



**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

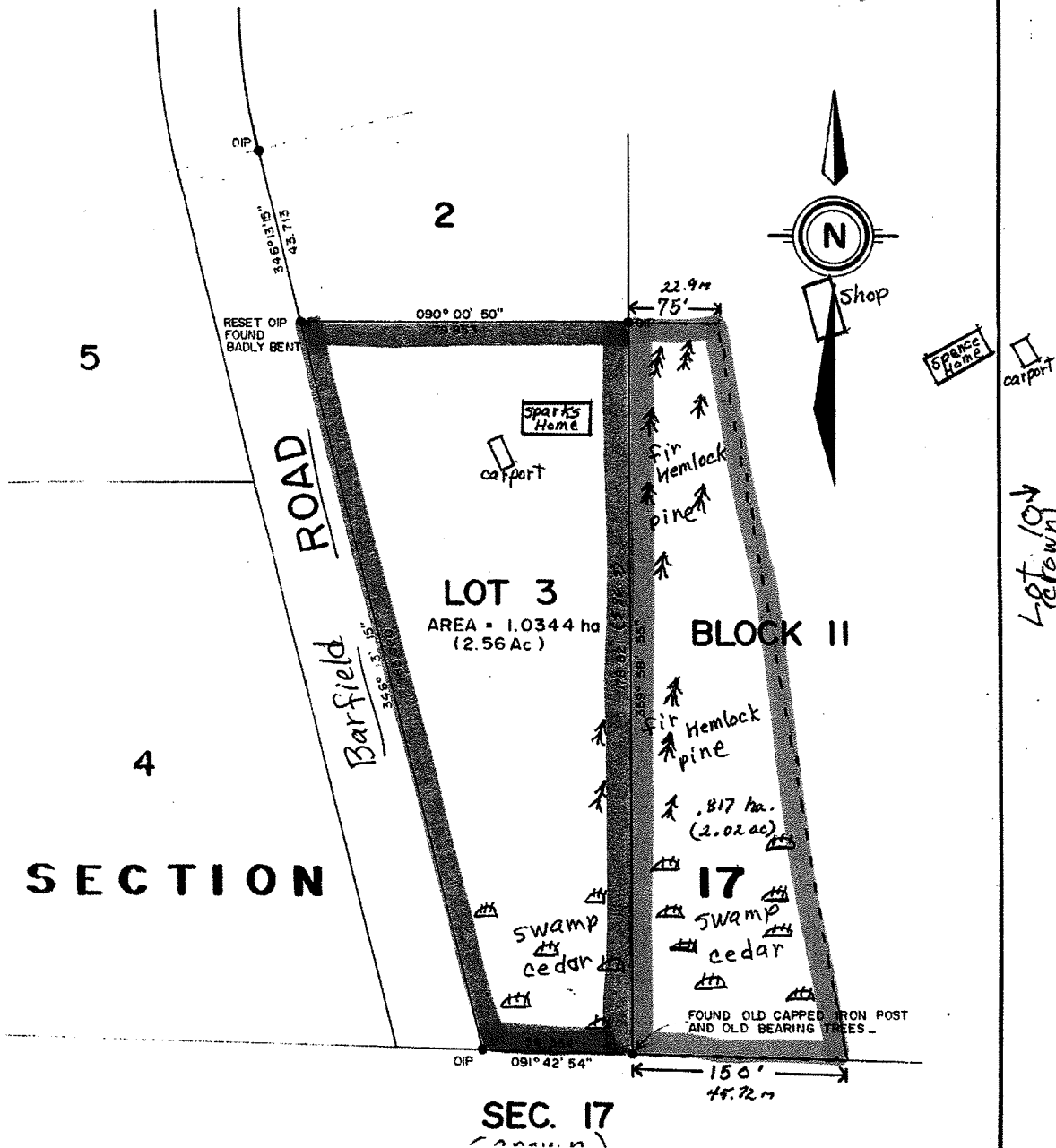
**POSTING PLAN OF LOT 3 OF BLOCK 12,  
S. 1/2 SECTION 17, PLAN 14499,  
TEXADA ISLAND DISTRICT**

