



Agricultural Land Commission
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October 4, 2006

Reply to the attention of Roger Cheetham
ALC File: # C - 36879

Nicholas Gilbert and Mary Gilbert Waugh
590 Upper Ganges Road
Salt Spring Island, BC V8K 1R9

Dear Sir/Madam:

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution Number 465/2006 outlining the Commission's decision as it relates to the above noted application. The Commission's approval is subject to the subdivision not exceeding 0.6 ha and being located as indicated in the application and as shown on the attached plan.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all of the conditions have been met it will authorize the Registrar of Land Titles to accept registration of the plan

Yours truly

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

cc: Islands Trust - Salt Spring Island (SS-ALR-2006-4)

RC/lv/Encl.
36879d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on 6th September 2006 at Crown Isle Resorts Courtenay, BC

PRESENT:

Lorne Seitz	Chair
David Craven	Commissioner
Don Rugg	Commissioner

STAFF: Roger Cheetham, Regional Planner

For Consideration

Application # I - 34834

Applicant: Doug Dyson

Proposal: To reconsider a decision to refuse an application to exclude land from the ALR

Legal: Lot 1, Section 5, Township 3, Sayward District, Plan 45197

Location of Properties: Junction of Sayward Road and Island Highway, Sayward Valley

Commission Discussion The Commission considered a request dated 3rd August from Mr. Dyson for the Commission to reconsider its decision to refuse the application. While having some sympathy with Mr. Dyson's situation the Commission considered that it was the prime responsibility of the Regional District to establish community need in the context of a community planning process. The Commission was not satisfied in the absence of this process that a sufficiently strong case had been made to justify the exclusion of the property.

IT WAS

MOVED BY: Commissioner L. Seitz

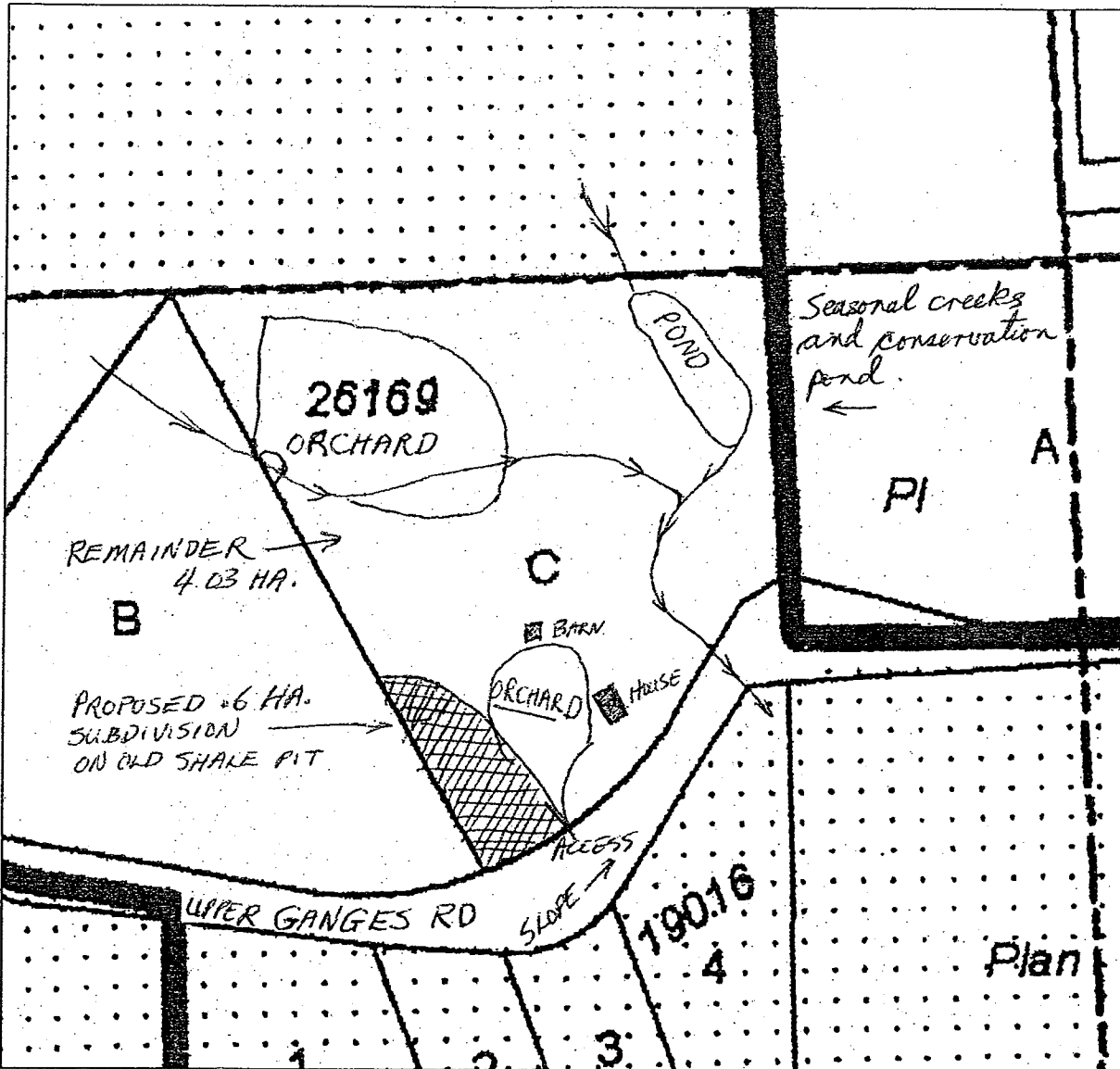
SECONDED BY: Commissioner D. Craven

THAT the reconsideration request be refused.

CARRIED

Resolution Number 468/2006

Plan No. 1



Location of approved subdivision

APPLICATION # C - 36879
Subdivision approved in terms of
ALC
Resolution Number 465/2006



Staff Report
Application # C – 36879
Applicant: Nicholas R. and Mary W. Gilbert

DATE PREPARED: August 29, 2006

TO: Chair and Commissioners – Island Panel

FROM: Colin Fry, Director – Regional Operations

PROPOSAL: To subdivide one (1) 0.6 ha lot from the 4.6 ha parcel. The proposed lot is intended for the applicants' daughter and son-in-law.

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

BACKGROUND INFORMATION:

Local Government:

Islands Trust - Salt Spring Island

Legal Description of Property:

PID: 002-721-848

Lot "C", Section 6, Range 2 East, North Salt Spring Island, Cowichan District, Plan 26169

Purchase Date:

Certificate of Title entered on December 2, 1976

Location of Property:

590 Upper Ganges Road

Size of Property:

4.6 ha (The entire property is in the ALR)

Present use of the Property:

Residential, farm

Surrounding Land Uses:

WEST: Residence

SOUTH: Residence, Upper Ganges Road

EAST: Residence, orchard, partially non-ALR lands

NORTH: Farm

Agricultural Capability:

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

Official Community Plan and Designation:

Designation: A - Agriculture

Zoning Bylaw and Designation:

Zoning: Bylaw No. 355
Designation: A1
Minimum Lot Size: 8 ha
(Note: If approved the Islands Trust would likely use section 946 of the *Local Government Act* to accommodate the subdivision without the need to rezone the property)

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

The Local Trust Committee forwarded the application with its support.

Attachments:

1. ALC Context Map
2. Map of Proposed Subdivision

END OF REPORT

Signature



Date

August 29/06