



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

February 3, 2009

Reply to the attention of Terra Kaethler
ALC File: C-38489

TimberWest Forest Corporation
3 - 4890 Rutherford Road
Nanaimo, BC V9T4Z4

Dear Sir/Madam:

Re: Application for Transportation Corridor the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 11/2009 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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a light blue horizontal line.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Capital Regional District

TK/
i/38489d1.doc



A meeting was held by the Provincial Agricultural Land Commission on January 14, 2009 in Campbell River, B.C.

PRESENT:	Lorne Seitz	Chair, Island Panel
	David Craven	Commissioner
	Jennifer Dyson	Commissioner
	Terra Kaethler	Staff
	Roger Cheetham	Staff

For Consideration

Application: # C- 38489
Applicant: TimberWest Forest Corporation
Proposal: To create a statutory right of way in order to construct a water line and access road to service the community of Port Renfrew.
Legal:

1. PID: 009-555-111
West 1/2 of the North East 1/4, Section 6, Township 10, Renfrew District, EXCEPT That Part Shown Coloured Red On Plan Deposited Under DD102750I and VIP71518
2. PID: 009-555-021
That Part of the North East 1/4, Section 6, Township 10, Renfrew District, As Shown Outlined in Red On Plan Deposited Under (DD102750I)
3. PID: 009-554-785
The North West 1/4, Section 6, Township 10, Renfrew District, EXCEPT Part in Plan VIP71518

Location: South of the community of Port Renfrew

Site Inspection

No site inspection was conducted.

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Discussion

The Commission assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission considered that the proposed waterline will be buried under the gravel access road. As such, the Commission did not believe the proposal would impact existing or potential agricultural use of the subject property or surrounding lands.

Conclusion

That the proposal will not negatively impact agriculture.

IT WAS

MOVED BY: Commissioner Seitz

SECONDED BY: Commissioner Craven

THAT the application be approved;

AND THAT the approval is subject to the following conditions:

- the statutory right of way plan be in substantial compliance with the plan submitted with the application
- The statutory right of way and water line must be completed within three (3) years from the date of this decision.

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.

CARRIED

Resolution # 11/2009

PLAN VIP
 Registered in the Land Title Office of Victoria, B.C. No. _____ of _____, 2006.



TENTATIVE STATUTORY RIGHT OF WAY PLAN OVER PARTS OF THE NORTH WEST 1/4 OF SECTION 6 EXCEPT PART IN PLAN VIP71518, THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 6 EXCEPT THAT PART SHOWN COLOURED RED ON PLAN DEPOSITED UNDER DD 102750 I AND VIP71518, AND THAT PART OF THE NORTH EAST 1/4 OF SECTION 6 AS SHOWN OUTLINED IN RED ON PLAN DEPOSITED UNDER DD 102750 I, ALL WITHIN TOWNSHIP 10, RENFREW DISTRICT

