



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

August 15, 2006

Reply to the attention of Gordon Bednard
ALC Files: #X-36668 and X-36669

Russell Sparks
PO Box 8
Gillies Bay, BC V0N 1W0

Roderick and Nicole Spence
4950 Webster Road
Gillies Bay, BC V0N 1W0

Dear Sirs and Madam:

Re: Applications to Subdivide Land In and to Include Land into the Agriculture Land Reserve

Please find attached the Minutes of Resolution #'s **381/2006** and **382/2006** outlining the Commission's decision as it relates to the above noted applications.

The Commission asks that you send two (2) paper prints of the final survey plan to this office. If acceptable, the Commission will authorize the Registrar of Land Titles to accept registration of the plan. It will also confirm for the Registrar the area included into the ALR.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Powell River Regional District
Attention: Mr. Don Turner, Regional Planner

CF/lv/Encl.: Minutes
Plan

36669d1

**POSTING PLAN OF LOT 3 OF BLOCK 12,
S. 1/2 SECTION 17, PLAN 14499,
TEXADA ISLAND DISTRICT**

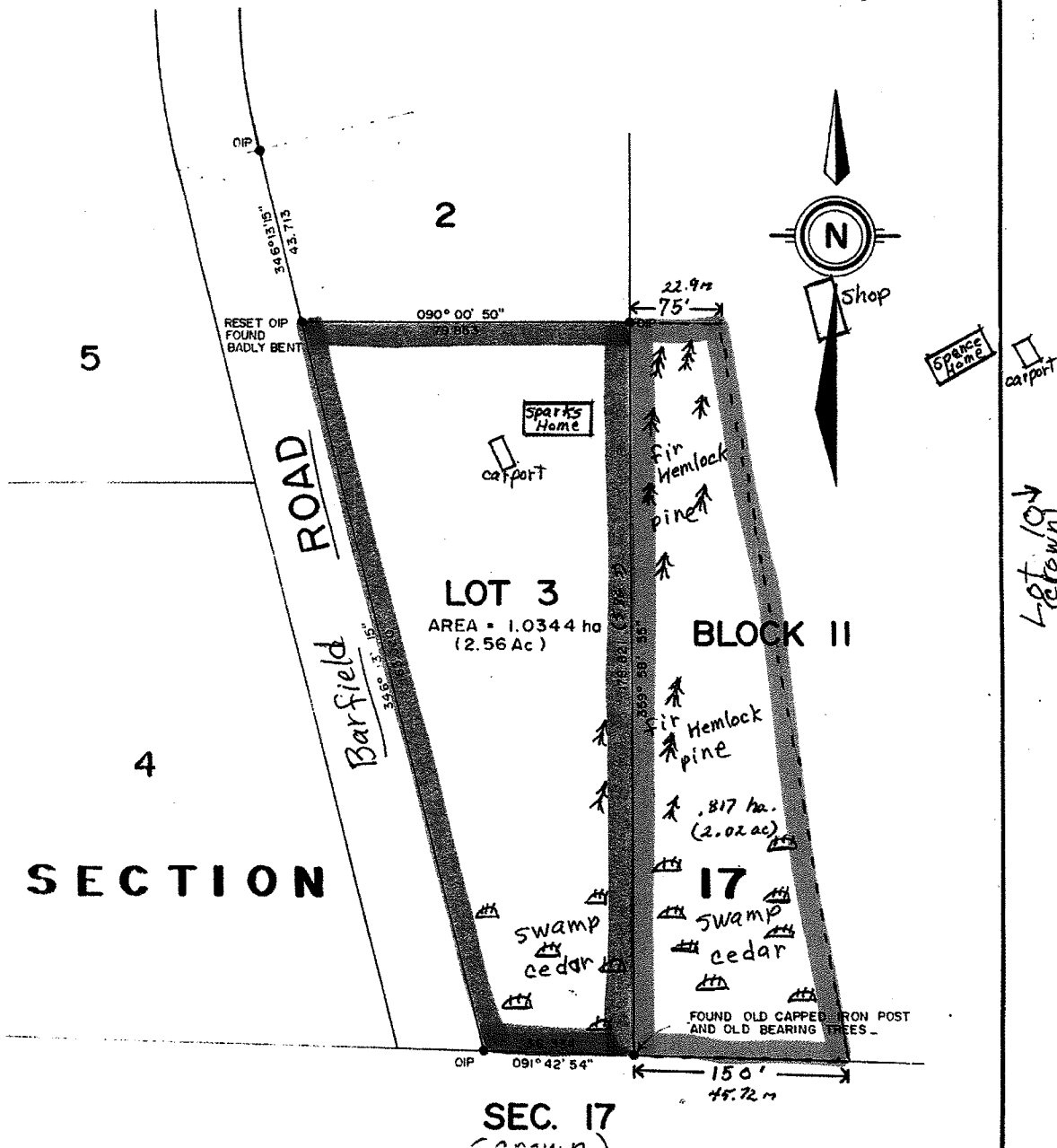
FILED IN THE LAND TITLE OFFICE
AT VANCOUVER, B.C.,

THIS _____ DAY OF _____, 1989

SCALE 1:1000
BCGS 92F.06R

LEGEND:
AZIMUTHS ARE ASTRONOMIC AND DERIVED FROM PLAN 14499.
● OIP DENOTES OLD IRON POST FOUND.
ALL DISTANCES ARE IN METRES EXCEPT WHERE OTHERWISE INDICATED.
1 METRE = 3.2808 FEET.

REGISTRAR



Provincial Agricultural Land Commission

Applications: X-36668 and X-36669

Resolution #'s 381/2006 and 382/2006



0.8 ha to be subdivided from Lot 11, Plan 5537 and consolidated by survey with Lot 3, Plan 14499



Lot 3, Plan 14499 to be included into the Agricultural Land Reserve

ERY-RAE & CECCHI
LAND SURVEYORS
75 JOYCE AVE.
WELL RIVER, B.C.
A 3B5
485-4203
- File 6170 -



Staff Report
Application # X – 36669 (Subdivision)
