



Agricultural Land Commission
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January 10, 2006

Reply to the attention of Ron Wallace

Hatfield Biotechnology Ltd.
1000 - 840 Howe Street
Vancouver, BC V6Z 2M1

Dear Sir:

Re: **Application # C-36403**
Parcel B (DD39229I), Section 73 & 75, South Salt Spring Island, Cowichan District

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the above noted property into three lots of approximately 1.5 ha, 0.46 ha and 0.16 ha. Both the proposed 1.5 ha lot and the 0.16 ha lot will be acquired by the Province to add to Ruckle Provincial Park. The proposed 0.46 ha lot will be retained as a home site. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on 4 January 2006.

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

- the subdivision 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 #002/2006.

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 (#SS-ALR-2005-8)
Ministry of Environment, PO Box 9398 STD Prov Govt, Victoria, BC V8W 9M9

RW/lv/Encl./36403d1

SKETCH PLAN OF PROPOSED PARCELS WITHIN PARCEL B (DD 39229),
SECTIONS 73 AND 75, SOUTH SALT SPRING ISLAND, COWICHAN DISTRICT.

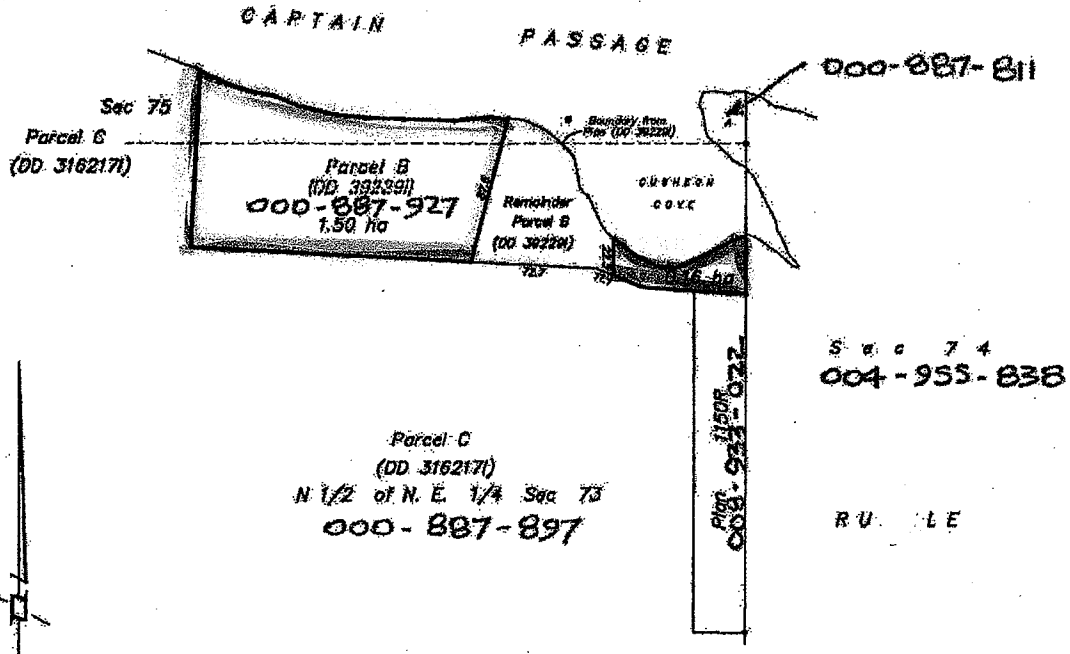
B.C.S. 928, 073

Scale = 1:2000




LEGEND

All distances are in metres and decimals thereof.
Date of Plan Survey
Sept. 27, 2000



Provincial Agricultural Land Commission
Application: C-36403
Resolution #002/2006

-  Subject property.
-  Approved subdivision

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on 4 January, 2006 in Qualicum Beach, BC.

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 20 December 2005 regarding application #C-36403-0, Hatfield Biotechnology Ltd. The application is to subdivide the 2.12 ha subject property into three lots of 1.5 ha, 0.46 ha and 0.16 ha. Both the proposed 1.5 ha lot and the 0.16 ha lot will be acquired by the Province to add to Ruckle Provincial Park. The proposed 0.46 ha lot will be retained as a home site by the owner.

