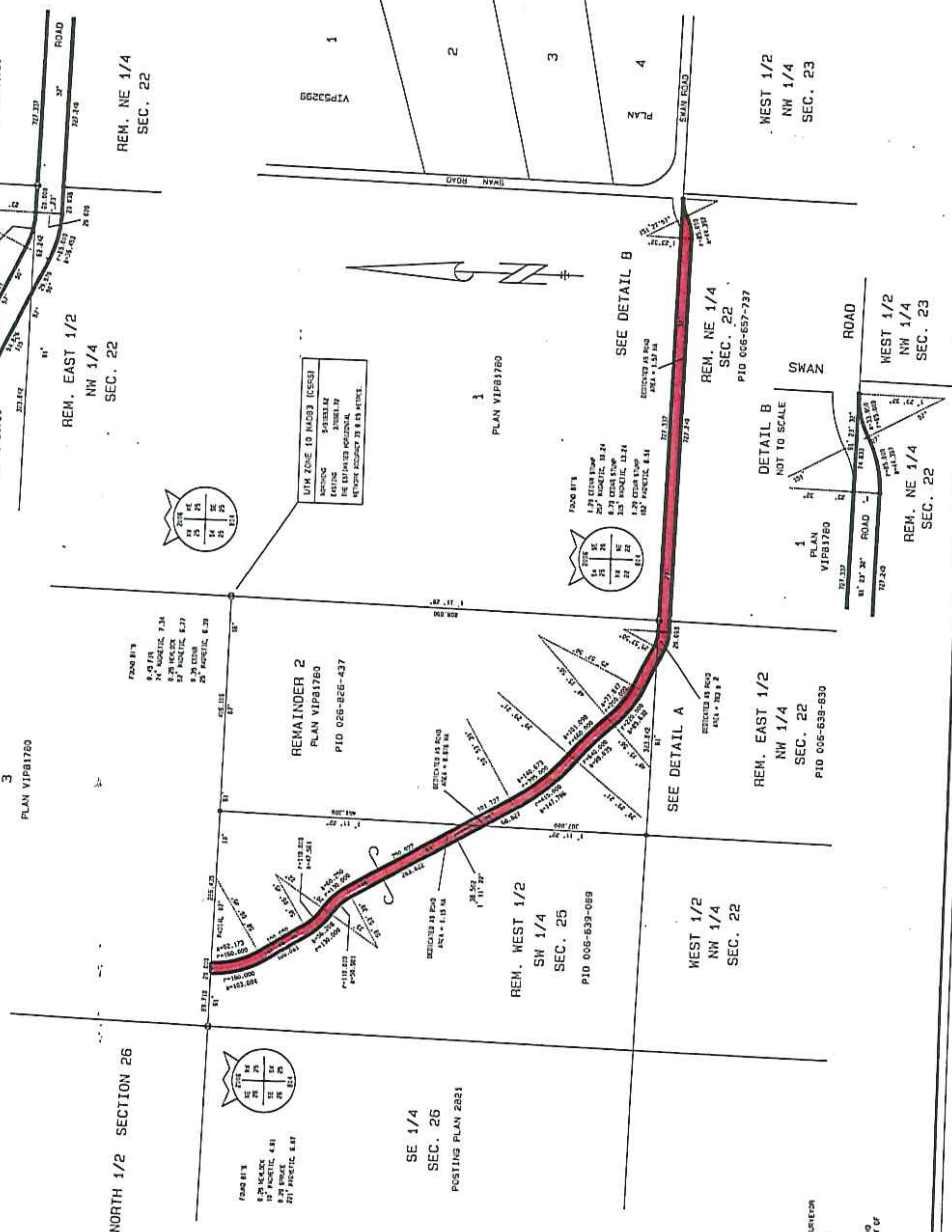
Resolution # 56/2008

PROPOSED PLAN OF ROAD OVER PART OF:
 THE NORTHEAST 1/4 OF SECTION 22,
 EXCEPT PART IN PLAN VIPB1780;
 THE EAST 1/2 OF THE NORTH WEST 1/4 OF SECTION 22,
 EXCEPT PART IN PLAN VIPB1780;
 LOT 2, SECTIONS 22 AND 25, PLAN VIPB1780;
 AND THE WEST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 25;
 ALL OF DENMAN ISLAND, MANAWAI DISTRICT.

PURSUANT TO SECTION 107 OF THE LAND TITLE ACT,
 S.C.S. 89F.095



BOOK OF REFERENCE	SECTION	PLAN
SECTION 107 OF THE LAND TITLE ACT	107	1
SECTION 107 OF THE LAND TITLE ACT	107	2
SECTION 107 OF THE LAND TITLE ACT	107	3



PLAN VIP
 PREPARED BY THE LAND TITLE OFFICE
 AT VICTORIA, B.C., IN 1981

MORTGAGEE AND ASSIGNMENT OF RENTS
 MORTGAGEE: ...
 ASSIGNMENT OF RENTS: ...

WITNESS:
 ...

MORTGAGEE AND ASSIGNMENT OF RENTS
 MORTGAGEE: ...
 ASSIGNMENT OF RENTS: ...

WITNESS:
 ...

APPROVED UNDER THE LAND TITLE ACT
 DATED THIS 1st DAY OF ... 1981

REGISTERED UNDER THE
 MINISTRY OF TRANSPORTATION

THIS PLAN LIES WITHIN THE
 REGIONAL DISTRICT OF COWICHAN

LEGEND:
 ...

ALL DISTANCES ARE IN METERS AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.
 RECORDS TO BE IN METRIC.

J. STEVEN R. HEDDERLEY, A BRITISH COLUMBIA LAND SURVEYOR
 ...

B. C. L. T.

Provincial Agricultural Land Commission
 Application # 37865
 Resolution # 56/2008

Approved public road dedication