



File: 292-30/TRA-2021-10592

May 13, 2021

Sent via email

Re: Request for Access to Records
Freedom of Information and Protection of Privacy Act (FOIPPA)

I am writing further to your request received by the Ministry of Transportation and Infrastructure. On February 5, 2021, you filed a request for:

Any and all records regarding a Subdivision Application that would have been filed by the developer, T.B. Peligren, in 1997-1999 for approvals to construct the Little Qualicum River Village (Block 526, Cameron District relative to Strata Plan VIS4673 filed in 1999). (Date Range for Record Search: From 1/1/1997 To 12/31/1999)

On behalf of the Ministry, we responded to your request on March 11, 2021 and provided you with 62 pages of records. On April 19, 2021, you and the Ministry reached an agreement to re-open your request and broaden the wording to include Parts A and B below:

Any and all records regarding a Subdivision Application that would have been filed by the developer, 528872 BC Ltd. c/o T.B. Peligren, and any agent filing under any corporate designation on his behalf or for the purpose of obtaining approvals (1997-2000) to construct the Little Qualicum River Village (Block 526, Cameron District relative to Strata Plan VIS4673 filed in 1999). (Date Range for Record Search: From 1/1/1996 To 12/31/2000); AND (“Part A”)

Any and all records regarding a Subdivision Application that would have been filed by the developer 5647 Land Corporation (or any agent, legal entity or intermediary) for approvals to construct the Little Qualicum River Village (Block 526, Cameron District. (Date Range for Record Search: From 1/1/1997 To 12/31/1999)
(Date Range for Record Search: From 1/1/1997 To 12/31/1999) (“Part B”)

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The request was re-opened because the Ministry acknowledged that the records provided to you on March 11, 2021 were responsive to Part B of the broadened request, but not Part A.

Unfortunately, the Ministry has advised that, although a thorough search was conducted, no records were located in response to Part A of your request. As mentioned earlier, the records responsive to Part B of your request have already been provided to you.

In our communications on and before April 19, 2021, you also requested that the Ministry:

- a. provide responsive records to you in separate files with a maximum size of 25 MB or via an enduring login, so that you can disseminate the records more easily;
- b. send a full and unredacted version of the records to Susan Randle, District Engineer, Vancouver Island District Office, Ministry of Transportation and Infrastructure; and
- c. provide you a brief description of records in the package sent to you on March 11, 2021 which were withheld pursuant to section 3(1)(j).

Unfortunately, we are unable to send the records in smaller file sizes or to any individual besides yourself. Additionally, Ms. Randle would only be able to access the unredacted records were she authorized to view them in her professional capacity. In that case, she should already have access to them. However, as discussed earlier, I will request that the publication of the records on Open Information (<https://catalogue.data.gov.bc.ca/dataset/freedom-of-information-foi-statistics>) be expedited so that anyone who wishes to access the records may retrieve them there.

With respect to the pages withheld under section 3(1)(j), while the Act does not apply to these pages, they may be available to you outside of the Act through the Corporate Search and BC Assessment database in BC Online, and through the BC Land Title and Survey Authority.

Your file is now closed.

If you have any questions regarding your request or any of the information in this letter, please contact me at 236 455-1661. This number can be reached toll-free by calling from Vancouver, 604 660-2421, or from elsewhere in BC, 1 800 663-7867 and asking to be transferred to 236 455-1661.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,

Bianca Masalin-Basi

Bianca Masalin-Basi, FOI Analyst
On behalf of Ken Bejcek, Manager
Business and Infrastructure Team, Information Access Operations

Enclosure

<p>How to Request a Review with the Office of the Information and Privacy Commissioner</p>
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If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:

Information and Privacy Commissioner
PO Box 9038 Stn Prov Govt
4th Floor, 947 Fort Street
Victoria BC V8W 9A4
Telephone 250 387-5629 Fax 250 387-1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.