



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 24, 2016

ALC File: 54450
Your File: 15-1270

Oleg Verbenkov
Pacific Land Resource Group Inc.
212 – 12992 76 Avenue
Surrey, BC V3W 2V6

Dear Mr. Verbenkov:

Re: Application to Exclude Land from the Agricultural Land Reserve (ALR)

Please find attached the Reasons for Decision of the Agricultural Land Commission (Resolution #68/2016) as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly. A sketch plan depicting the decision is also attached.

By way of a copy of this letter, the Commission is advising the Registrar of Land Titles of its order and confirming that the ALR notation is to be removed from Certificate of Title CA4222385.

Further correspondence with respect to this application is to be directed to Eamonn Watson at (Eamonn.Watson@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to be 'Colin J. Fry', written over a horizontal line.

Colin J. Fry, Chief Tribunal Officer

Enclosures: Reasons for Decision (Resolution #68/2016)
Sketch Plan

cc: Township of Langley – Attention: Teresa Hanson (File No.: 10-31-0165/AL100287)
Via electronic mail

New Westminster Land Title Office – Attention: Larry Blaschuk
Suite 300 – 88 Sixth Street, New Westminster, BC V3L 5B3

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AGRICULTURAL LAND COMMISSION FILE 54450

REASONS FOR DECISION OF THE CHIEF EXECUTIVE OFFICER

Application submitted pursuant to s. 30(1) of the *Agricultural Land Commission Act*

Applicants:

**Kevin Arthur Arne Pickering
Kenneth Frederick Martin Pickering
Township of Langley
(the "Applicants")**

Agent:

**Pacific Land Resource Group Inc.
(the "Agent")**

Application before the Chief Executive Officer:

**Kim Grout
(the "CEO")**



THE APPLICATION

[1] The legal description of the property involved in the application is:

Parcel Identifier: 017-149-916

Lot 1, Section 31, Township 10, New Westminster District, Plan NWP88093

(the "Property")

[2] The Property is 0.8 ha in area.

[3] The Property has the civic address 21982 – 44A Avenue, Langley.

[4] The Property is located primarily within a designated agricultural land reserve ("ALR") as defined in s. 1 of the *Agricultural Land Commission Act* (the "ALCA"). Of the Property area, 0.7 ha are in the ALR.

[5] Pursuant to s. 30(1) of the *Agricultural Land Commission Act* (the "ALCA"), the Applicants are applying to exclude the portion of the Property that is in the ALR and an adjacent unopened road dedication (approximately 0.2 ha in the ALR) from the ALR (the "Proposal"). The Proposal along with supporting documents is collectively referred to hereafter as the "Application".

RELEVANT STATUTORY PROVISIONS

[6] The Application was made pursuant to s. 30(1) of the *ALCA*:

30 (1) An owner of land may apply to the commission to have their land excluded from an agricultural land reserve.

[7] Pursuant to s. 27 of the *Agricultural Land Commission Act* (the "ALCA") the CEO may approve some applications:

- 27 (1) The commission, by resolution, may establish criteria under which the following may be approved by the chief executive officer:
 - (a) specified types of applications for exclusion, subdivision or non-farm use;
 - (b) applications with respect to specified regions of British Columbia.
- (2) The commission must put the criteria established under subsection (1) in writing and make them available for inspection during ordinary business hours.
- (3) An application that meets the criteria established under subsection (1) may be approved by the chief executive officer on the terms that the chief executive officer may impose.
- (4) If the chief executive officer considers that the application does not meet the criteria specified under subsection (1) or for any other reason does not wish to approve the application under subsection (3), the application must be referred to the commission for a decision.
- (5) An approval of an application by the chief executive officer under subsection (3) is decision of the commission for the purposes of this Act.
- (6) The chief executive officer may not exercise a power that has been delegated to a local government, a first nation government or an authority by an agreement entered into under section 26.

[8] On June 27, 2011, the Agricultural Land Commission (the "Commission") delegated decision-making to the CEO by Resolution #016N-2011 (File: 140-60/ALC/CEO/APPL). In accordance with section 27 of the *ALCA* 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.



BACKGROUND

[9] The Murrayville Community Plan identified a number of parcels in the southeast part of the plan area (west of 224 Street and north of 44 Avenue alignments) as 'Single Family'. In 1984, the Commission, by Resolution #1464/1984, endorsed the Murrayville Community Plan and the 'Single Family' designation.

[10] The Property and the adjacent unopened road dedication is remaining ALR land that has not yet been excluded from the ALR. Most of the identified lands noted at paragraph [9] were previously excluded from the ALR (Resolution #1839/1983).

[11] Between 1991 and 1993, and again in 2015, an additional four exclusion applications in this area were permitted based on Resolution #1464/1984. The previous decisions and the Commission endorsement of the Murrayville Community Plan have led to an understandable expectation that the remaining lands in this area north of 44 Avenue will be excluded from the ALR upon receipt of an appropriate application.

