



**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

December 28, 2013

ALC File: #53229

Emery & Rae Land Surveying  
4507 Manson Ave  
Powell River, BC  
V8A 3N3

Dear Sir/Madam:

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

Please find attached the Minutes of Resolution #324/2013 as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly. The Commission has also attached a sketch plan depicting the decision.

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.

Further correspondence with respect to this application is to be directed to Liz Sutton.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #324/2013  
Sketch Plan

cc: Powell River Regional District  
#202 - 4675 Marine Avenue, Powell River, BC V8A 2L2  
Attention: Mr. Jason Gow, Planner

53229d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 2, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53229.

### COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner

### COMMISSION STAFF PRESENT:

Liz Sutton	Land Use Planner
Brian Underhill	Executive Director

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**PROPOSAL:** (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

To subdivide the 242.8 ha parcel into one 5.8 ha, one 16.9 ha, one 22.4 ha and a 194 ha remainder.

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### PROPERTY INFORMATION:

**Owner:** Fritz and Sieglinde Sitzler

**Legal:** PID: 011-774-134  
Section 14, Texada Island District, Except Part Subdivided By Plan BCP35231

**Location:** Texada Island

**Size:** 242.8 ha

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### LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
- (a) to preserve agricultural land;
  - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
  - (c) 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.

## COMMISSION CONSIDERATION

The Commission reviewed two previous applications involving the subject property:

Application #38985 To subdivide the property into 11 parcels ranging in size from 2 to 9 ha  
(Sitzler, 2009) and a 194 ha remainder.

The Commission believed the proposal as presented would impact existing or potential agricultural use of surrounding lands by the creation of lots which would be considered too small to support agricultural operations. However, the Commission recognizes the underlying reason for the application is the provision of a lot to contain the wells supplying much of the domestic water needs of the area residents. While the Commission is not prepared to allow residential sized lots to be created, it would be supportive of a few larger lots along the western boundary of the subject property, subject to one of these lots being made available for some level of government authority to regulate and control the water supply systems in the area.

Refused as proposed but allowed a four lot subdivision: one 6 ha lot, one 16.9 ha lot, one 22 ha lot and 194 ha remainder – Resolution #1025/2009, dated September 15, 2009.

**Note: Resolution #1025/2009 had a three-year time limit which expired and as such, precipitated the present application.**

Application #35834 To subdivide the 258 ha property along Shelter Point Road to create one  
(Sitzler, 2005) lot of 15 ha and a remainder of 243 ha. The applicant stated at the time that the property is divided by the road and cannot be accessed by his machinery and is therefore not used.

Allow subdivision and second dwelling as requested - no impact on agriculture. Resolution #271/2005, dated May 11, 2005.

After considering the information the Commission concluded that the proposed subdivision is consistent with the Commission's 2009 approval.

### IT WAS

**MOVED BY: Commissioner Johnson**  
**SECONDED BY: Commissioner Pranger**

THAT the proposal to subdivide the 242.8 ha parcel into one 5.8 ha, one 16.9 ha, one 22.4 ha and a 194 ha remainder be approved.

AND THAT approval is subject to:

1. The subdivision be in substantial compliance with the plans submitted with the application;

2. Proposed Lot 2 is to be granted, sold, or otherwise conveyed to a qualified regulatory authority for its use in administering the provision of water to neighbouring properties; and
3. The subdivision plan must be completed within three (3) years from the date of the Commission's letter conveying this decision.

AND FINALLY THAT 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.

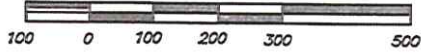
**CARRIED**  
**Resolution #324/2013**



PLAN OF PROPOSED SUBDIVISION OF PART OF SECTION 14, TEXADA ISLAND DISTRICT.