FILED IN THE LAND TITLE OFFICE  
AT VANCOUVER, B.C.,  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1989

SCALE 1:1000  
BCGS 92F.068

**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

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



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

**Resolution #381/2006  
Application # X- 36668**

**Resolution #382/2006  
Application # X- 36669**

**MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION**

**A meeting was held by the Provincial Agricultural Land Commission on July 19, 2006 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.**

<b>PRESENT:</b>	Erik Karlsen	Chair
	Sue Irvine	Commissioner
	Lorne Seitz	Commissioner
	John Tomlinson	Commissioner

**STAFF:** Tony Pellett, Planner

**For Consideration**

**Application #X-36668** (Inclusion)

**Proposal:** To include into the ALR the 1.0 ha

**Legal Description of the Property:**

PID: 007-788-185

Lot 3, Block 12, South Half of Section 17, Texada Island District, Plan 14499

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**Application** #X-36669 (Subdivision)

**Proposal:** 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

**Legal Description of the Property:**

PID: 011-126-523

Lot 11, Except Part Subdivided by Plan BCP1207, South Half of Section 17, Texada Island District, Plan 5537

**Commission Discussion**

It was the consensus that the two-part proposal should provide an overall benefit to agriculture.

**IT WAS**

**MOVED BY:** Commissioner Seitz

**SECONDED BY:** Commissioner Tomlinson

THAT the staff report be received and that Applications #X-36668 and X-36669 be approved.

These approvals are subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

**CARRIED**



**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

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**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