Applicants: Rodrick and Nicole Spence

and

Application #X-36668 (Inclusion)
Applicant: Russell Sparks

DATE PREPARED: July 7, 2006

TO: Chair and Commissioners – South Coast Panel

FROM: Colin Fry, Director – Regional Operations

PROPOSAL: There are two concurrent applications:

1. To subdivide 0.8 ha from a 7.2 ha parcel and consolidate this area with an adjacent 1.0 ha non-ALR parcel to create a 1.8 ha lot, and
2. To include into the ALR the 1.0 ha adjacent lot so that the newly created 1.8 ha parcel will be entirely in the ALR.

This applications are made pursuant to sections 21(2) and 17(3) of the *Agricultural Land Commission Act* respectively.

BACKGROUND INFORMATION:

Local Government:

Powell River Regional District

Legal Description of Property:

1. PID: 011-126-523
Lot 11, Except Part Subdivided by Plan BCP1207, South Half of Section 17, Texada Island District, Plan 5537

(Owners: Rodrick and Nicole Spence)

2. PID: 007-788-185
Lot 3, Block 12, South Half of Section 17, Texada Island District, Plan 14499

(Owner: Russell Sparks)

Purchase Date:

Spence Property – Certificate of title entered on December 7, 2004
Sparks Property – Certificate of Title entered on May 26, 1990

Location of Property:

Located on Texada Island, south of Shelter Point Road and east of Barfield Road.

Size of Property:

Spence Property 7.2 ha (The entire property is in the ALR)
Sparks Property 1.0 ha (property not in the ALR)

Present use of the Property:

Residential and forested as to both properties

Surrounding Land Uses:

WEST: Residential and Crown Land
SOUTH: Residential and Crown Land
EAST: Residential and Crown Land
NORTH: Residential and Crown Land

Agricultural Capability:

Data Source: Agricultural Capability Map # 92F/9
The properties are identified as having Prime agricultural capability ratings.

