



**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

October 19, 2005

Reply to the attention of Ron Wallace

Edward & Marianne Gibson  
RR2 – 7004 Mays Road  
Duncan, BC – V9L 3W8

Dear Sir/Madam:

**Re: Application # J-36238**  
**Lot 1, Section 7, Range 1, Comiaken District, Plan VIP 58422;**  
**Lot B, Section 9 and 10, Range 7, Somenos District, Plan VIP65087;**  
**Section 10, Range 7, Somenos District, EXCEPT Parcels A, B, C and D**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide Lot 1, Plan VIP 58422 (noted above) into two lots of 2 ha and 6.7 ha and to consolidation Lot B, Plan VIP 65087 and Section 10 (also noted above) into one parcel. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank Dick Wright of Focus Corporation Ltd. for taking the time to meet with its representatives on September 29, 2005. The Commission found the meeting and site visit informative.

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

- the subdivision being in substantial compliance with the attached plan.
- the consolidation, as proposed, of Lot B, Plan VIP 65087 and Section 10 (as noted above) into one parcel.
- 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 District of North Cowichan at your earliest convenience.

The decision noted above is recorded as Resolution **#524/2005**.

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 proposed consolidation has been completed and the subdivision plan and is acceptable 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.

Edward & Marianne Gibson  
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Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

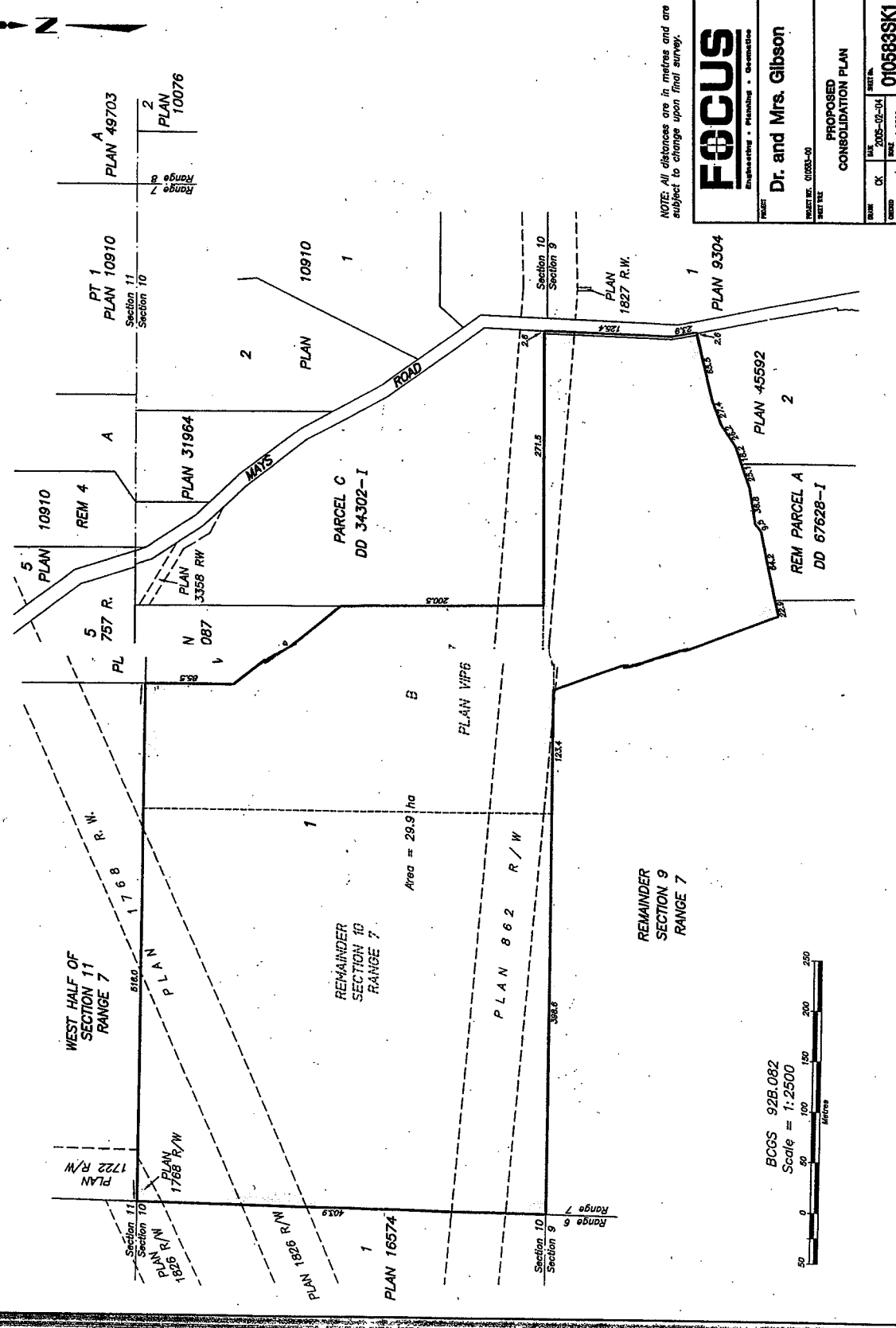
Per:

