



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

September 15, 2005

Reply to the attention of Gordon Bednard

Southhill Acres Ltd.
217 - 2438 Marine Drive
West Vancouver, BC V7V 1L1

Dear Sir/Madam:

Re: Application #X-35953
Lot D, District Lot 1650, New Westminster District Group 1, Plan 7711

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to dedicate a 10 X 612 m road (0.6 ha or 1.5 acres) right-of-way. The application was submitted pursuant to Part 4 Section 6 of BC Regulation 171/2002 (Agricultural Land Reserve Use, Subdivision and Procedure Regulation).

The Commission refused the application as submitted on the grounds that:

1. It felt there was no reason to anticipate the 'Lot 32' (as shown on the attached Plan) will be subdivided further.
2. The extent and location of the proposed road allowance is such that it would unreasonably and unnecessarily increase access to ALR land.

However, the Commission would be prepared to consider allowing dedication as far north as the existing half-road allowance (as shown on the attached Plan) if the Approving Officer supplies evidence that is necessary.

The decision noted above is recorded as Resolution **#474/2005**.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

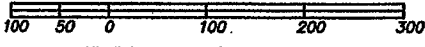
cc: Powell River Regional District
Emery Rae and Cecchi (#8522), 4507 Manson Ave, Powell River, BC – V8A 3N3

RW/lv/Encl.
35953d1

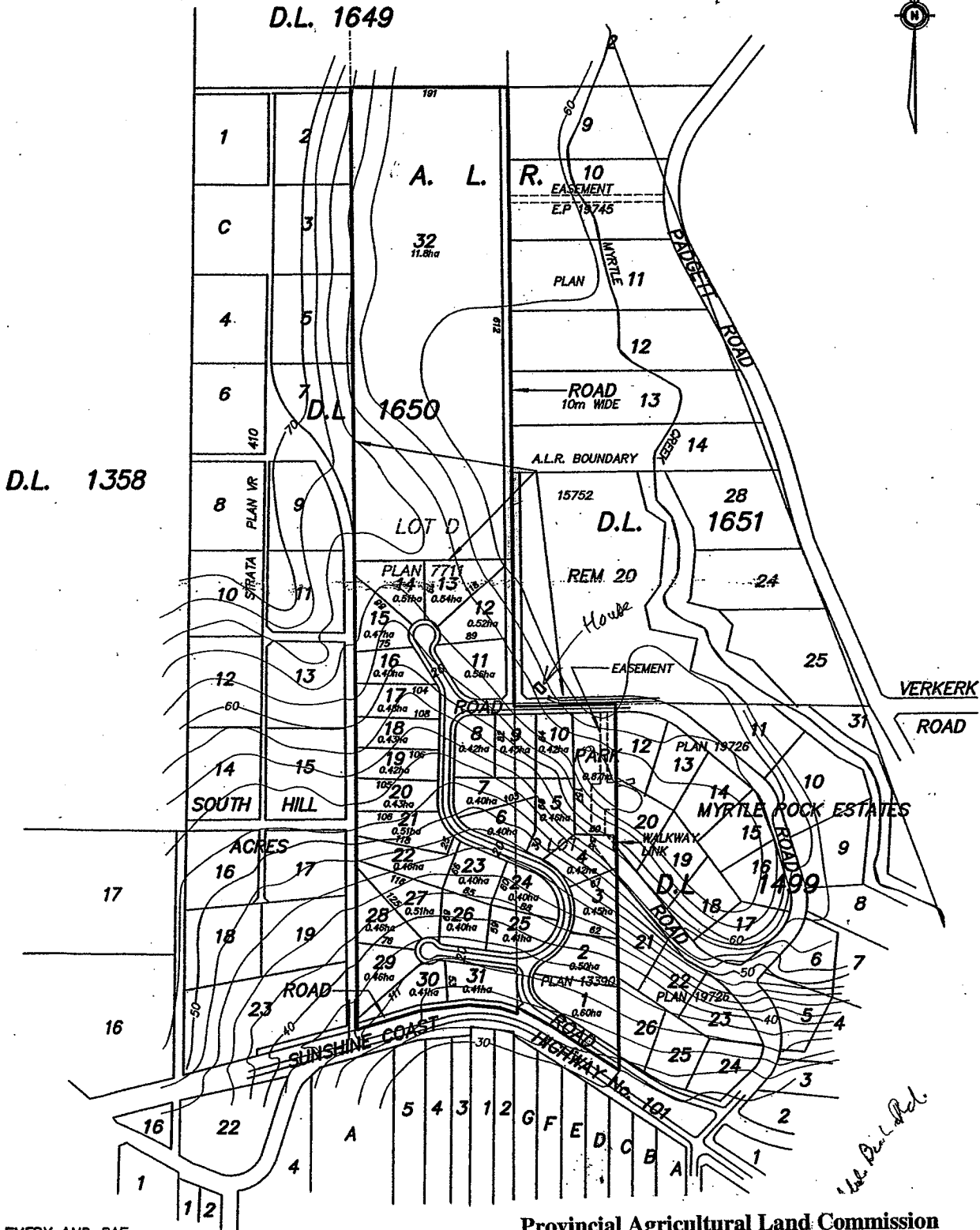
**PLAN OF PROPOSED SUBDIVISION OF LOT D,
D.L. 1650, PLAN 7711 AND OF LOT 4, D.L.
1499, PLAN 13390.**

