



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

August 30, 2005

Reply to the attention of Ron Wallace

4064 Investments Ltd.
PO Box 172 Station A
Nanaimo, BC – V9R 5K9

Attention: Devin Hawes

Re: **Application # I-35479-0**
Fractional Section 30, Nanaimo District, Denman Island
The North 1/2 of, Section 25, Nanaimo District, Denman Island

The Provincial Agricultural Land Commission (the "Commission") has reconsidered your application to create a panhandle access off Swan Road and along the south and west boundaries of Sec. 25, SE ¼, Denman Island to access the proposed most westerly lot.

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

- the subdivision being in substantial compliance with the attached plan.
- the consolidation of the proposed most easterly lot with the adjacent parcel to the south.
- 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 Denman Island at your earliest convenience.

The decision noted above is recorded as Resolution #456/2005.

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:

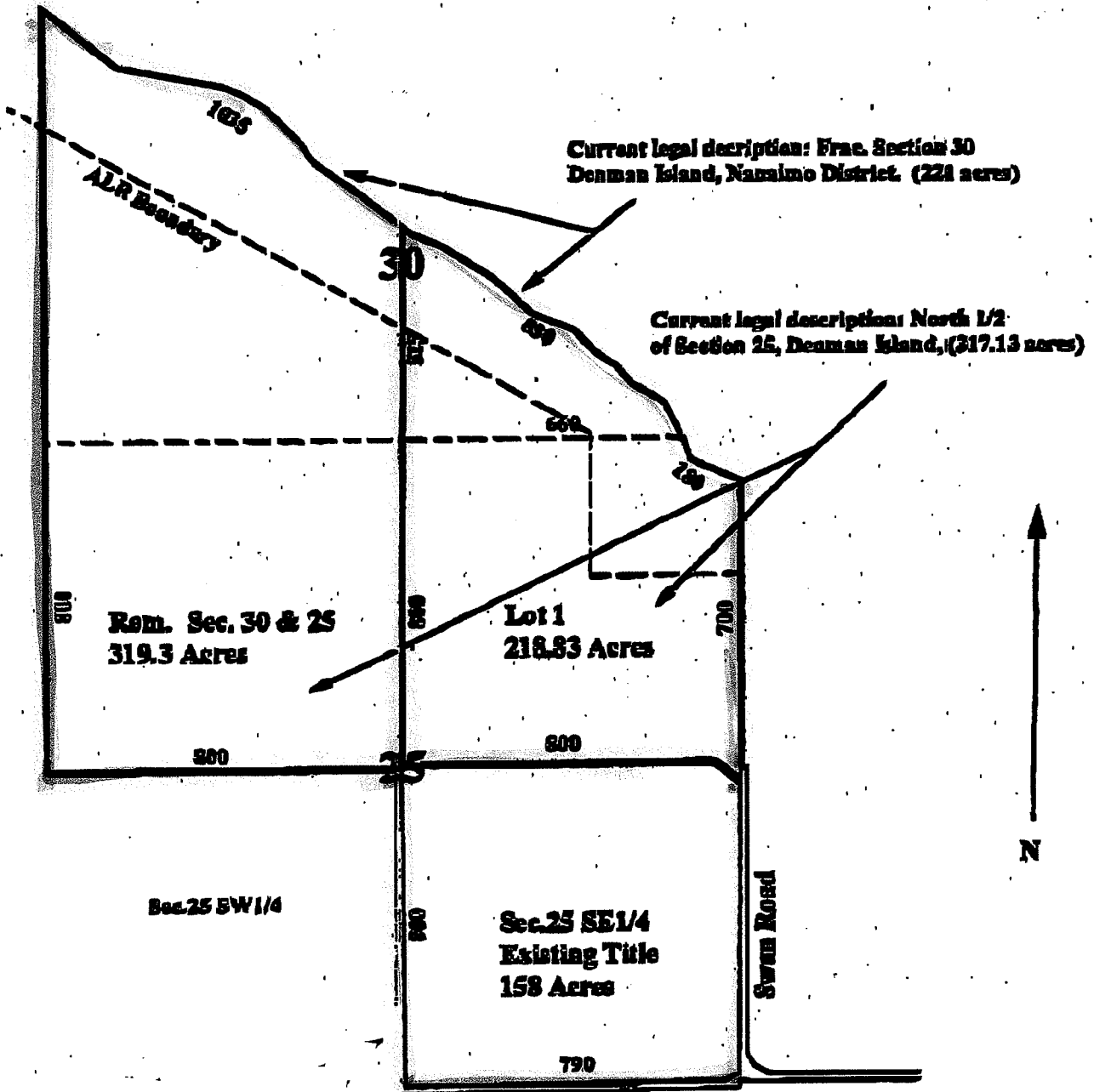
Erik Karsen, Chair

cc: Islands Trust - Denman Island – DE_ALR-2004-2
Approving Officer, Ministry of Transportation, Nanaimo
BC Assessment, Nanaimo

RW/lv/Encl.
35479d3




Updated May 4, 2005

PROPOSED 2 LOT SUBDIVISION OF SECTION 25 & 30 DENMAN ISLAND



Scale 1:15,000

Provincial Agricultural Land Commission
Application: I-35479
Resolution #456/2005

-  Subject properties Under Application
-  Approved Panhandle Lot
-  Lots to be consolidated



Staff Report
Application # I – 35479-0
Applicant: 4064 Investments Ltd
Agent: Devin Hawes

DATE PREPARED: July 6, 2004

TO: Chair and Commissioners –Island Panel

FROM: Gordon Bednard, Regional Research Officer

PROPOSAL: 4064 Investments Ltd. is requesting permission to subdivide 2 lots on Denman Island into four lots. The applicants would retain two of these lots, and the others would be sold to a third party, along with an adjacent lot not under application. Access for the lots to be created would be off Swan Road.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

These lands were formerly owned by Weldwood and sold to 4064 BC Ltd which has pursued logging operations on these and other Denman properties (as allowed under the Regulations), much to the concern of local residents. These properties also include the Komass Bluffs area (not in the ALR for the most part) which is an area of concern for the Islands Trust regarding sensitive ecosystems and unstable slopes, both of which may be affected by either logging or agricultural practices.