Site Inspection

A site inspection was conducted on 4 January 2006. Those in attendance were:

- Commissioners Seitz, Craven & Rugg
- Agricultural Land Commission Staff: Ron Wallace, Regional Research Officer and Roger Cheetham, Planner
- Applicant Mr. Hatfield

The site inspection lasted from 9:45 a.m. to 10:15 a.m.

Commission Discussion

The Commission had no objections to the proposed subdivision given the small size of the subject property and in light of the proposed use as an addition to Ruckle Provincial Park.

IT WAS

MOVED BY: Commissioner D. Rugg

SECONDED BY: Commissioner L. Seitz

THAT the staff report be received and the application to subdivide the 2.12 ha subject property into three lots of 1.5 ha, 0.46 ha and 0.16 ha be approved.

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

CARRIED



Staff Report
Application # C – 36403-0
Applicant: Hatfield Biotechnology Ltd
Agent: Ministry of Environment

DATE PREPARED: December 20, 2005

TO: Chair and Commissioners – Island Panel

FROM: Ron Wallace, Regional Research Officer

PROPOSAL: To subdivide the 2.12 ha subject property into three lots of 1.5 ha, 0.46 ha and 0.16 ha. Both the proposed 1.5 ha lot and the 0.16 ha lot will be acquired by the Province to add to Ruckle Provincial Park. The proposed 0.46 ha lot will be retained as a home site by the owner.

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

BACKGROUND INFORMATION:

The Parks and Protected Areas Branch completed an agreement with Hatfield Biotechnologies Ltd (hatfield) to acquire the Hatfield properties that abut the north west boundary of Ruckle Park. This acquisition includes four Hatfield parcels that comprise a total of approximately 38 ha. The purchase agreement provides for the subdivision of one of the parcels to create a 0.5 ha lot for the existing home site. The home site lot will be retained by the current owner with the potential for future acquisition by the Province. The Hatfield properties have been used for shell fish aquaculture and salmon farming. The purchase agreement for this acquisition provides for the immediate removal of the shell fish operation and the phased decommissioning of the salmon farm.

Local Government:

Islands Trust Salt Spring Island

Legal Description of Property:

1. PID: 000-887-927
Parcel B (DD39229I), Section 73 & 75, South Salt Spring Island, Cowichan District;

Purchase Date (m/d/y):

09/26/1985

Location of Property:

Adjacent to Ruckle Provincial Park, Salt Spring Island

Size of Property:

2.1 ha (The entire property is in the ALR).

Present use of the Property:

Most of the property is used as part of a heritage farm. It is predominantly meadow, with some fruit trees and a small forested portion.

Surrounding Land Uses:

- WEST:** Rural residential
- SOUTH:** Rural residential, forest land
- EAST:** Ruckle Provincial Park
- NORTH:** Captain Passage/Cusheon Cove

Agricultural Capability:

Data Source: Agricultural Capability Map # 92B/14
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

The Salt Spring Island OCP designates the north east portion of this parcel as Agriculture and the south west portion as Rural Neighbourhoods.

Zoning Bylaw and Designation:

The property is subject to a number of zoning classifications. The foreshore is zoned both Shoreline 6 and Shoreline 5(a). The north east portion of the property adjacent to Cusheon Cove and including the home site is zoned Commercial Accommodation 2. Two small portions of land are zoned Agriculture 1.

PREVIOUS APPLICATIONS:

Application #31602-0

- Applicant:** Hatfield Biotechnology Ltd
- Decision Date:** November 19, 1997
- Proposal:** The applicant is requesting a two site campground with water access only from Captains Passage. The sites will be for tent use only with no open fires allowed or services provided.
- Decision:** Allow as proposed.

Application #25522-0

- Applicant:** Hatfield Biotechnology Ltd.
- Decision Date:** April 18, 1991
- Proposal:** To construct a house and garage on Parcel B of the fish hatchery operation.
- Decision:** Allowed

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Islands Trust

The Salt Spring Island Local Trust Committee supports approval of the application.

Local Government Staff

The proposed subdivision is considered consistent with the OCP policy respecting subdivision in Agriculture designations by virtue of the policy B.6.1.2.13 c statement that “the subdivision is clearly in the public interest consistent with the objectives of this plan.”

STAFF COMMENTS:

Staff recommends that consideration be given to support the application given the small size of the subject property and in light of the proposed use as an addition to Ruckle Provincial Park.

END OF REPORT

Signature

Date