



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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May 9, 2006

Reply to the attention of Ron Wallace

Landworks Consultants Inc.
104 - 1830 Riverside Lane
Courtenay, BC V9N 8C7

Attention: Gerard V. LeBlanc, MCIP

Re: **Application # C-36546**
South 1/2 of, Section 4, Range 1, South Salt Spring Island, Cowichan District

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to construct a road through the ALR portion of the above noted property. This application is made pursuant to Part 4 Section 6 of BC Regulation 171/2002 (Agricultural Land Reserve Use, Subdivision and Procedure Regulation).

The Commission writes to advise that it approved your application subject to:

- the road dedication being in substantial compliance with the attached plan.
- compliance 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. The Commission suggests you contact the Islands Trust Salt Spring Island at your earliest convenience.

The decision noted above is recorded as Resolution #212/2006.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,

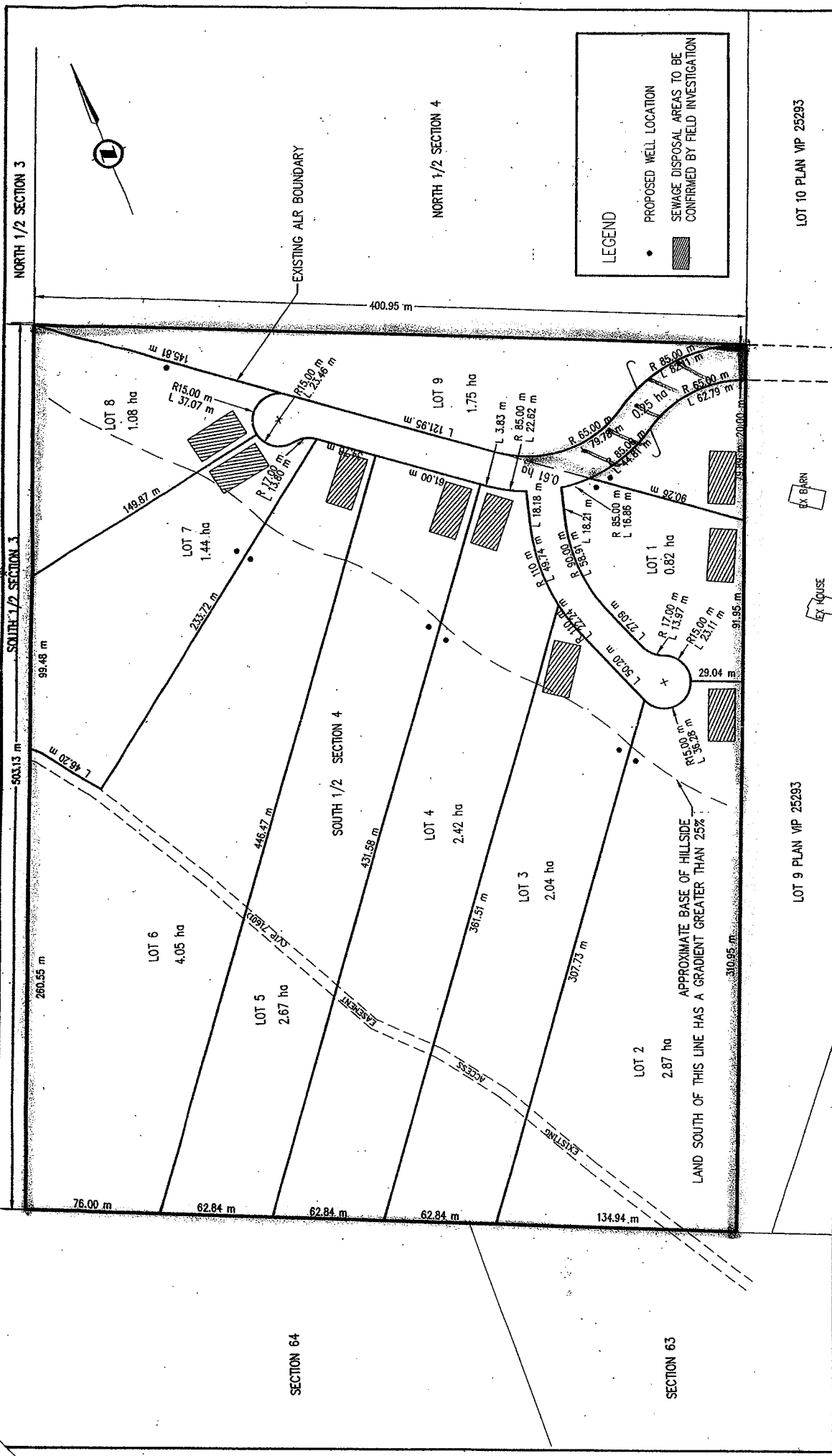
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Islands Trust Salt Spring Island
Garry Park Properties, 242 Furness Road, Salt Spring Island, BC V8K 1Z7

