



**Provincial Agricultural Land Commission**

133 - 4940 Canada Way, Burnaby, B.C. V5G 4K6

Telephone: (604) 660-7000

Fax: (604) 660-7033

with BJ 277821

May 25, 1995

Reply to the attention of Martin Collins

01161

REGISTRAR OF LAND TITLE  
LAND TITLE OFFICE  
88 - 6TH STREET  
NEW WESTMINSTER, B.C. V3L 5B3

RECEIVED

MAY 29 1995

BRITISH COLUMBIA  
AGRICULTURAL  
LAND COMMISSION  
OCT 19 1995  
RECEIVED  
BURNABY, B.C.

ATTENTION: JIM SMALL

MINISTRY OF ATTORNEY GENERAL  
VAN/NEW WEST LAND TITLE OFFICE

Dear Sir:

**Re: Plan of Subdivision of Parts of Block 36 District Lot 450 Plan 8096**

Please find enclosed a Certificate of Order #389/94 authorizing the deposit of the subdivision plan attached thereto marked Schedule "A" and the certification of the exclusion of proposed Lot A LMP \_\_\_\_\_.

That part of the property remaining in the Agricultural Land Reserve is still subject to the provisions of the Agricultural Land Commission Act and Regulations except as provided by this approval.

It would be appreciated if a copy of the registered plan could be forwarded to our offices for our records. If this is not possible, please note the following information and return a copy of this letter to our offices:

Date of Registration Sept. 15 / 95  
Plan Number LMP 25234

Thank you for your attention on this matter. Please quote Application # X-28167 in any future correspondence.

Yours truly,

AGRICULTURAL LAND COMMISSION

Lot A 023 209 101

Per:

Lot B 023 209 119

K. B. Miller, General Manager

REM Block 36  
010 276 556

JMC/lv  
Encl.

cc: MacMillan Bloedel Ltd. (#Lot450), 925 West Georgia St., Vancouver V6C 3L2  
Emery, Rac & Cecchi (#7048-SB), 4507 Manson Avenue, Powell River V8A 3N3

**CERTIFICATE OF ORDER OF THE  
PROVINCIAL AGRICULTURAL LAND COMMISSION  
PURSUANT TO THE AGRICULTURAL LAND COMMISSION ACT**

**Re: Plan of Subdivision of Parts of Block 36 District Lot 450 Plan 8096**

hereinafter referred to as the "land") and shown more particularly on a proposed plan of subdivision prepared by Victor Cecchi, B.C. Land Surveyor, with the survey being completed on the 22nd day of March 1995; a print of the plan being annexed hereto and marked Schedule "A",

WHEREAS all or part of the land is included within the Agricultural Land Reserve of the Powell River Regional District;

AND WHEREAS Section 12(1) of the Agricultural Land Commission Act provides for a person to apply to the Commission to have the land excluded from the Agricultural Land Reserve;


AND WHEREAS the owner of the land has applied under Section 12(1) of the Agricultural Land Commission Act for exclusion of the land from the designated Agricultural Land Reserve;

AND WHEREAS Section 18 of the Agricultural Land Commission Act prohibits a Registrar of Land Titles from accepting an application for deposit of a plan of subdivision under the Land Title Act, Condominium Act, or Real Estate Act, all or part of which consists of land in an Agricultural Land Reserve, except as permitted by the Act, the Regulations thereto, or by an Order of the Commission;

