



**Agricultural Land Commission**  
133-4940 Canada Way  
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July 18, 2013

ALC File: # 53296

Ministry of Forests, Lands and Natural Resource Operations  
780 Blanshard Street  
VICTORIA BC V8W 2H1

Attention: Melinda Nagy-Surdu

**Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution # 188/2013 as it relates to the above noted application.

When the final subdivision plan is complete, please forward two paper prints (or an EPP Plan if the survey is to be registered electronically) so that the Commission can authorize the Land Title office to register the plan of subdivision. If the statutory right of way is to be widened as indicated on the proposed plan of subdivision, please forward two paper prints (or an EPP Plan if the survey is to be registered electronically) so that the Commission can authorize the Land Title office to register it also.

Further correspondence with respect to this application is to be directed to Tony Pellett.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink that reads 'KA Pellett'. The signature is written in a cursive, flowing style.

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #188/2013  
Sketch Plan

cc: Corporation of Delta, attention John Hopkins

53296d1



## PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on July 17, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

### FOR CONSIDERATION

Application: 53296  
Applicant: Ministry of Forests, Lands and Natural Resource Operations  
Proposal: Subdivide to separate non-arable land to be retained by the Province. (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)  
Legal: 009-189-050 Parcel "A" (Plan in Absolute Fees Parcels Book Volume 11 Folio 529 No. 2255F) DL.187 Gp.2 WCM NWD  
Location: Brunswick Point, off west end of River Road West, Delta BC  
Background: Access to the formerly isolated 1.7 ha "Wedge Parcel" was enabled under File 52492 ("Brunswick Lands"). It is intended to create a 0.8 ha parcel (all arable) suitable for disposition, to retain 0.3 ha within the dyke and on the foreshore (non-arable) in the public domain, and to return 0.6 ha of submerged lands to the Crown.  
Attachment: Proposed plan of subdivision and SRW widening

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### DELEGATION OF DECISION-MAKING TO THE CHIEF EXECUTIVE OFFICER (CEO)

On June 27, 2011 the Commission delegated decision-making to the CEO by Resolution #016N-2011 (File: 135-45/ALC/CEO/APPL). In accordance with section 27 of the *Agricultural Land Commission Act* the Commission has specified that the following applications may be decided by the CEO.

#### Criterion 14

Exclusion, subdivision, non-farm use and inclusion applications that are not consistent with any of the existing approved criteria (Criteria 1 - 13) but nonetheless are minor in nature, and in the opinion of the CEO the interests of the Commission would be unaffected by an approval of the application.

#### DECISION:

After reviewing the entire file material, I, Richard Bullock, Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion # 14 of Resolution #016N/2011 and approve the application on behalf of the Commission.

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.

### RESOLUTION # 188/2013

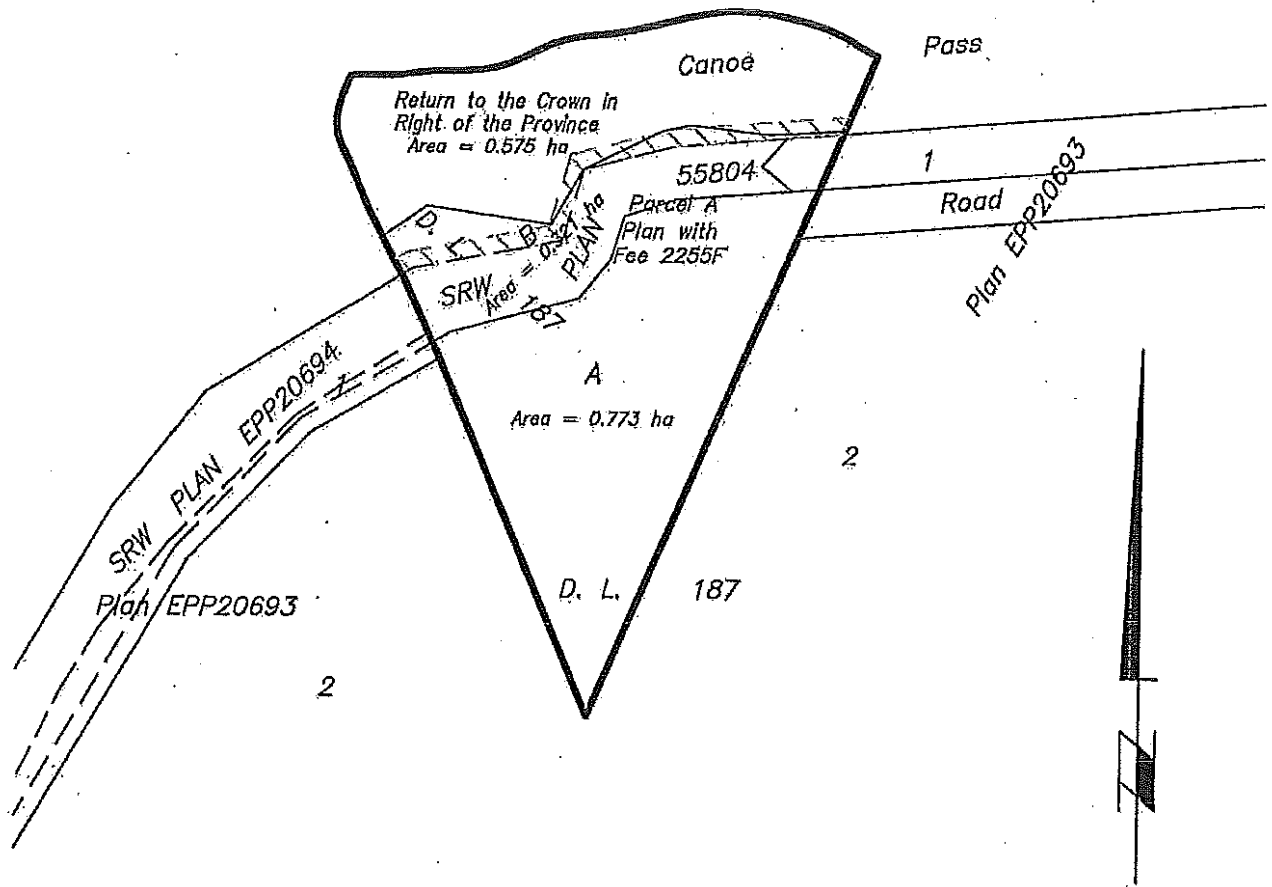
I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION

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Richard Bullock, Chief Executive Officer

Plan of Proposed Subdivision of Parcel A  
(Plan in Absolute Fees Parcels Book  
Volume 11, Folio 529, No. 2255F)  
District Lot 187, Group 2,  
West of the Coast Meridian,  
New Westminster District.

SRW New SRW



Scale = 1:2000



## PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Executive Committee of the Provincial Agricultural Land Commission on June 27, 2011 at Burnaby, BC.

### COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Roger Mayer	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

### COMMISSION STAFF PRESENT:

Shaundehi Runka	Policy Planner
Brian Underhill	Executive Director
Colin Fry	Executive Director

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### FILE: 135-45/ALC/CEO/APPL

**ISSUE:** To amend the criteria for delegation of decision-making to the CEO by adding the following as Criterion 14 to the Criteria for Delegation of Decision-Making to the CEO that was approved by the Commission by Resolution #008N/2011 on January 26, 2011.

### PROPOSED CRITERION 14:

14. Exclusion, subdivision, non-farm use and inclusion applications that are not consistent with any of the existing approved criteria (Criteria 1 - 13) but nonetheless are minor in nature, and in the opinion of the CEO the interests of the Commission would be unaffected by an approval of the application.
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### EXISTING CRITERIA FOR DELEGATION OF DECISION-MAKING TO THE CEO

1. Exclusion, subdivision, non-farm use and inclusion applications that fulfill a requirement of the Commission contained in a previous decision made by resolution;

2. Exclusion, subdivision, non-farm use and inclusion applications that are consistent with a specific planning decision of the Commission made by resolution (e.g.: Peace River-Fort St. John Comprehensive Development Plan);

**(Clarification: This criterion for decision-making does not include general comments or endorsement of the Commission regarding Official Community Plans, Zoning Bylaws or their respective amendments.)**

3. Non-farm use applications made necessary by minor deviations from the permitted uses identified in sections 2 and 3 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation);
4. Non-farm use applications made pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation);
5. Non-farm use applications that involve the replacement of existing electrical transmission infrastructure and oil and gas pipelines located within an existing statutory right of way;
6. Applications that involve the dedication of a statutory right of way for existing electrical transmission infrastructure and oil and gas pipelines where the landowner(s) have no objection to the proposal;
7. Subdivision applications for boundary adjustments that are consistent with the intent of section 10 BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation) but cannot be approved by the local approving officer due to the limitations on parcel size and on the number of parcels involved in the proposed boundary line adjustment;

**(Clarification: This criterion for decision-making does not include permission for the CEO to consider boundary adjustment subdivisions of non-contiguous parcels.)**

8. Requests for minor variations of conditions of approval imposed by the Commission by resolution in exclusion, subdivision, non-farm use and inclusion applications provided the minor variations are consistent with the intent of the Commission's original decision;
9. Non-farm use applications involving proposals to reconstruct an existing golf course within the same area footprint, to construct or reconstruct golf course buildings, structures and amenities within the footprint of the existing golf course. Delegation only applies to golf courses that were constructed prior to the introduction of the ALR, constructed as a permitted use in the ALR or were subsequently approved for non-farm use in the ALR;
10. Subdivision applications involving the disposition (sale) of Crown land where Crown parcels are divided by existing rights of way;

11. Non-farm use applications for compressor stations for oil and gas development that exceed 450 m<sup>2</sup>; 5<sup>th</sup> or greater stand alone well sites (including associated roads, temporary camps, sumps, borrow pits etc) and well site applications where the area exceeds 7 ha. All other oil and gas-related applications such as processing facilities, drilling and production waste handling, produced water and gas handling; commercial waste handling and disposal facilities will continue to be referred directly to the panel for decision making; and
12. Subdivision applications that are consistent with the provisions and intent of the Commission's *Homesite Severance Policy*.
13. Non-farm use applications that involve the placement of not more than 1,000 m<sup>3</sup> of fill on a property.