Erik Karlsen, Chair

cc: District of North Cowichan (#3025-20-05.03)  
Approving Officer, Ministry of Transportation, Nanaimo  
BC Assessment, Nanaimo  
Focus Corporation Ltd., 552 Trunk Road, Duncan, BC – V9L 2R1

RW/lv/Encl./36238d1

SKETCH PLAN SHOWING PROPOSED PLAN OF CONSOLIDATION OF REMAINDER OF SECTION 10, RANGE 7, EXCEPT PARCELS A, B, C AND D THEREO AND LOTS 1, 2, 3, 4 AND 5 THEREO IN SOMENOS DISTRICT.



**FOCUS**  
Engineering • Planning • Construction

**Dr. and Mrs. Gibson**

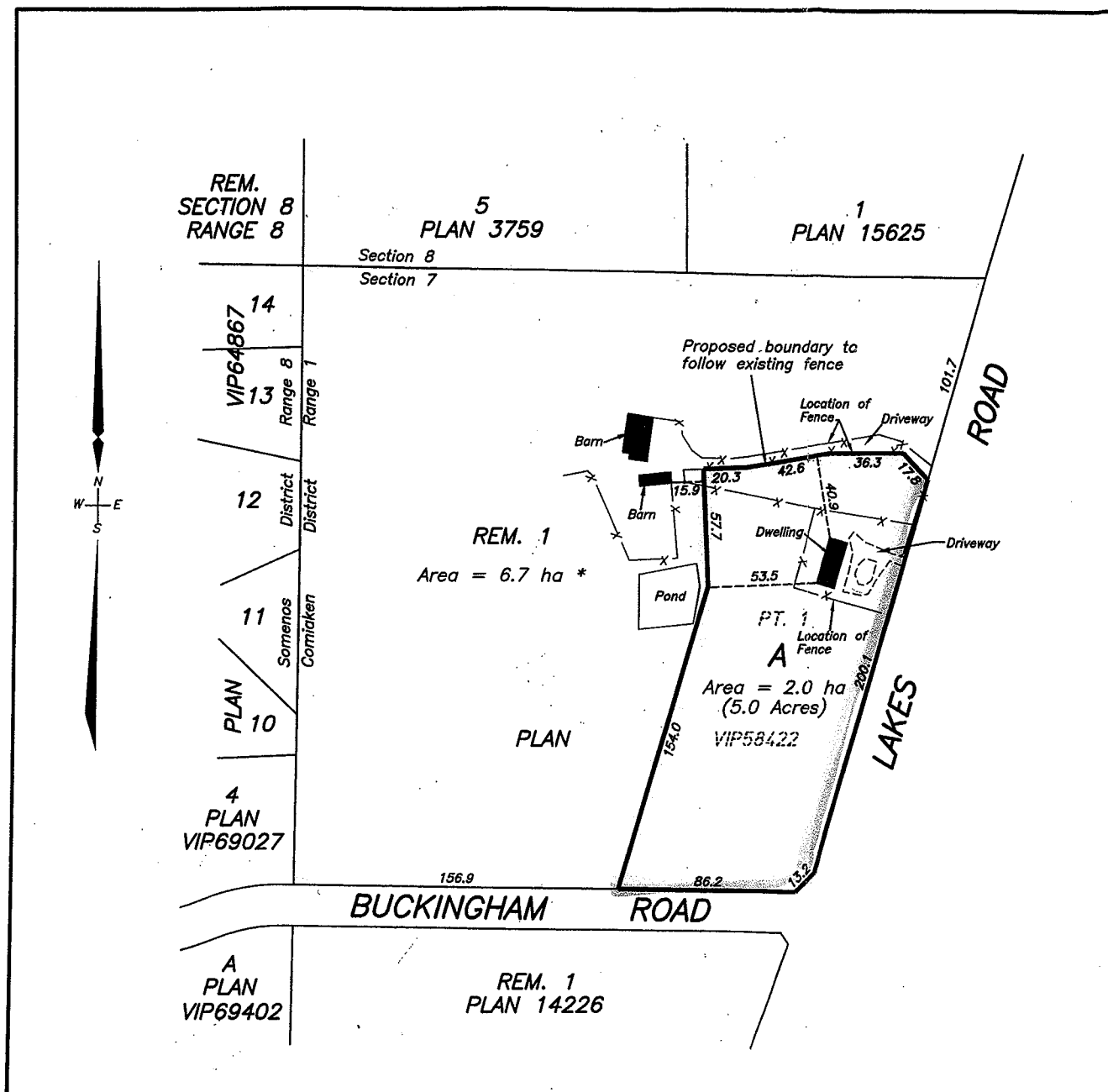
PROJECT: PROPOSED CONSOLIDATION PLAN  
DRAWING NO.: 0105893K1  
DATE: 2005-07-04  
SCALE: 1:2500

DATE: 2005-07-04  
SCALE: 1:2500



PROJECT NO.: 0105893K1

Provincial Agricultural Land Commission  
Application: J-36238  
Resolution # 524/2005

□ Lots to be consolidated.



Provincial Agricultural Land Commission  
 Application: J-36238  
 Resolution # 524/2005

-  Subject property.
-  2 ha area approved for subdivision.





**Staff Report**  
**Application # J – 36238-0**  
**Applicant: Edward & Marianne Gibson**  
  
**Agent: Focus Corporation Ltd**

**DATE PREPARED:** September 20, 2005

**TO:** Chair and Commissioners – Island Panel

**FROM:** Ron Wallace, Regional Research Officer

**PROPOSAL:** The applicant is proposing to take three lots and reconfigure them by consolidating a 13.9 ha parcel with a 15.9 ha parcel to create one 29 ha lot off Mays Road, and subdivide a 8.7 ha parcel into two lots of 2.0 and 6.7 ha each off Lakes Road. There would be no net increase in the number of parcels.

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

**BACKGROUND INFORMATION:**

There has been one previous application involving the subject property on 7004 Mays Road as noted below under application # 30653. In that application the Commission approved a boundary line adjustment to create one of the subject properties proposed for consolidation. There have been no previous applications involving the Lake road property. However, the applicant has provided a Land Capability Assessment report for the Lakes Road property as well as a business plan in support of the application. Both are attached.