DATE OF PROPOSAL
JANUARY 28, 2005

SCALE 1:5000

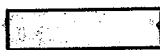


All distances are in metres.



EMERY AND RAE
LAND SURVEYING LTD.
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E-MAIL: emeryrae@telus.net
FILE: 8522-8

Provincial Agricultural Land Commission
Application: X-35953
Resolution #474/2005



Area approved for half-road allowance if the
Approving Officer supplies evidence that is
necessary

THAT the staff report be received and the application to dedicate a 10 X 612 m road (0.6 ha or 1.5 acres) right-of-way be refused on the grounds that:

1. There is no reason to anticipate that Lot 32 will be subdivided further and
2. The extent and location of the proposed road allowance is such that it would unreasonably and unnecessarily increase access to ALR land. But the Commission would be prepared to consider allowing dedication as far as the north and of the existing half-road allowance (as shown on the attached Plan) if the Approving Officer supplies evidence that is necessary.

CARRIED



Staff Report
Application # X – 35953
Applicant: Southhill Acres Ltd
Agent: Emery Rae and Cecchi

DATE PREPARED: July 6, 2005

TO: Chair and Commissioners – South Coast Panel

FROM: Gordon Bednard, Regional Research Officer

PROPOSAL: To dedicate a 10 X 612 m road (0.6 ha or 1.5 acres) right-of-way in conjunction with a subdivision of lands outside the ALR.

This application is made pursuant to Part 4 Section 6 of BC Regulation 171/2002 (Agricultural Land Reserve Use, Subdivision and Procedure Regulation).

BACKGROUND INFORMATION:

Subject lands were included into the ALR in the late 70's as part of a boundary fine-tuning block application in this area. Other lands were removed from the ALR. The agent for the application has no explanation for the request by MoT for the road dedication. The dedication does not seem to be needed for access to lands beyond as that is already provided elsewhere.

Local Government:

Powell River Regional District

Legal Description of Property:

PID: 010-360-484
Lot D, District Lot 1650, New Westminster District Group 1, Plan 7711

Location of Property:

North off Sunshine Coast Highway, north of Myrtle Point, west of Pebble Beach Road

ALR portion of property:

11.8 ha

ALR Area subject to application:

0.6 ha

Present use of the Property:

vacant land, non-ALR portion slated for small lot subdivision.

Surrounding Land Uses:

WEST: Small lot rural residential, out of ALR
SOUTH: Non-ALR land slated for small rural lot development
EAST: Forested ALR land, large rural residential holdings.
NORTH: Forested ALR land

Agricultural Capability:

Data Source: Agricultural Capability Map # Powell River
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

Low Density Residential

Zoning Bylaw and Designation:

No zoning in this area

PREVIOUS APPLICATIONS:

Application #07281-0

Applicant: ALC/Powell River RD
Decision Date: November 05, 1981
Proposal: To undertake soil surveys to ascertain more accurate ALR boundaries in the Powell River Regional District, Inclusion. .
Decision: Cabinet included the subject properties into the ALR based on a favorable soils report.

Application #07281-1

Applicant: ALC/Powell River RD
Decision Date: November 05, 1981
Proposal: Exclude 1579 ha
Decision: Allow exclusion of 1579 ha.

RELEVANT APPLICATIONS:

East of subject lands

Application #14850-0

Applicant: Schmitz, John & Joan
Decision Date: 1982
Proposal: Subdivision into 2-4 ha lots
Decision: Allowed

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

No objection to the right-of -way as proposed.

