



Agricultural Land Commission
133-4940 Canada Way
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www.alc.gov.bc.ca

June 4, 2014

ALC File: # 53541

Attention: Patty Roney

FortisBC Energy (Vancouver Island) Inc.
16705 Fraser Hwy
Surrey, BC, V4N 0E8

Dear Ms. Roney:

Re: Application for Transportation, Utility or Recreational Trail Uses within the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution # 173/2014 as it relates to the above noted application.

Please provide proof of compliance with the fencing condition of Resolution #173/2014 by providing the ALC with photographs of the site once the fence is completed.

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

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 
Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution # 173/2014

cc: Municipality of North Cowichan

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Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on June 4, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application: 53541
Applicant: Forest Lakewood BC LLC
Agent: FortisBC Energy (Vancouver Island) Inc.
Proposal: (Submitted pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation)
Transportation, utility or recreational trail use to upgrade existing utility equipment and to increase the size of the site from 2 m² to 80 m² on the 43.8 ha property (33.2 ha in the ALR) to allow maintenance crews vehicle access to the site.
Legal: PID: 005-794-153
Lot 1, Sections 8, 9 and 10, Range 7, and Sections 9 and 10, Range 8, Chemainus District, Plan 6777, except parts in Plans 8768, 9633, 10248, and 11817
Location: 8797 Chemainus Road
Background: The current single cut farm tap was designed to serve only one FortisBC customer but now requires an upgrade to a double run facility to serve additional customers. Vehicle access is required as maintenance crews are currently forced to hop the fence to service the facility which is a safety issue for both the workers and the livestock on the adjacent farm. An existing offer from FortisBC to purchase the 80 m² portion of the subject property from the landowner is subject to Commission approval of this application.

DELEGATION OF DECISION-MAKING TO THE CHIEF EXECUTIVE OFFICER (CEO)

On June 27, 2011 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 *Agricultural Land Commission Act* the Commission has specified that the following applications may be decided by the CEO.

Criterion 4

Non-farm use applications made pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation);

DECISION:

After reviewing the entire file material, I, Brian Underhill, Deputy Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion # 4 of Resolution #016N/2011 and approve the application on behalf of the Commission.

Approval is subject to the following conditions:

- The construction of a fence that encloses the proposed site

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.

RESOLUTION # 173/2014

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION

A handwritten signature in black ink, appearing to read "B Underhill", written over a horizontal line.

Brian Underhill, Deputy Chief Executive Officer