Local Government:

RD: Regional District of Comox-Strathcona
Municipality: Islands Trust Denman Island

Parcel Identifier (PID) and Legal Description of Property:

Fractional Section 30, Nanaimo District, Denman Island
PID 006-660-797
The North 1/2 of, Section 25, Nanaimo District, Denman Island
PID 006-660-126

Purchase Date(s)(mm/dd/yyyy):

06/01/1997

Location of Property:

Off North end of Swan Road, NE coast of Denman Island, Comox Strathcona RD

Size of Property:

283.4 ha (5 properties)

ALR Area:

237.3 ha

Present use of the Property:

Vacant forested and logged lands.

Surrounding Land Uses:

NORTH: Georgia Strait

EAST: Georgia Strait

SOUTH: Mainly large forested lots in the ALR, little agriculture, mostly forestry use

WEST: Large forested properties in the ALR, mostly logging

Agricultural Capability:

Data Source: Agricultural Capability Map # 92F/10

The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

Agriculture

Zoning Bylaw and Designation:

Agriculture

PREVIOUS APPLICATIONS:

- On NW ¼ of Section 25

Application #30305-0

Applicant: Comox Timber Ltd

Decision Date: January 11, 1996

Proposal: To seek approval to extract up to 8,000 cubic metres of sand and gravel per year from an ongoing operation.

Decision: The Commission allowed the extraction proposal subject to standard conditions and \$5,000.00 bond.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Forwarded without recommendation - some concerns regarding access which has been referred to MoT.

STAFF COMMENT:

Without the benefit of viewing the property Staff suggests allowance of the application could be considered subject to the binding of titles for the properties to be transferred which would effectively neutralize the number of "new " lots created. This being said, both the present lots and the lots proposed are quite large in terms of agricultural parcels for the Gulf Islands and a case may be made for them to stand on their own.

Access may become an issue if the approving officer requires dedication of road to all lots, as ownership of individual properties may change hands without the binding requirement.

END OF REPORT

Director's Signature

Date