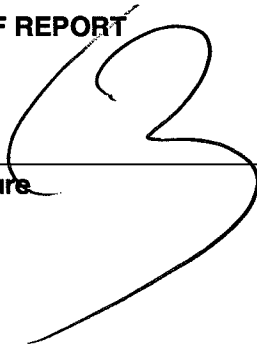
**Attachments:**

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

**END OF REPORT**

Signature \_\_\_\_\_

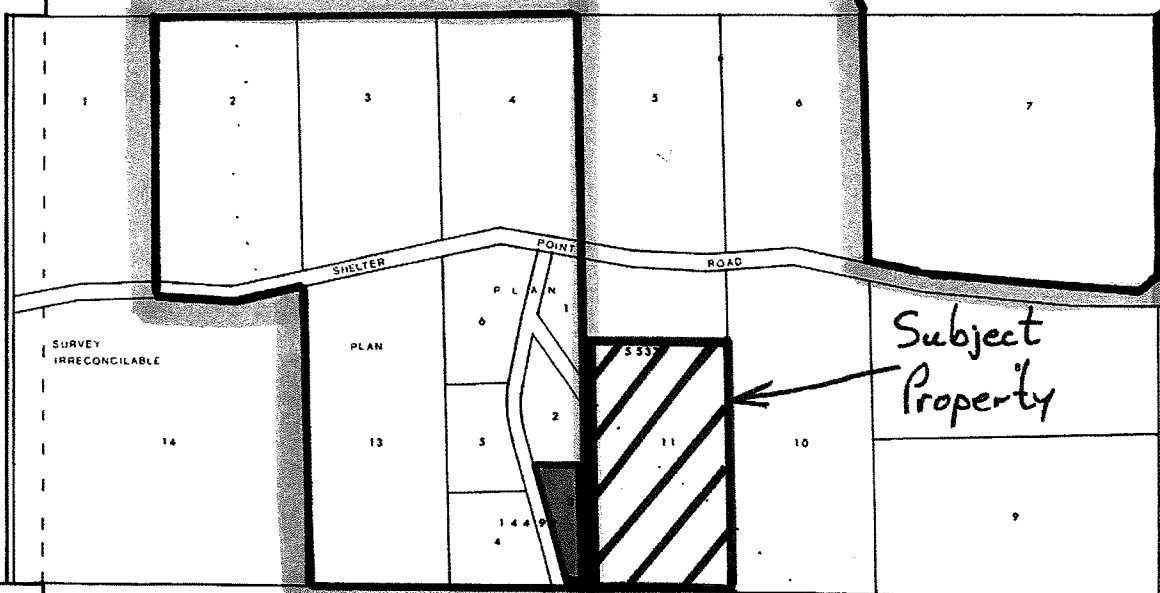
Date \_\_\_\_\_



July 7/06

L. 309

S. 17



S. 17

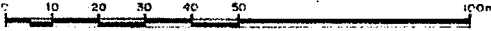
ALR

S. 18

CONST: 12

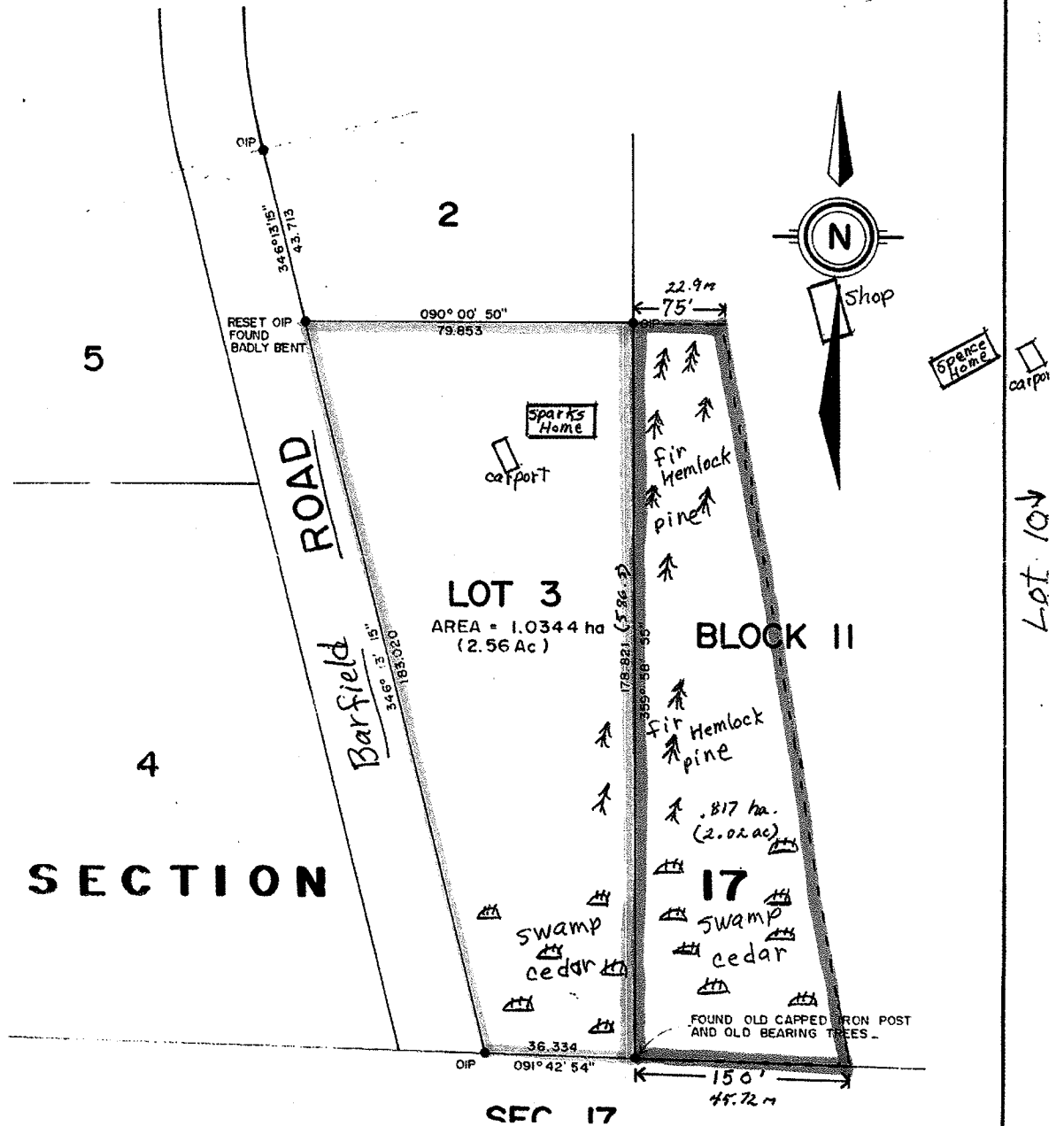
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**Posting Plan of Subdivision/Consolidation and Inclusion**

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  
B.C. LAND SURVEYORS  
4775 JOYCE AVE.  
POWELL RIVER, B.C.  
V8A 3B5  
Tel. 485-4203  
- File 6170 -