PURSUANT TO SECTION 112 LAND TITLE ACT

BIGS 8262058

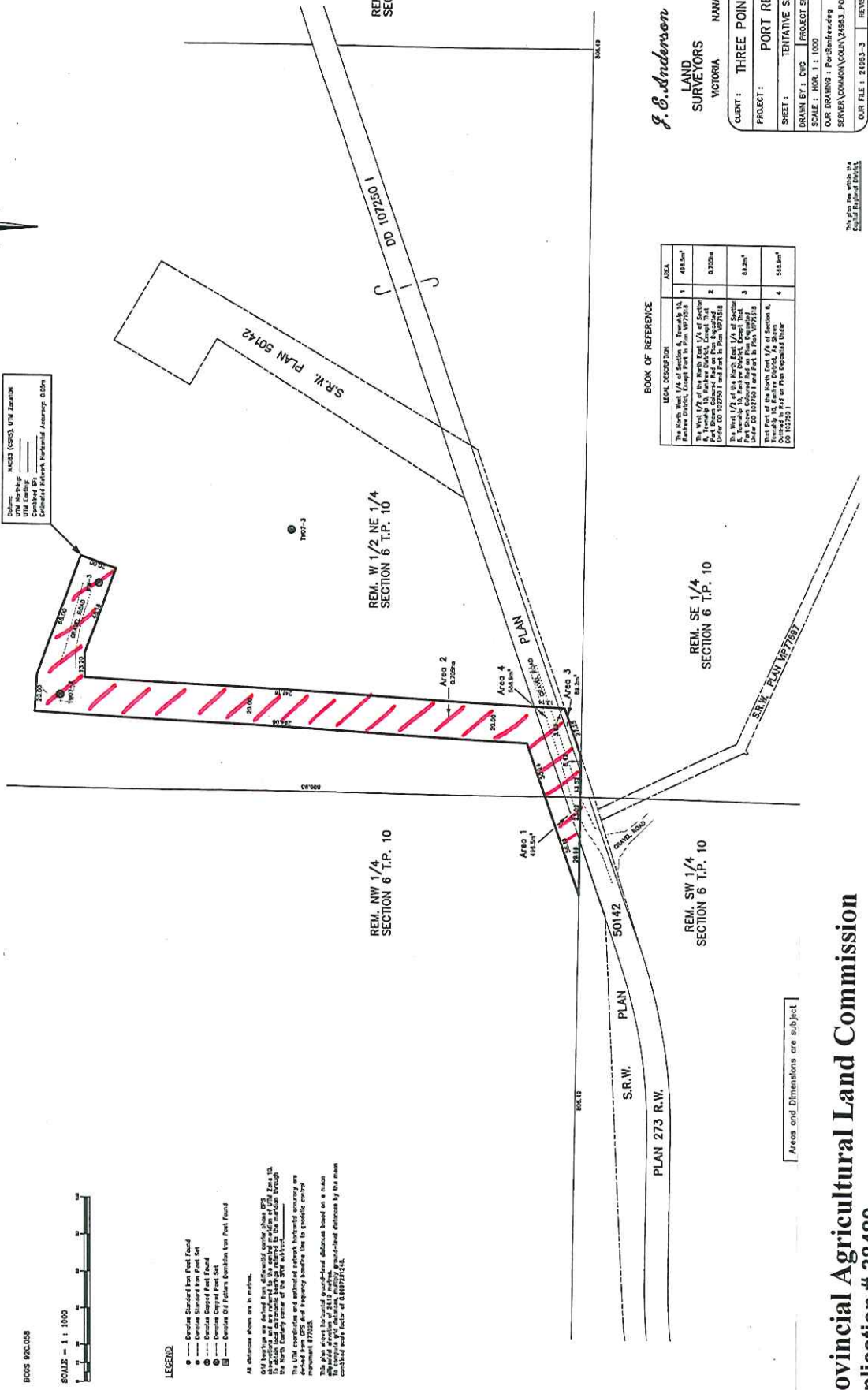


LEGEND:

- denotes Standard Iron Field Found
- denotes Standard Iron Field Set
- denotes Copper Field Found
- denotes Copper Field Set
- denotes Old Field Corner from Field Found
- denotes Old Field Corner from Field Found

All dimensions shown are in metres.
 Old bearings are dated from astronomical meridian (true) unless otherwise indicated. All bearings are referred to the meridian unless otherwise indicated. The UTM coordinates and unadjusted network horizontal accuracy are as shown in the accompanying map. The frequency bearing line is plotted central in accordance with the UTM projection.
 This plan shows horizontal ground-based distances based on a mean combined scale factor of 0.999 998 274.

Datum: NAD83 (CSRS), UTM Zone 18N
 UTM Spheroid: Everest
 UTM Projection: UTM
 Combined Error:
 Horizontal Network Horizontal Accuracy: 0.05m



BOOK OF REFERENCE

LEGAL DESCRIPTION	AREA
The West 1/2 of the North East 1/4 of Section 6, Township 10 North, Range 6 East, T10R6E, R20E, W12S, as shown on Plan DD 102750 I and Part in Plan VIP71518	418.2m ²
The West 1/2 of the North East 1/4 of Section 6, Township 10 North, Range 6 East, T10R6E, R20E, W12S, as shown on Plan DD 102750 I and Part in Plan VIP71518	612.2m ²
The West 1/2 of the North East 1/4 of Section 6, Township 10 North, Range 6 East, T10R6E, R20E, W12S, as shown on Plan DD 102750 I and Part in Plan VIP71518	812.2m ²
The West 1/2 of the North East 1/4 of Section 6, Township 10 North, Range 6 East, T10R6E, R20E, W12S, as shown on Plan DD 102750 I and Part in Plan VIP71518	518.2m ²

[Areas and Dimensions are subject]

J. E. Anderson and Associates
 LAND SURVEYORS
 VICTORIA NANAIMO PARKSVILLE

CIVIL ENGINEERS
 CLIENT : THREE POINT PROPERTIES
 PROJECT : PORT RENFREW
 SHEET : TENTATIVE S.R.W. PLAN
 DRAWN BY : CHS PROJECT SURVEYOR : DANNY CURRIER
 SCALE : HOR. 1 : 1000 DATE : 2 SEP. 5, 2008
 OUR DRAWING : PortRenfrew.dwg LAYOUT: Ren_Tent_SRW_Plan
 SERVER:COMMON\COMMON\24963_FOR\LAND\RENFREW\24963\DDPRA\DWG
 OUR FILE : 24963-3 REVISION :

Provincial Agricultural Land Commission
 Application # 38489
 Resolution #11/2009



Approved area of Statutory Right of Way