



**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

November 10, 2009

Reply to the attention of Gordon Bednard  
ALC File: 50060

McElhanney Associates  
1-1351 Estevan Road  
Nanaimo, BC V9S 3Y3

Attention Russ Irish:

**Re: Application for Utility Corridor within the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 1307/2009 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

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 black ink, appearing to read 'Erik Karlsen', is written over a horizontal line.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: City of Nanaimo Attn: Dale Lindsay file # CIP2029

GB/eg  
i/50060d1



THAT the application be approved as presented.

AND THAT the approval is subject to the following conditions:

- the route of the sewer main be in substantial compliance with the plan submitted with the application
- the rehabilitation of the ALR area over the sewer main to an agricultural standard
- The installation and land rehabilitation must be completed within three (3) years from the date of this decision

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.33 (1) *On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*
- (a) evidence not available at the time of the original decision has become available,*
  - (b) all or part of the original decision was based on evidence that was in error or was false.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

**CARRIED**  
**Resolution # 1307/2009**



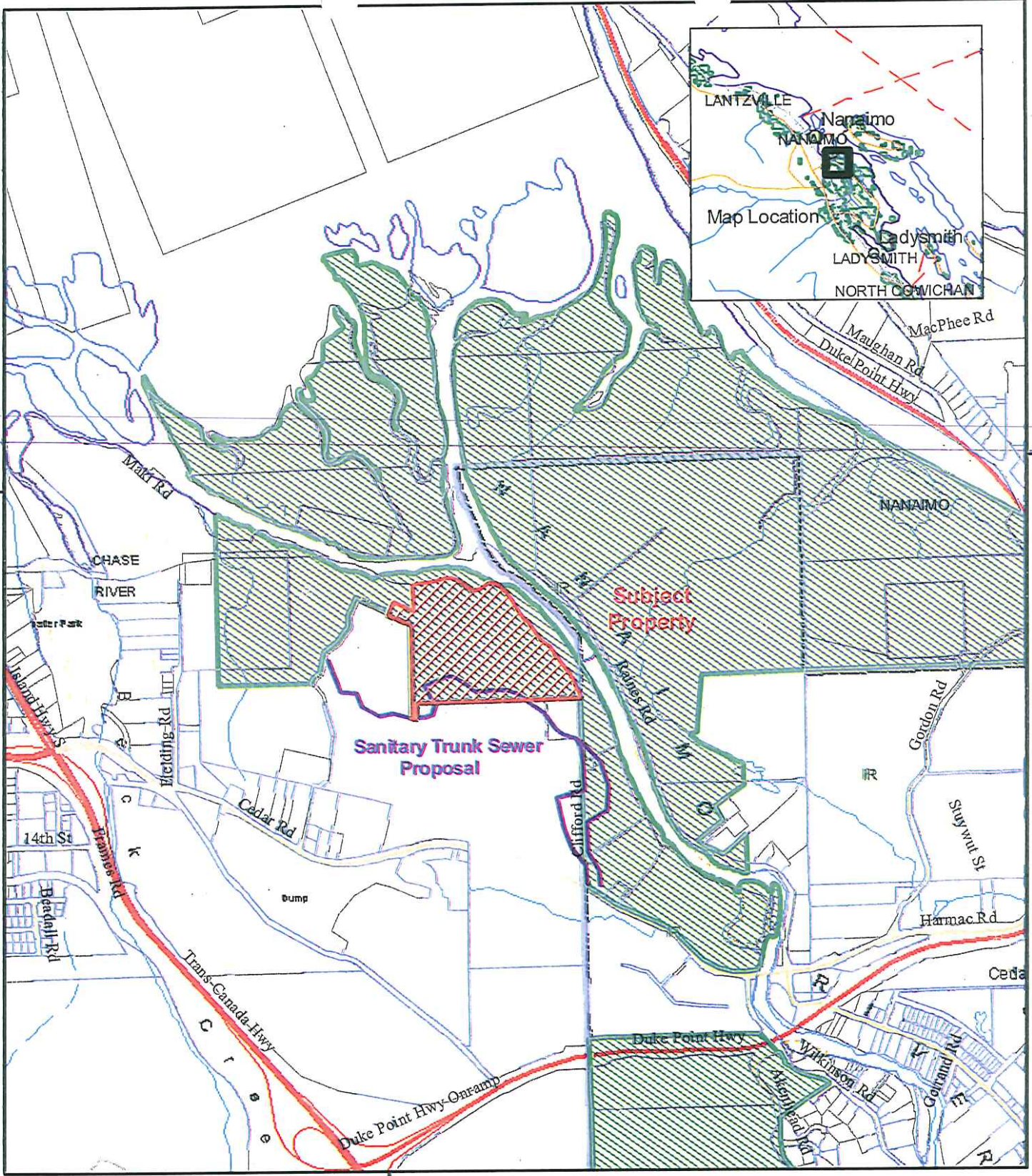
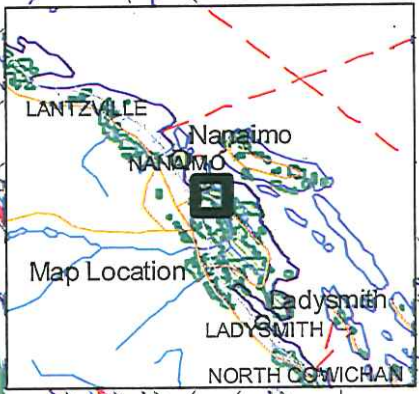
123° 54' 0" W

123° 52' 0" W

49° 50' 0" N

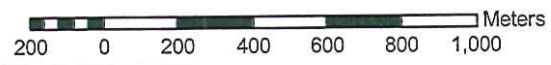
49° 50' 0" N

123° 54' 0" W



**Context Map**

Map Scale: 1:20,000



ALC File #:	50060
Mapsheet #:	92G.011
Map Produced:	Sep 3, 2009
Regional District:	Nanaimo