Official Community Plan and Designation:

Texada Island Official Community Plan
Designation: Agriculture on Plan Map A

Zoning Bylaw and Designation:

Zoning Bylaw No. 99 (1982)
Designation: Rural Residential
Minimum Lot Size 2 ha

PREVIOUS APPLICATIONS:

Application #30843-0

Applicant: Perfitt, George and Margery
Decision Date: October 9, 1996
Proposal: To subdivide a 1.1 ha parcel from the 9.1 ha property to sell to the tenant who lives in the house on the 1.1 ha area.
Decision: Refused the subdivision on the grounds of reduced capability and increased expectations.

PREVIOUS APPLICATIONS (Continued):

Application #30843-1

Applicant: Perfitt, George and Margery
Decision Date: May 25, 2001
Decision: Reconsidered application and refused

Application #30843-2

Applicant: Perfitt, George and Margery
Decision Date: September 24, 2001
Proposal: Reconsideration requested based on comments made in the report by Niels Holbek following a site inspection in May of 2001.
Decision: Allowed as requested - based on poor agricultural capability as shown in the Holbek report.

(Note: This decision led to the creation of the current Spence property)

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

No objections as to both applications

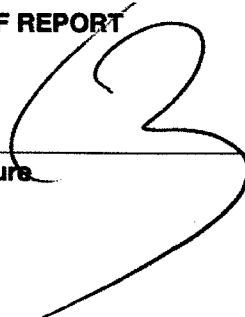
Attachments:

1. ALR Constituent Map
2. Posting plan of proposed subdivision/consolidation and inclusion.

END OF REPORT

Signature _____

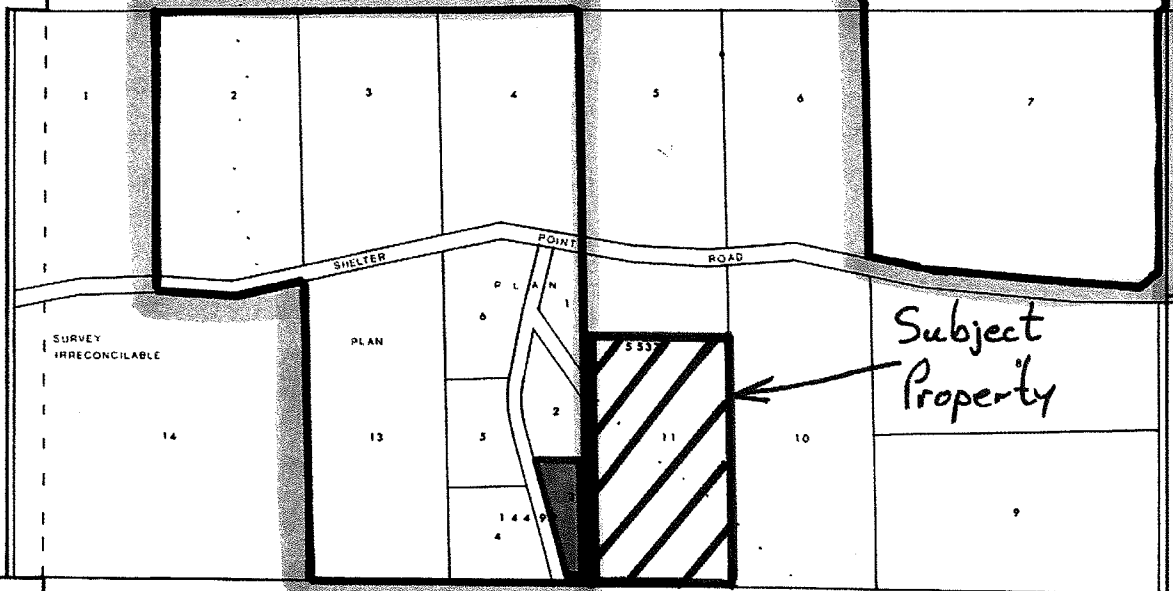
Date _____



July 7/06

L. 309

S. 17



S. 17

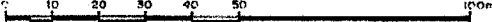
ALR

S. 18

CONST: 12

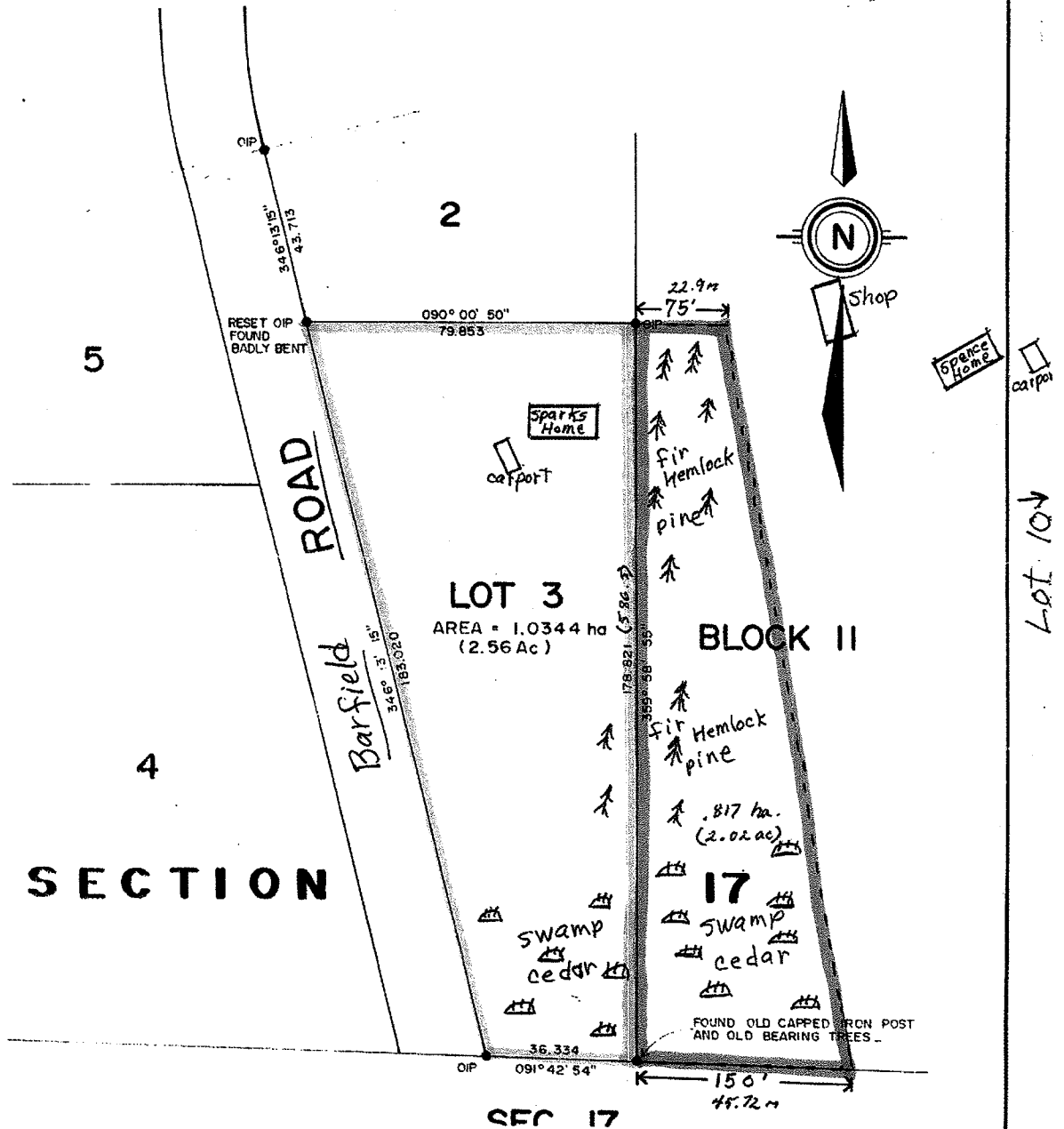
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Posting Plan of Subdivision/Consolidation and Inclusion

Application #'s X-36668 and X-36669



0.8 ha area to be subdivided from Lot 11, Plan 5537 and consolidated with Lot 3, Plan 14499



Lot 3, Plan 14499 to be included to the ALR

EMERY-RAE & CECCHI
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