



**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

May 14, 2010

Reply to the attention of Gordon Bednard  
ALC File: 50908

Emery and Rae Land Surveying  
4507 Manson Avenue  
Powell River, BC V8A 3N3

Attention Rick Rae:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 2266/2010 outlining the Commission's decision as it relates to the above noted application.

As proponent it is your responsibility to notify any affected landowner of the Commission's decision. A copy of the minutes must be provided to each landowner.

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

Per:

A handwritten signature in purple ink, appearing to read 'B. Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Powell River Regional District Attn: Don Turner

GB/lv  
50908d1



## PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on March 16, 2010.

FOR CONSIDERATION <sup>17</sup>

**Application: #50908**

(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

Application: #50908  
Applicant: Dandra Holdings Ltd  
Agent: Emery-Rae Surveyors (Rick Rae)  
Proposal: Subdivision of a property along a road which is coincident with the ALR boundary to create 8 lots outside the ALR and one lot within the ALR. As a condition of approval, the Ministry of Highways is requiring dedication of a 10m wide road dedication along the southern boundary of the ALR property to allow access to lands beyond. There is an existing easement along the northern boundary of the ALR property for access.  
Legal: District Lot 5490, Group 1, NWD PID 003-202-593  
Location: Padgett Road, Powell River RD  
Background: Previously the Commission approved a similar subdivision along the ALR boundary subject to consolidation of the ALR portion with the adjacent lot to the west. This was never accomplished and the two lots are now in separate ownership. The main issue here is the dedication of the road. Staff suggests that if the proposal is approved, the easement should be cancelled.  
Attachment: ALR map and airphoto, proposed subdivision plan

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

On September 11, 2009 the Commission delegated decision-making to the CEO by Resolution #003N-2009 (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 4

Non-farm use applications made pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation).

#### 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;

#### DECISION:

After reviewing the entire file material, I, Erik Karlsen, Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criteria # 4 and 7 of Resolution #003N/2009 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
- cancellation of Easement Plan BCP16380
- the subdivision must be completed within three (3) years from the date of this decision.

Further, if the applicant would prefer to retain the Easement and the 10m SRW is removed from the proposal, I would be satisfied that the proposal is consistent with Criterion # 7 of Resolution #003N/2009 and approve the application on behalf of the Commission.

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 # 2266/2010**

**I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION**

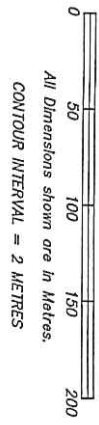


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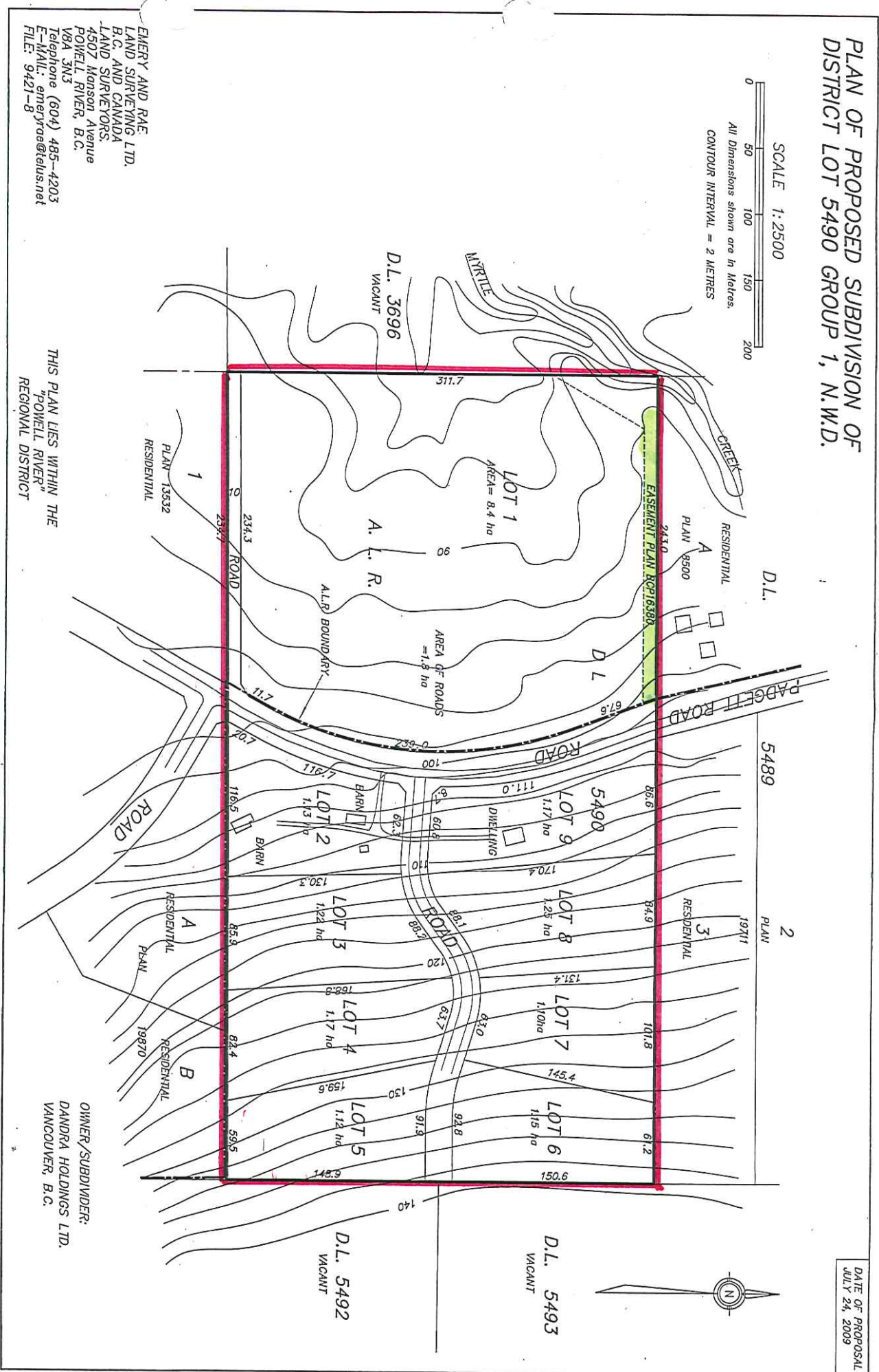
**Erik Karlsen, Chief Executive Officer**

PLAN OF PROPOSED SUBDIVISION OF  
DISTRICT LOT 5490 GROUP 1, N.W.D.

SCALE 1:2500



DATE OF PROPOSAL  
JULY 24, 2009



EMERY AND RAE  
LAND SURVEYING LTD.  
B.C. AND CANADA  
LAND SURVEYORS  
4507 Hanson Avenue  
POWELL RIVER, B.C.  
V8A 3N3  
Telephone (604) 485-4203  
E-MAIL: emeryrae@telus.net  
FILE: 9421-8

THIS PLAN LIES WITHIN THE  
"POWELL RIVER"  
REGIONAL DISTRICT

OWNER/SUBDIVIDER:  
DANDRA HOLDINGS LTD.  
VANCOUVER, B.C.

ALC Application # 50908  
ALC Resolution # 2266/2010  
Approved subdivision  
Easement to be removed

