



Agricultural Land Commission
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August 15, 2008

Reply to the attention of Ron Wallace
ALC File: Z-37899

Linda Young
5512 - 102A Avenue
Edmonton AB T6A 0R4

Dear Madam:

Re: Application to develop a Non-Farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 392/2008 outlining my decision on behalf of the Commission as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read 'Erik Karlsen', with a long horizontal flourish extending to the right.

Erik Karlsen, Chair and Chief Executive Officer

cc: Sunshine Coast Regional District (D-49)
Niels and Francisca Ostergaard
RR 26 - 917 Joe Road Roberts Creek BC V0N 2W6

Enclosure: Minutes



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on June 17, 2008 in Roberts Creek, B.C.

PRESENT:

Erik Karlsen	Chair and Chief Executive Officer
Sylvia Pranger	Chair, South Coast Panel
Michael Bose	Commissioner
John Tomlinson	Commissioner
Ron Wallace	Staff
Tony Pellett	Staff

For Consideration

Application: # Z- 37899
Applicant: Niels and Francisca Ostergaard
Agent: Linda Young
Proposal: To construct a second dwelling for the applicant's daughter and son-in-law.
Legal: PID: 014-275-732
Lot 27, West part of District Lot 1316, Plan 1804
Location: 917 Joe Road, Roberts Creek
OCP: Roberts Creek OCP Bylaw 235 – Agricultural A
For this area, Resolution #236/2005 applies.

Site Inspection

A site inspection was conducted on June 17, 2008. Those in attendance were:

- Erik Karlsen Chair and Chief Executive Officer
- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Ron Wallace Staff
- Tony Pellett Staff
- Niels Ostergaard Applicant
- Francisca Ostergaard Applicant
- Linda Young Agent

The Commissioners and staff met with the agent and applicants, toured the property and discussed the proposal for a second dwelling. It was noted that the property is in part shown as having prime-dominant agricultural capability "improved" ratings per the 1993 Schori Consultants report filed in #Z-22858 and that it is in part being farmed in isolation from other farms or hobby farms in the Roberts Creek area.

Delegation to the Chief Executive Officer

This application pursuant to section 20(3) of the *Agricultural Land Commission Act* (the "Act") was considered on behalf of the Commission by Erik Karlsen, Chief Executive Officer of the Commission, pursuant to the authority delegated to him under section 27 of the Act. Criteria established by the Commission for applications considered by the Chief Executive Officer are specified in Resolution #236/2005.

More specifically, on September 15, 2005 the Commission passed Resolution #236/2005 establishing the criteria to authorize the Chief Executive Officer of the Commission to consider all applications for exclusion, subdivision or non-farm use (including soil extraction or deposit) within the area designated AGRICULTURE A in the Sunshine Coast Regional District "Roberts Creek Official Community Plan Bylaw No. 375" or its successor under the following criteria:

1. Decisions should reflect the fact that although the Commission sees no need for ALR designation, the area is rural-residential and may support isolated hobby-farms for the foreseeable future;
2. The CEO must consider the policies of Bylaw No. 375 or its successor before reaching a decision; and
3. The CEO must consider the effect of any proposed exclusion, subdivision or non-farm use on adjacent lands in farm use or having prime-dominant agricultural capability "improved" ratings per the 1993 Schori Consultants report filed in #Z-22858.

For Consideration

Ron Wallace presented his staff report dated June 2, 2008. Tony Pellett explained the relevant provisions of the Roberts Creek OCP Bylaw 235.

Chief Executive Officer Comments

The Chief Executive Officer confirmed that the proposed non-farm use, namely to construct a second dwelling for the applicant's daughter and son-in-law, is situated within the area described in Resolution #236/2005 and therefore he has authority to approve the application.

DECISION:

After reviewing the entire file material regarding the proposal, I, Erik Karlsen, Chief Executive Officer of the Commission, approved the application on behalf of the Commission, pursuant to section 20(3) of the Act, subject to the following conditions:

- the location of the second dwelling must be in the south east corner of the property
- approval for an additional dwelling is granted for the sole benefit of the applicant and is non-transferable.

This decision is subject to compliance with all other legislation.

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION



Erik Karlsen, Chief Executive Officer

Resolution # 392/2008