**Local Government:**

The Corporation of the District of North Cowichan

**Legal Description of Property:**

1. PID: 018-668-127  
Lot 1, Section 7, Range 1, Comiaken District, Plan VIP 58422;
2. PID: 023-728-124  
Lot B, Section 9 and 10, Range 7, Somenos District, Plan VIP65087;
3. PID: 007-229-062  
Section 10, Range 7, Somenos District, EXCEPT Parcels A, B, C and D;

**Location of Property:**

The two properties proposed for consolidation are at 7004 Mays Road, Duncan, BC  
The one property proposed for subdivision is at 6836 Lakes Road, Duncan, BC

**Size of Property:**

The lot sizes are:

Lot 1, Plan VIP58422 is 8.77 ha

Lot B, Plan VIP65087 is 13.9 ha

Section 10 is 15.9 ha

Total 38.6 ha (The entire property is in the ALR).

**Present use of the Property:**

The property at 6836 Lakes Road is currently used as grazing pastures for highland beef cattle, and also supports a rural residence and several outbuildings. The property at 7004 Mays Road is used for beef production.

**Surrounding Land Uses:**

**WEST:** Residential/Agricultural  
**SOUTH:** Residential  
**EAST:** Agricultural  
**NORTH:** Agricultural

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92B.082  
The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

The area is designated rural in the OCP. The OCP and the Strategic Plan for Agriculture do not speak to the subdivision per se but does encourage the maintenance/creation of large parcels in single units due to their rarity.

**Zoning Bylaw and Designation:**

The properties are zoned A1 - Agricultural, 12 ha minimum lot size

**PREVIOUS APPLICATIONS:**

**Application #30653-0**

**Applicant:** Gibson, Edward & Marianne

**Decision Date:** June 24, 1996

**Proposal:** To undertake a boundary adjustment between two lots of 6.5 ha and 9 ha to create two lots of 2 ha and 13.5 ha. The application is also requesting a second residence on the 13.5 ha lot for a caretaker.

**Decision:** The Commission allowed the boundary adjustment as proposed as well as the second dwelling for farm help on the grounds the farm operation was a substantial size and required additional farm help.

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**RELEVANT APPLICATIONS:**

**Application #30769-0**

**Applicant:** Barnes, Timothy

**Decision Date:** September 03, 1996

**Proposal:** To construct two dwelling on the 3.7 ha property, one for the owner, the other for farm labor to oversee the operation when the owner is away fishing  
**Decision:** The Commission refused the request for the second dwelling on the grounds that there was presently no agricultural activity occurring on the property that would require an additional home for farm help.

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**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Council**

"that Council advise the ALC that it has no objection to a proposal to consolidate two parcels at 7004 Mays Road, and subdivide property at 6836 Lakes road into two lots, subject to the Commission assessing the appropriate size and configuration of the proposed lot on Lakes Road to maximize the agricultural capability of the remainder."

**Agricultural Advisory Committee**

The AAC has ~~not~~ met to discuss this application. It is scheduled for its review on the 9<sup>th</sup> prior to the TPC meeting.

**Local Government Staff**

Subject to the review by the AAC, staff recommend that Council forward the application to the ALC with no objection subject to the Commission assess the merits of the 2 ha size of the proposed lot off Lakes Road.

**STAFF COMMENTS:**

The motivation for the application is to secure capital from the new lot off Lakes Road to develop a blueberry farm on the consolidated parcel on Mays Road. It is more typical for this kind of application to involve contiguous parcels where it is easier to assess the potential agricultural benefit. This application is different in that it is assessing one parcel as being more desirable for agriculture while evaluating the other, at different location, as more useful for residential use. An on-site will benefit the Commission in the assessment of these properties for agricultural potential and whether the creation of a residential lot is justified.