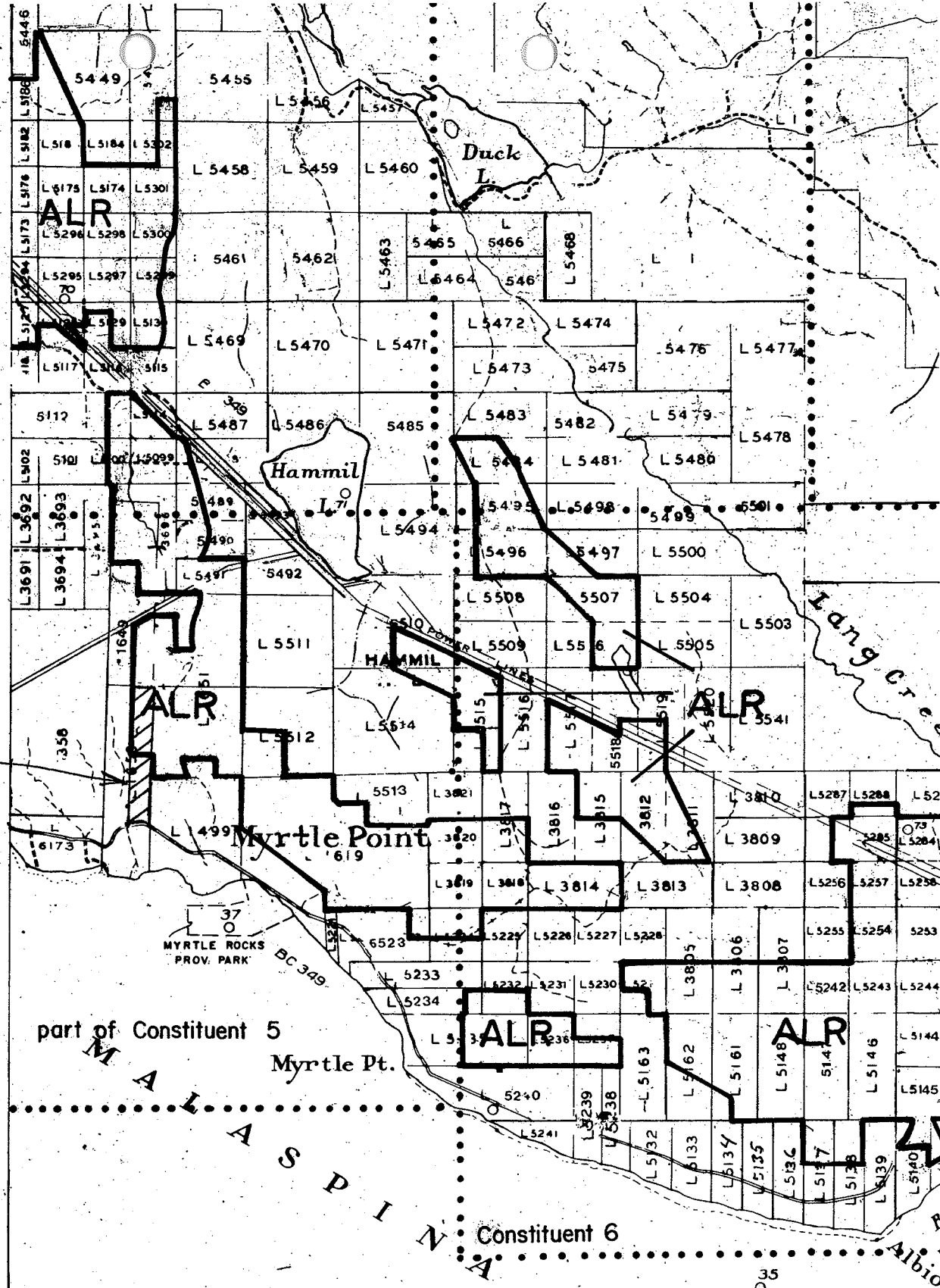
STAFF COMMENTS:

Staff is concerned that the proposed road may signal a predisposition for the future subdivision of the northern portion of the subject parcel which has class 3 agricultural capability. There is no reason for the road dedication as proposed with the exception of a very small portion in the SE corner of the remainder (proposed Lot 32) to provide access for the remainder. Staff therefore recommends discussion with the Ministry of Transportation to determine if there is a rationalization for the dedication, and if not, refusal of the application for road dedication as proposed.