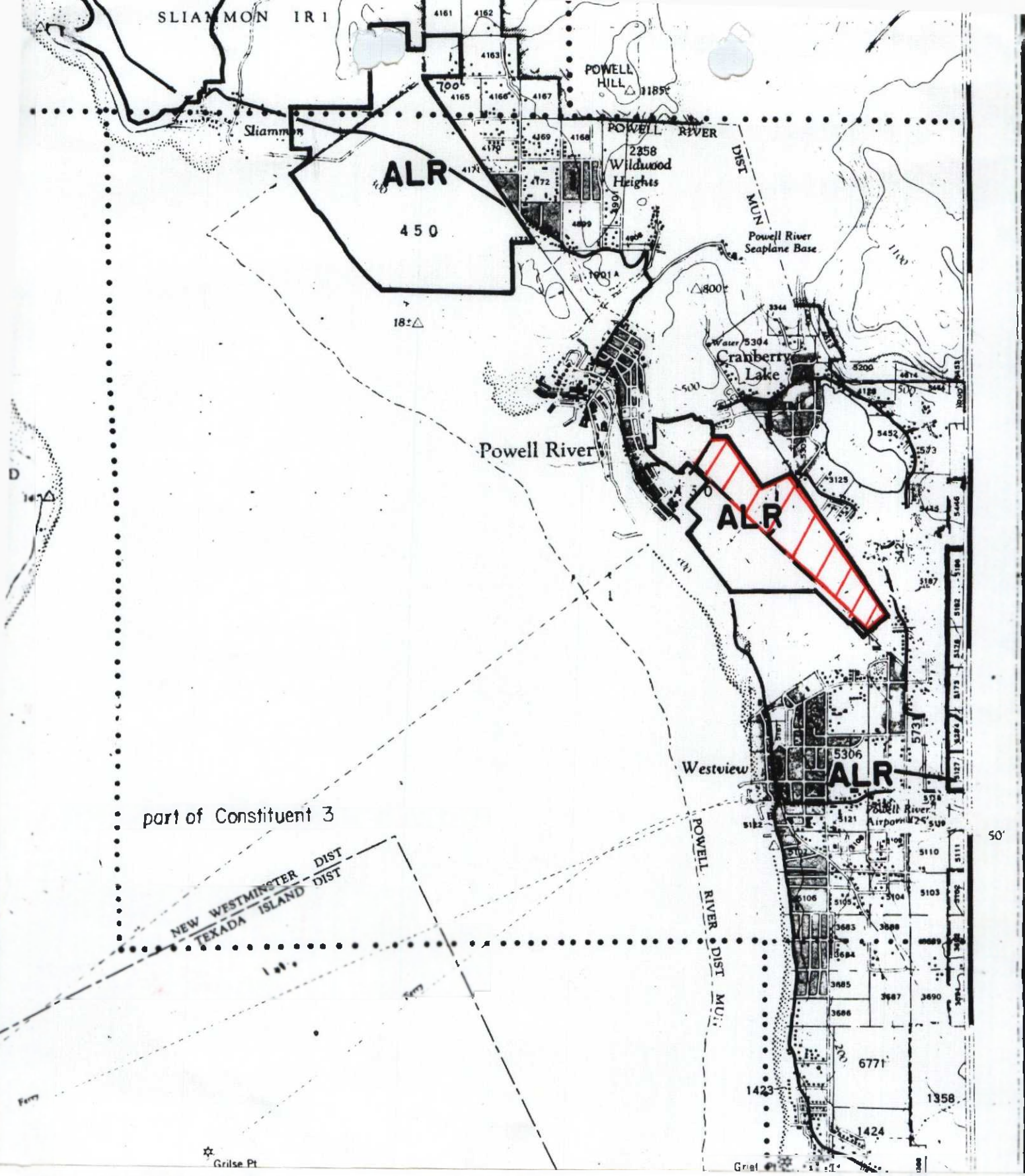
NOW THEREFORE I hereby certify that the Provincial Agricultural Land Commission, by Resolution #389/94 dated the 29th day of April 1994.

- 1) approved an order authorizing the Registrar of Land Titles to accept an application for the deposit of the attached plan, subject to compliance with all other legislation.
- 2) approved an order under Section 12(2) of the Agricultural Land Commission Act, allowing the exclusion of the proposed Lot A LMP \_\_\_\_\_ and thereby amending the Agricultural Land Reserve Plan of the Powell River Regional District.

Dated at Burnaby, British Columbia, this 25th day of May 1995.

