



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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August 8, 2011

Reply to the attention of Eamonn Watson
ALC File: 37443

Hendrik Malenstyn
6556 – 60th Avenue
Delta, BC
V4K 4E2

Dear Mr. Malenstyn:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **289/2011** outlining the Commission's decision as it relates to the above noted application.

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 blue ink, appearing to read 'Brian Underhill', is written over the 'Per:' label.

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Corporation of Delta (LU02001)

JC/
37443d3



Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on July 26, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application: 37443 (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

Application: 37443
Applicant: Hendrik Malenstyn
Proposal: The proposal is for the creation of two lots on the 3.4 ha lot under homesite severance. One lot at approximately 0.3 ha for the applicant's son and the remaining 3.1 ha portion would continue to be used for farming.
Legal: PID: 011-912-812
Lot 5, New Westminster District, Except The East 70.41 Feet; Section 12, Township 6, Plan 779
Location: 6620 - 60th Avenue, Delta
Background: This application and proposal was brought to the attention of the Commission with the understanding that it may be possible for it to be reviewed under the CEO Delegation Agreement.

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

On June 27, 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 applications may be decided by the CEO.

Criterion 12

Subdivision applications that are consistent with the provisions and intent of the Commission's *Homesite Severance Policy*.

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 # 12 of Resolution #016N/2011 and approve the application on behalf of the Commission.

Approval is subject to the following conditions:

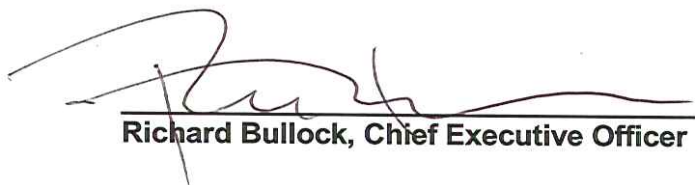
- the subdivision be in substantial compliance with the plan submitted with the application and that the applicant minimize the residential lot if possible in order to leave as much land as possible with the remainder parcel. In this regard, the Commission would be in favour of the residential lot having access to the municipal services.
- the maintenance of the existing fence for the purpose of buffering the residential parcel from the remainder farm parcel.
- compliance with the *Homesite Severance Policy*

- the subdivision must be completed within three (3) years from the date of this decision.
- approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

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.

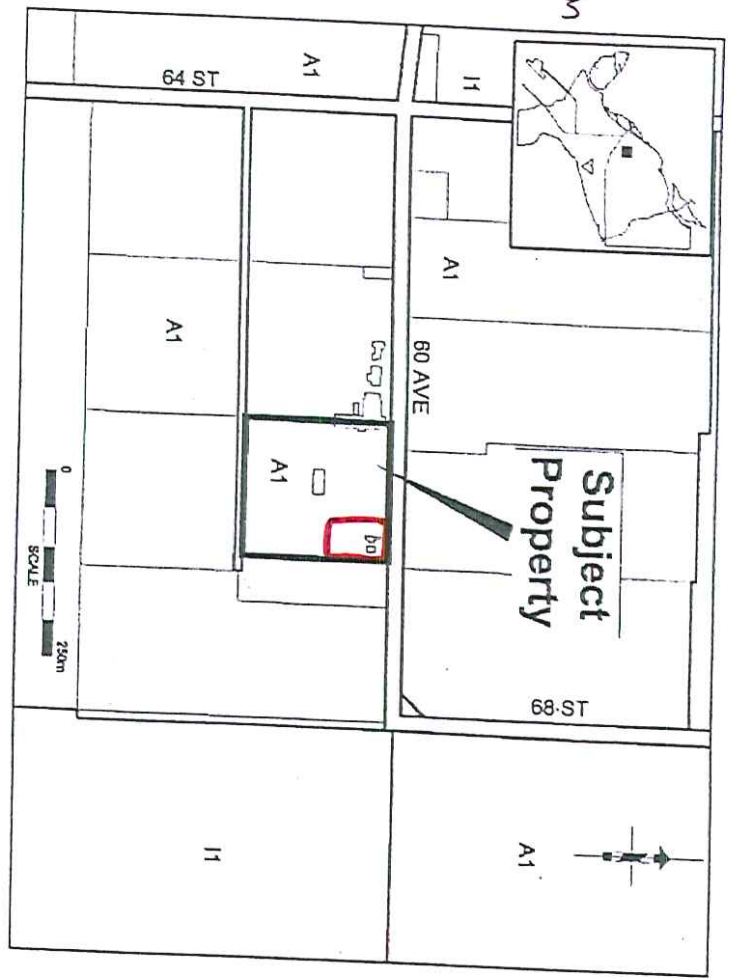
RESOLUTION # 289/2011

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION



Richard Bullock, Chief Executive Officer

ALC Application
37443



location and maximum size (0.3ha)
of parcel approved by Resolution # 854/2011