END OF REPORT

Signature

Date



Subject Property

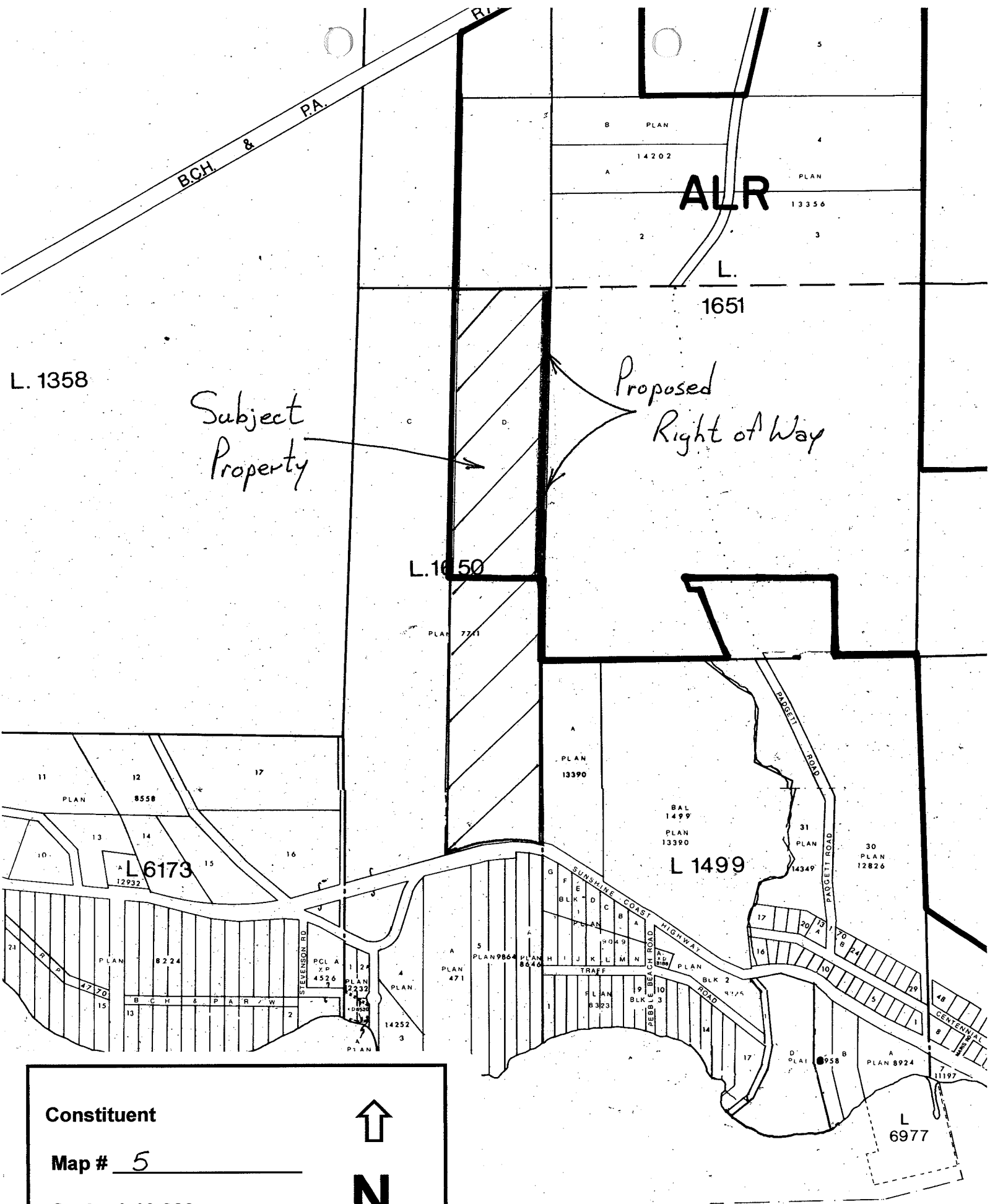
Base Map # 92F/16

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GEND
gricultural Land Reserve (ALR)

I hereby CERTIFY that
gricultural Land Reser
RIVER Regional Dis
Provincial Land Commis



L. 1358

Subject Property

Proposed Right of Way

ALR

L. 1650

L 1499

L 6173

L 6977

Constituent

Map # 5

Scale: 1:10,000

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N

MYRTLE ROCKS PARK
0261913