  
\_\_\_\_\_  
K. B. Miller, General Manager  
PROVINCIAL AGRICULTURAL LAND COMMISSION

Proposed Lot B does not lie within the Agricultural Land Reserve and should not have the Agricultural Land Reserve notation.



part of Constituent 3


NEW WESTMINSTER DIST  
TEXADA ISLAND DIST

Westview ALR

50'

Grilse Pt

The subject property as indicated in red is excluded from the ALR. Amended mapsheet(s) attached.  
Amendment Date: 01/31/95 C.H.

POWELL RIVER REGIONAL DISTRICT  
APPLICATION #: 02-X-POWL-93-28167  
SUBJECT PROPERTY:   
BASE SHEET #: 92 F15  
(1:50000)



May 12, 1994

Reply to the attention of  
Gordon Bednard

MacMillan Bloedel Ltd.  
925 West Georgia Street  
Vancouver, B.C. V6C 3L2

Attention: Reg Mack/Katherine Thomas

Dear Sirs/Mesdames:

Re: Application #02-X-POWL-93-28967

Further to the hearing on lands described as:

- 1) Lot 1, Block 36, DL 450, Plan 16601, NWD and;
- 2) Portion Block 36, DL 450, Plan 8096, NWD,

the Agricultural Land Commission has now had an opportunity to thoroughly review all of the information contained in your application.

The Commission, acting under Section 12(2) of the Agricultural Land Commission Act, by Resolution #389/94, has allowed your application to exclude a total of 112.75 ha of the above referenced properties. The approximate area approved for exclusion is outlined on the plan attached hereto.

While the Commission is reluctant to grant unconditional approval of the exclusion of these lands, it is confident that planning for the future uses of the property will be such that there will be no need for additional ALR lands to satisfy the growth requirements of the community in the foreseeable future. It is the expectation of the Commission that all aspects of land use planning will be utilized in order to satisfy growth requirements in the areas of residential, industrial and urban infrastructure on these lands.

We suggest that you consider preparing a subdivision plan to create the excluded area as one or more legal parcels of land. This procedure will simplify any future administrative dealings with the excluded area since it will then be one or more separate land registry parcels on a Certificate of Indefeasible Title and will no longer be encumbered in any way by the Agricultural Land Reserve designation.

If you wish to proceed as suggested, please begin the subdivision approval process. When the final survey plan is prepared, send us two paper prints well in advance of commencing registration procedures at the Land Title Office so that we may authorize the Registrar of Land Titles to accept the deposit of the plan. We will subsequently issue a Certificate of Order confirming the exclusion of the 112.75 ha area from the Agricultural Land Reserve Plan of the Powell River Regional District in accordance with Section 14 of the Act.

May 12, 1994

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Kindly advise the Commission by return mail whether you intend to prepare a subdivision plan.

This exclusion in no way relieves the owner or occupier of the responsibility of adhering to all other legislation which may apply to the land. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities which have jurisdiction.

The remainder of the property is still within the Agricultural Land Reserve and continues to be subject to the provisions of the Act and regulations.

Please quote Application #02-X-POWL-93-28167 in any future correspondence.

Yours truly,

AGRICULTURAL LAND COMMISSION

PER: 

K. B. Miller, General Manager

GB/lv

Encl.

cc: Regional District - Powell River  
District of Powell River  
Approving Officer, Hwys - Gibsons  
B.C. Assessment Authority - Sechelt

**MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION**

Meeting held at the B.C. Ministry of Agriculture, Fisheries and Food Office, Kelowna, B.C. on the 29th day of April, 1994.

Present: K.B. Miller	Chair
A. Hadland	Commissioner
P. Gambell	Commissioner
J. Glover	Commissioner
N. Holbek	Commissioner

APPLICATION #02-X-POWL-93-28167

APPLICANT: MacMillan Bloedel Ltd

AGENT: Reg Mack, Timberlands and Properties Div.

PROPERTY LOCATION: District of Powell River

LOCAL GOVERNMENT: Same

PROPOSAL: Exclusion of 112.75 Ha from the ALR for light industrial and residential development. The district has identified the need for serviced land for these uses and feel that these lots provide the best location.

