



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 17, 2008

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

Linda Young
5512 - 102A Avenue
Edmonton, AB T6A0R4

Dear Madam:

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

Please find attached the Minutes of Resolution # 780/2008 outlining the decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over the printed name below.

Erik Karlsen, Chief Executive Officer

Enclosure: Minutes

cc: Sunshine Coast Regional District (D-49)
Niels and Francisca Ostergaard RR26 - 917 Joe Road Roberts Creek, BC V0N2W6
BC Assessment,



A meeting was held by the Provincial Agricultural Land Commission on November 18, 2008 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

For Consideration

Application: # Z- 37899
Applicant: Niels and Francisca Ostergaard
Agent: Linda Young
Proposal: To reconsider the application for a second dwelling that was previously approved provided it is located in the southeast corner of the property. The request for reconsideration was received from Linda Young dated September 16, 2008 who asked for an amendment to the location of the second dwelling. Originally the applicants planned to build the second dwelling in the southeast corner of the property, but after further measurements were taken they now propose the second dwelling to be located to the northwest of the existing dwelling.

The applicants indicate that an intermittent creek runs along the southeast corner of the property, so the construction of a second dwelling and a septic field would not be feasible in this originally proposed location of the property.

Legal: PID: 014-275-732
Location: Lot 27, West part of District Lot 1316, Plan 1804
917 Joe Road, Roberts Creek

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 Reconsideration

The applicants request reconsideration of the previous decision to locate the second dwelling in the southeast corner of the property. Due to the reason noted the applicants propose the second dwelling be located to the northwest of the existing dwelling.

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 reconsideration on behalf of the Commission, pursuant to section 20(3) of the Act, subject to the following conditions:

- the location of the second dwelling be located to the northwest of the existing dwelling
- 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



pr. Erik Karlsen, Chief Executive Officer

CARRIED
Resolution # 780/2008