DECISION

[12] After reviewing the entire file material, I am satisfied that the Proposal is consistent with Criterion #14 of Resolution #016N/2011 and approve the Proposal.

[13] 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.

[14] Decision recorded as Resolution #68/2016.

A decision of the CEO is a decision of the Commission pursuant to s. 27(5) of the *ALCA*.

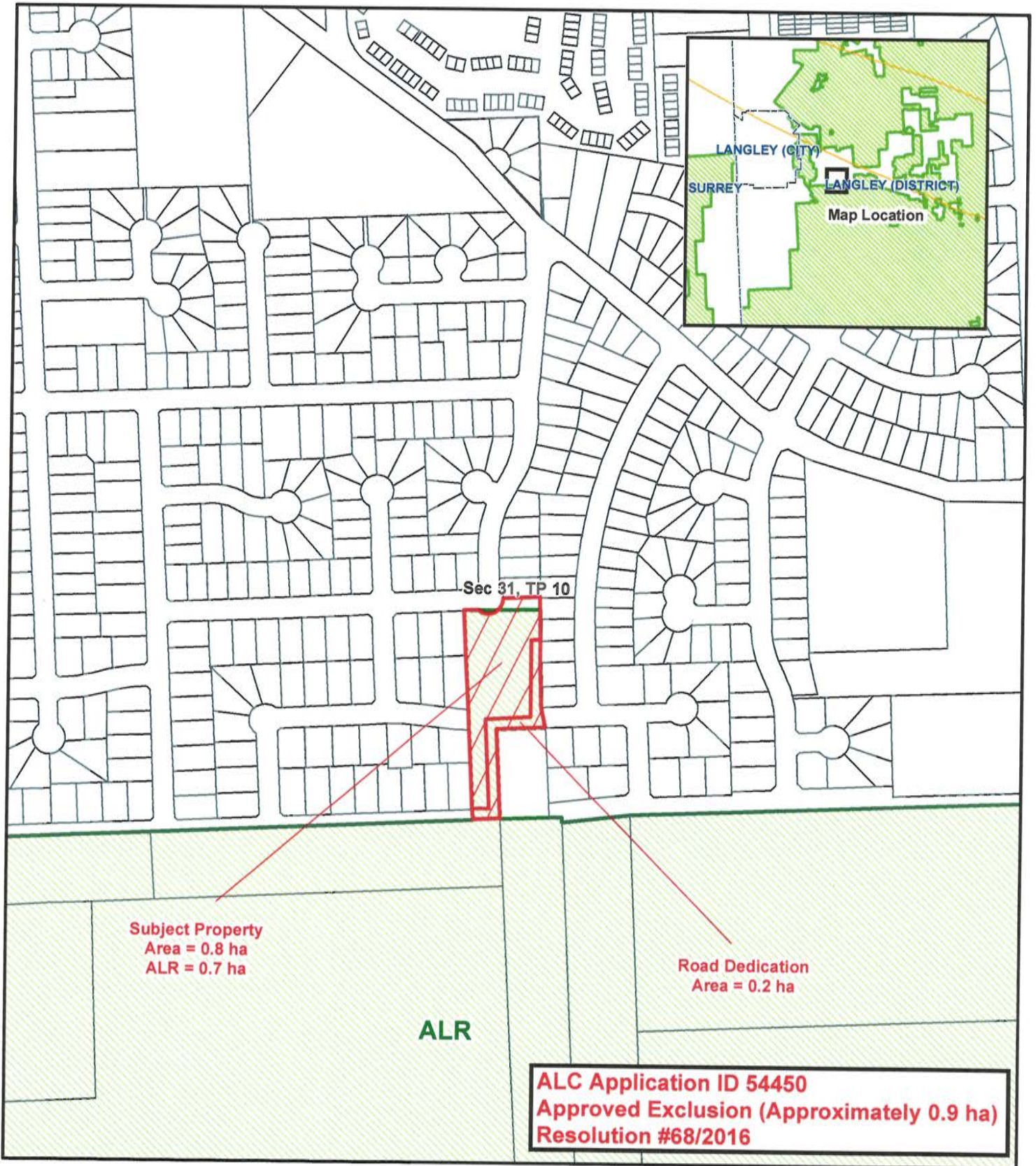


I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION

A handwritten signature in black ink, appearing to read 'Kim Grout', is written over a horizontal line.

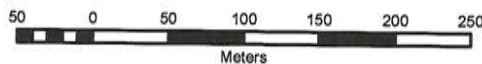
Kim Grout, Chief Executive Officer

February 24, 2016
Date Released



ALC Context Map

Map Scale: 1:5,000



ALC File #: 54450

Mapsheet #: 92G/2

Map Produced: Feb 2, 2016

Map Altered: February 24, 2016

Regional District: Greater Vancouver