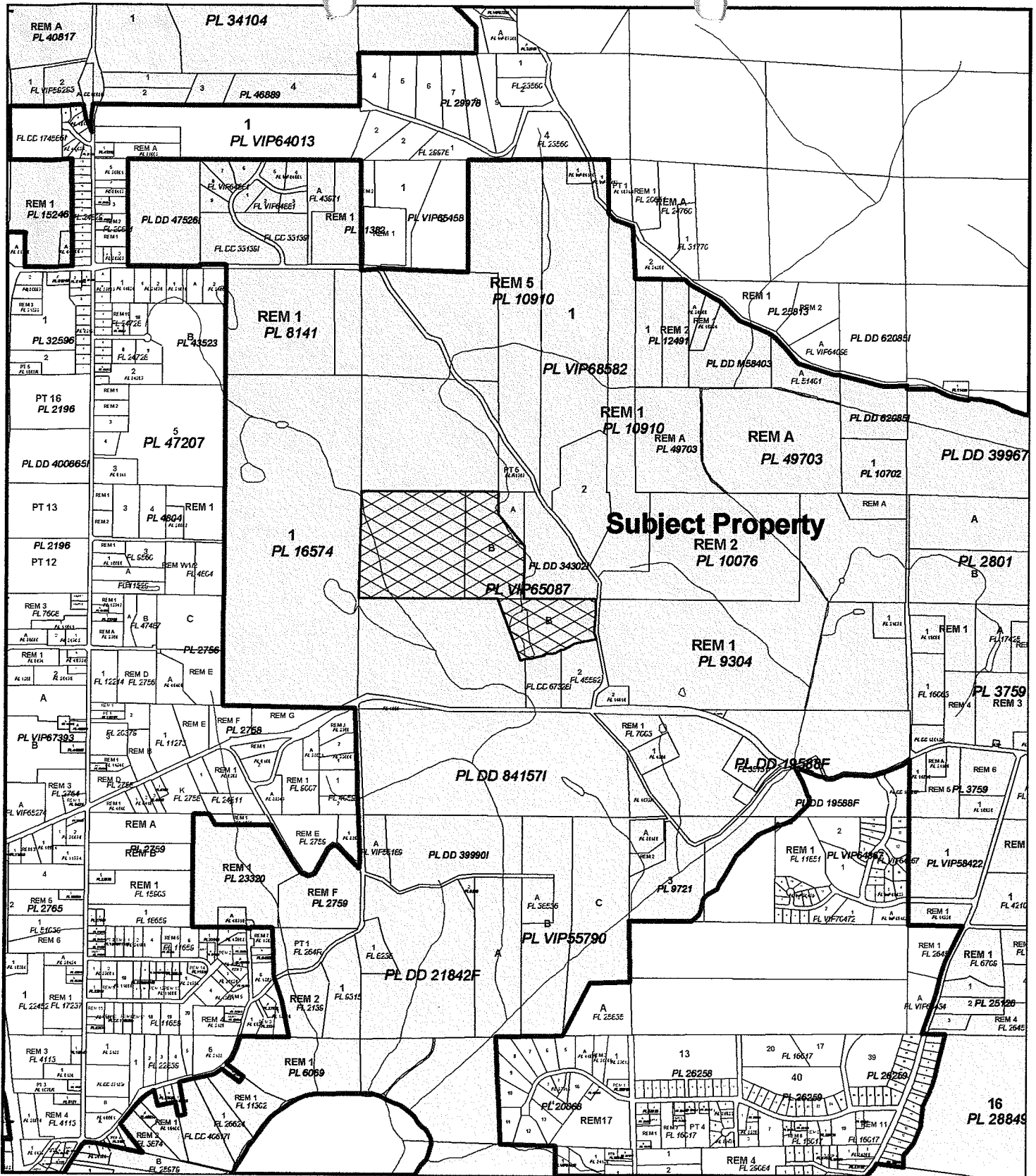
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**END OF REPORT**

  
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**Signature**

20 Sept 2005  
\_\_\_\_\_  
**Date**





**ALC CONTEXT MAP**  
**Application # 36238**  
 Map Scale: 1: 20000

**ALC File #: 21-05-36238**  
**BCGS Map Sheet #: 92B.082**  
**Regional District: Cowichan Valley**