



**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

March 26, 2010

Reply to the attention of Gordon Bednard  
ALC File: #50997

Peter and Helena Bird  
6603 McMahon Avenue  
Powell River, BC V8A 4W2

Dear Sir/Madam:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 2295/2010 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.

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 Powell River Attn: R. Sadlikova 3320-20-127

GB/lv  
50997d1



Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

#### Subclasses

M soil moisture deficiency  
P stoniness

#### Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission considered that if the non-ALR portion of the proposed lot were to be included into the ALR, it would be an off-setting benefit in contrast to the creation of a smaller lot from the existing 47 ha ALR property.

#### Conclusions

1. That the land under application has agricultural capability and would be appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal (if all lands were to be included into the ALR) will not negatively impact agriculture.
4. That the proposal (if all lands were to be included into the ALR) is consistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

#### IT WAS

**MOVED BY:** Commissioner Erik Karlsen

**SECONDED BY:** Commissioner Niels Holbek

THAT the application be approved,

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the present Lot B, DL 4170 Plan 5238 be applied for inclusion into the ALR
- the subdivision 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.

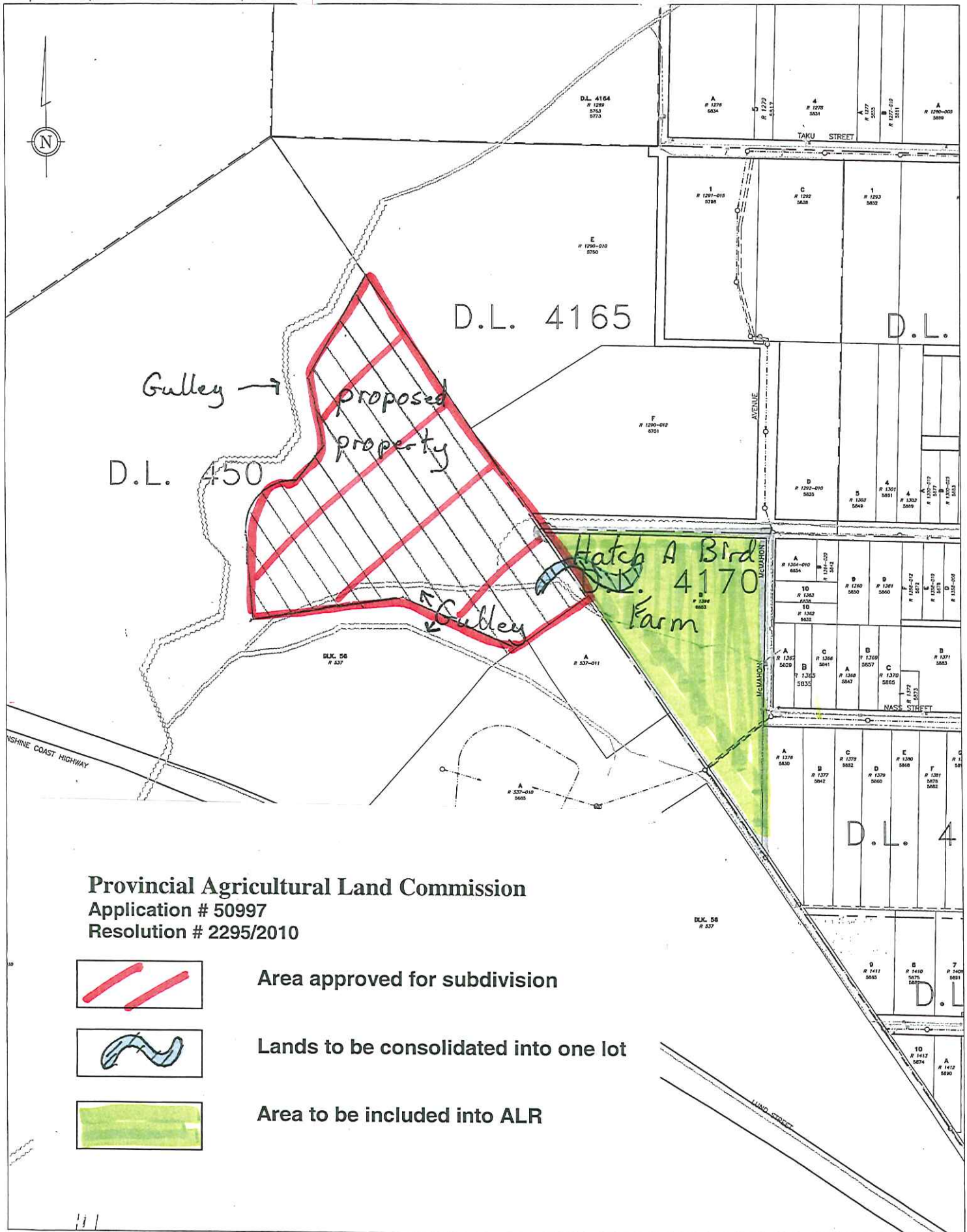
**CARRIED**

**Resolution # 2295/2010**

I certify that this is a true  
record of the proceedings.

  
Erik Karlsen  
(Chair / Commissioner)

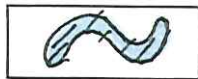




Provincial Agricultural Land Commission  
 Application # 50997  
 Resolution # 2295/2010



Area approved for subdivision



Lands to be consolidated into one lot



Area to be included into ALR