**IT WAS**

**MOVED BY:** Commissioner Bert Miles  
**SECONDED BY:** Commissioner Jennifer Dyson

**THAT** the Commission add Criterion 14 to the Criteria for Delegation of Decision-Making to the CEO that was approved by the Commission on January 26, 2011 by Resolution #008N/2011;

**AND THAT** the CEO is not compelled to approve an application. If the CEO is not prepared to approve an application, the application must be referred to the appropriate regional panel for a decision;

**AND THAT** as to the delegation criteria, where the Chair and the CEO positions are occupied by the same individual, the Chair must not participate in deciding an application if as CEO, he/she chose not to approve an application under the delegated authority specified herein;

**AND THAT** as to the delegation criteria, where the Chair and the CEO positions are occupied by the same individual, the CEO must not exercise decision-making authority specified herein if he/she, as CEO, has participated in an enforcement action involving a person(s) and/or a property that is the subject of an application meeting the delegation criteria;

**AND THAT** the CEO may exercise decision-making in accordance with the established criteria effective this date; and

**AND THAT** the CEO is required to provide to the Executive Committee a semi-annual report regarding decisions made pursuant to the established criteria.

**AND FINALLY THAT** the complete list of criteria will now read:

1. Exclusion, subdivision, non-farm use and inclusion applications that fulfill a requirement of the Commission contained in a previous decision made by resolution;
2. Exclusion, subdivision, non-farm use and inclusion applications that are consistent with a specific planning decision of the Commission made by resolution (e.g.: Peace River-Fort St. John Comprehensive Development Plan);

(Clarification: This criterion for decision-making does not include general comments or endorsement of the Commission regarding Official Community Plans, Zoning Bylaws or their respective amendments.)

3. Non-farm use applications made necessary by minor deviations from the permitted uses identified in sections 2 and 3 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation);
4. Non-farm use applications made pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation);
5. Non-farm use applications that involve the replacement of existing electrical transmission infrastructure and oil and gas pipelines located within an existing statutory right of way;
6. Applications that involve the dedication of a statutory right of way for existing electrical transmission infrastructure and oil and gas pipelines where the landowner(s) have no objection to the proposal;
7. Subdivision applications for boundary adjustments that are consistent with the intent of section 10 BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation) but cannot be approved by the local approving officer due to the limitations on parcel size and on the number of parcels involved in the proposed boundary line adjustment;

(Clarification: This criterion for decision-making does not include permission for the CEO to consider boundary adjustment subdivisions of non-contiguous parcels.)

8. Requests for minor variations of conditions of approval imposed by the Commission by resolution in exclusion, subdivision, non-farm use and inclusion applications provided the minor variations are consistent with the intent of the Commission's original decision;
9. Non-farm use applications involving proposals to reconstruct an existing golf course within the same area footprint, to construct or reconstruct golf course buildings, structures and amenities within the footprint of the existing golf course. Delegation only applies to golf courses that were constructed prior to the introduction of the ALR, constructed as a permitted use in the ALR or were subsequently approved for non-farm use in the ALR;

10. Subdivision applications involving the disposition (sale) of Crown land where Crown parcels are divided by existing rights of way;
11. Non-farm use applications for compressor stations for oil and gas development that exceed 450 m<sup>2</sup>; 5<sup>th</sup> or greater stand alone well sites (including associated roads, temporary camps, sumps, borrow pits etc) and well site applications where the area exceeds 7 ha. All other oil and gas-related applications such as processing facilities, drilling and production waste handling, produced water and gas handling; commercial waste handling and disposal facilities will continue to be referred directly to the panel for decision making; and
12. Subdivision applications that are consistent with the provisions and intent of the Commission's *Homesite Severance Policy*.
13. Non-farm use applications that involve the placement of not more than 1,000 m<sup>3</sup> of fill on a property.
14. Exclusion, subdivision, non-farm use and inclusion applications that are not consistent with any of the existing approved criteria (Criteria 1 - 13) but nonetheless are minor in nature, and in the opinion of the CEO the interests of the Commission would be unaffected by an approval of the application.

**CARRIED**  
**RESOLUTION #016N/2011**

135-45/ALC/CEO/APPL