RW/lv/Encl./36546d1



McElhanney McElhanney Consulting Services Ltd. SUITE 401, 1481 BERTHIAUME RD. WINDSOR, ON N9E 1R7		Date: Feb 1, 2006 Drawn: MRF Checked: BSB Surveyed:	Sheet No. 1 Scale: 1:2000 Case Project No.: 2331-23701-1 Drawing No.:
PROPOSED SUBDIVISION SOUTH 1/2 SECTION 4, RANGE 1 SALT SPRING ISLAND COMPANION LAND DISTRICT		GARRY PARK PROPERTIES	
THIS DRAWING AND BOOK IS THE PROPERTY OF McELHANEY CONSULTING SERVICES LTD. NO PART OF THIS DRAWING OR BOOK IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF McELHANEY CONSULTING SERVICES LTD.		No. 168 Date: 1/26/06 For: APPLICATION FOR REVIEW	

Provincial Agricultural Land Commission
 Application: C-36546
 Resolution #212/2006

Subject property.

±0.25 ha area approved for road dedication within the ALR.

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on 3 May 2006 via email conference.

PRESENT: Lorne Seitz Chair
 David Craven Commissioner
 Donald Rugg Commissioner

STAFF: Ron Wallace, Regional Research Officer
 Roger Cheetham, Planner

For Consideration

Ron Wallace presented his staff report dated 5 April 2006 regarding application #C-36546-0, Garry Park Properties. The proposal is to construct a road through the ALR portion of the subject property. The property is 20.02 ha with an ALR portion of approximately 2.0 ha. It is estimated that an area of 0.25 ha would be required for the road leaving 1.75 ha within the ALR.

The Commission discussed the application on 19 April 2006 during its scheduled panel meeting to Vancouver Island. At that time the Panel instructed the staff of the Commission to contact the Islands Trust to see if they had any objections to this application or wish to add any comments. On 24 April 2006 the staff of the Commission contacted Allison Cox, Planning Assistant of the Islands Trust, to discuss the application. The main comment from Allison Cox is that the ALR portion of the property is zoned with a minimum lot size of 8 ha. Therefore a rezoning application would be required to create a 2 ha parcel within the ALR as proposed.

Commission Discussion

In reviewing the application the Commission felt the lot size issue is not relevant from its perspective since the small 2 ha lot comprises the total amount in the ALR on the subject property. It was noted that the road appears to hug the edge of the ALR land and therefore is probably located as best as can be expected.

IT WAS

MOVED BY: Commissioner L. Seitz
SECONDED BY: Commissioner D. Rugg

THAT the staff report be received and the application to construct a road through the ALR portion of the subject property be approved as proposed.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # C – 36546-0
Applicant: Garry Park Properties
Agent: Landworks Consultants Inc

DATE PREPARED: April 5, 2006

TO: Chair and Commissioners – Island Panel

FROM: Ron Wallace, Regional Research Officer

PROPOSAL: The proposal is to construct a road through the ALR portion of the subject property. The property is 20.02 ha with an ALR portion of approximately 2.0 ha. The proposal is to construct a road access to developable lands beyond across the ALR lands. It is estimated that an area of 0.25 ha would be required for the road leaving 1.75 ha within the ALR.

This application is made pursuant to Part 4 Section 6 of BC Regulation 171/2002 (Agricultural Land Reserve Use, Subdivision and Procedure Regulation).

BACKGROUND INFORMATION:

It is proposed that the property be subdivided into 9 lots. Of these, eight will be situated outside of the ALR while lot 9 will be retained within the Reserve. The lots range in size from 0.82 ha to 4.05 ha; lot 9 will have an area of 1.75 ha and will be improved for growing of nursery stock and for residential use.

Local Government:

Islands Trust Salt Spring Island

Legal Description of Property:

1. PID: 009-726-209
South 1/2 of, Section 4, Range 1, South Salt Spring Island, Cowichan District;

Location of Property:

242 Furness Road, Salt Spring Island

Size of Property:

20.0 ha (Of which 2.0 ha is within the ALR)

ALR Area:

0.25 ha required for the road dedication.

Present use of the Property:

The property, including the ALR portion, is generally treed land.

Surrounding Land Uses:

WEST: Treed land
SOUTH: Treed mountainside
EAST: Treed land, outside of the ALR
NORTH: Hay or pasture land, within the ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 92B/13
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

N/A

Zoning Bylaw and Designation:

The ALR portion of the property is zoned A-1, while the non-ALR portion is zoned F1.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

No comment or recommendation.

STAFF COMMENTS:

Staff provides the following comments:

- The proposed road will be approximately 79.8 m in length and will traverse Lot 9 (within the ALR) at its widest side in two reverse curves, to meet MOT safety requirements, and will have an r.o.w. width of 20 m. This will result in a significant portion of Lot 9 being divided by the road.
- An on-site inspection would benefit the Commission in reviewing this application.

END OF REPORT



Signature

11 April 2006

Date