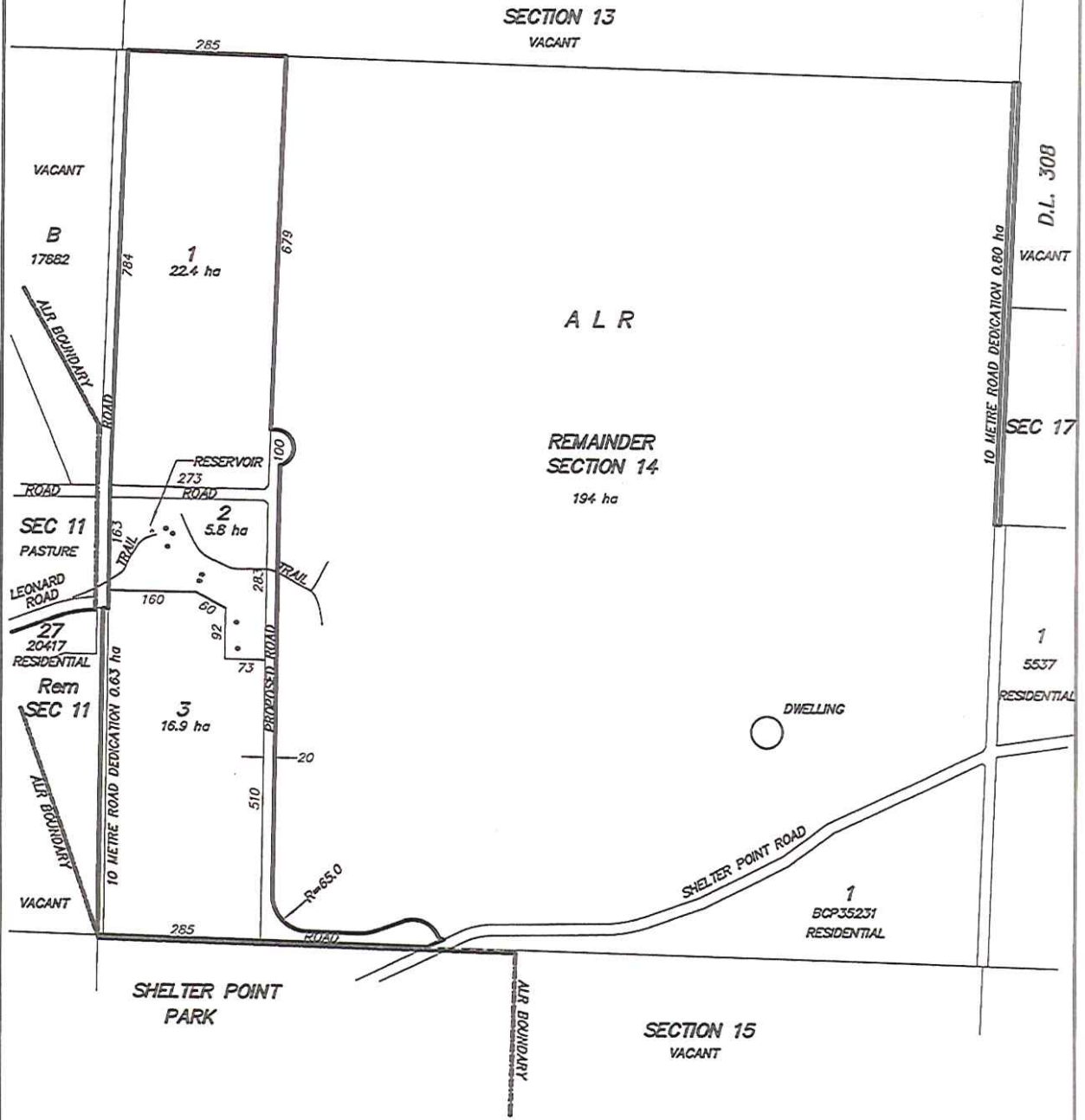
DATE OF PROPOSAL  
DECEMBER 16, 2012

SCALE 1:7500



• DENOTES WELL

Approved ALC Subdivision  
ALC #53229 (Sitzler)  
Resolution #324/2013



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THIS PLAN LIES WITHIN THE  
POWELL RIVER  
REGIONAL DISTRICT

OWNER/SUBDIVIDER  
PETER AND SIEGLINDE SITZLER,  
GILLIES BAY, B.C.