Lot 1 (15.75) ha is entirely within the ALR, while the Portion of Block 36 under application is only partially within the ALR and only partially under application (97 ha).

TYPE OF APPLICATION: Section 12(1) of the Agricultural Land Commission Act

DATE OF PURCHASE: July 13, 1911

DATE APPLICATION RECEIVED: April 8, 1993

PRESENT USE: Vacant forested land

AGRICULTURAL CAPABILITY: As taken from British Columbia Land Inventory Agricultural Capability Map #92F/15 at 1:50,000:

<u>Unimproved Ratings</u>	<u>Improved Ratings</u>	<u>% of Unit</u>
8:5M-2:5MP	8:4M-2:4MP	100

The Commission requested more detailed soils information which was provided by the applicant. This onsite confirmed the above ratings.

**SURROUNDING LAND USES:**

NORTH - Forested land, some residential out of ALR  
EAST - Residential properties  
SOUTH - Residential properties  
WEST - Forested lands in ALR

**COMMUNITY PLAN DESIGNATION: Resource  
ZONING:**

**LOCAL GOVERNMENT RECOMMENDATION:** Supports application with the intent to approve in principle the development of the entire parcel east of the power line for a mixture of light industrial in the north and residential to the south, with appropriate buffer areas between.

**BACKGROUND INFORMATION:** The only applications to have significant impact on the subject properties are:

#9(2)-75-679 Mac/Bloe - Exclusion of a parcel adjacent to the southern portion of the subject lands for institutional, fraternal and residential (seniors housing). Allowed by Commission.

#01/10-83-16338 Dist of Powell River - Block application for inclusion and exclusion of areas within the district. Excluded three blocks of land in the northern portion of the lot and included a small triangle to the south. Recommended and approved by ALC and OIC. Result was more specific definition of the present ALR boundary in this area.

Commission should note that there has been a fiscal report on the property commissioned by the District, a copy of which is in the file.

Also, Commissioner Holbek, Staff members Cheetham and Bednard have met with the District and Mac/Bloe regarding this proposal and have toured the site.

**STAFF COMMENT/RECOMMENDATION:** Although the capabilities appear poor they are based on the 1:50000 mapping and are therefore somewhat suspect. This is a large block of land which could support a wide variety of agricultural pursuits if the owner was inclined to look into agricultural options. Staff recommends refusal based on available evidence. It is the feeling of staff that other options exist for both the light industrial and residential components of this proposal.

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**HEARING DATE:** November 15, 1993  
**HEARING LOCATION:** CRD offices, Langdale B.C.  
**ATTENDANCE (APPLICANT/AGENT):** Reg Mack, Messers Needham, Carter and McRae  
**ATTENDANCE (COMMISSIONERS):** KM, JG, PG, AH, NH

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**BASE MAP NUMBER:** 92F/15  
**CONSTITUENT MAP NUMBER:** 3  
**AIR PHOTO FLIGHTLINE/NUMBER:** BCB 91015 38 and 39

**LEGAL DESCRIPTION:** 1) Lot 1, Block 36, DL 450, Plan 16601, NWD  
2) Portion Block 36, DL 450, Plan 8096, NWD

**DISCUSSION:** This application was discussed and tabled several times at various meetings of the Commission subsequent to the hearing. The focus of much of the discussion was the capability of the property for agriculture, the need for the land for the intended use, and the potential for an agricultural future for this property given its location and the surrounding land uses.

**IT WAS**

**MOVED BY: COMMISSIONER A. Hadland**

**SECONDED BY: COMMISSIONER J. Glover**

That the application be allowed. While the Commission is reluctant to grant unconditional approval of the exclusion of these lands, it is confident that planning for the future uses of the property will be such that there will be no need for additional ALR lands to satisfy the growth requirements of the community in the foreseeable future. It is the expectation of the Commission that all aspects of land use planning will be utilized in order to satisfy growth requirements in the areas of residential, industrial and urban infrastructure requirements on these lands.

Carried>