



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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February 14, 2007

Reply to the attention of Terra Kaethler
ALC File: #J - 37140

Ministry of Environment
PO Box 9398 STN Prov Govt
4th Floor, 2975 Jutland Road
Victoria, BC V8W 9M9

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 11/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all 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:

Erik Karsen, Chair

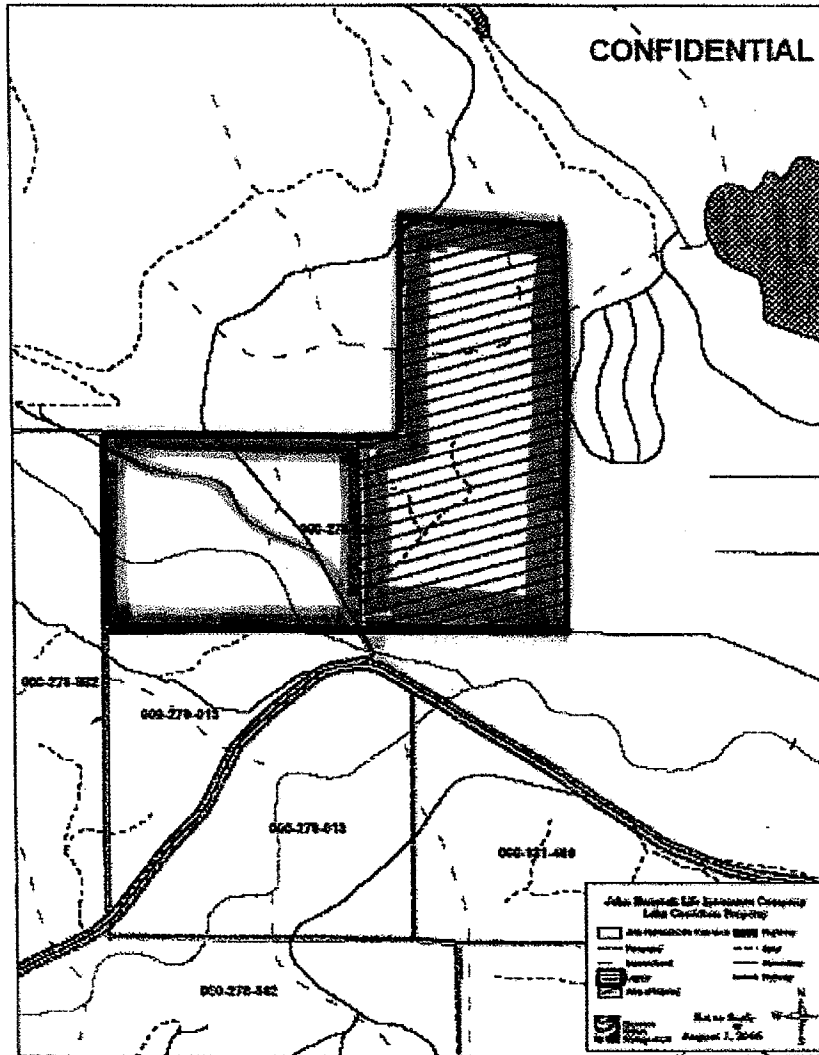
cc: John Hancock Life Insurance Co., 3070 A Barons Road, Nanaimo V9T 4B5
Cowichan Valley Regional District (#1-F-06ALR)

Enclosure: Minutes/Sketch Plan

TK/lv/37140d1.




SCHEDULE "B"

Map



RECEIVED
PROV. AGRICULTURAL
LAND COMMISSION
DEC 22 2006

Provincial Agricultural Land Commission
Application # J-37140
Resolution #11/2007

-  Approved subdivision of 51.4 ha
-  Remainder of subject property (33.3 ha lot)
-  ALR boundary

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Discussion

The Commission assessed the impact of the proposal against the long term goal of preserving agricultural land. Although the lands proposed for subdivision and inclusion into the park had some agricultural potential, the Commission determined that there would be little degradation of the land being included in the park, save for an access road and small parking lot. The Commission does not believe the proposal would significantly impact existing or potential agricultural use of surrounding lands.

During the site visit, Ian De Lisle, representing John Hancock, responded to a question regarding the land to the south of the remainder property, indicating that the land was very similar to the remainder and offered to include a further 50+ hectares from those lands into the ALR as part of the understanding. This would progress separately from the request for subdivision as there are time constraints on the Ministry of Environment side should the subdivision proceed. The Commissioners were mindful of this offer to include further lands to the south of the remainder property into the ALR and would appreciate an inclusion application to come forward.

IT WAS

MOVED BY: Commissioner Craven

SECONDED BY: Commissioner Rugg

THAT the application be approved.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.

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.

CARRIED

Resolution # 11/2007



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on February 6, 2007 Shawnigan Lake, B.C.

PRESENT: David Craven
Donald Rugg
Commissioner
Commissioner

ABSENT: Lorne Seitz
Chair, Island Panel

For Consideration

Application: # J- 37140
 Applicant: John Hancock Life Insurance Co.
 Agent: Ministry of Environment
 Proposal: To subdivide the subject property into two (2) lots: one (1) 51.42 ha parcel to be acquired by the Ministry of Environment as an addition to Gordon Bay Provincial Park and a 33.28 ha remainder parcel to remain as managed forest.
 Legal: PID: 000-278-921
 Parcel A (DD79474I), Section 37, Renfrew District, (Situates in Cowichan Lake District) EXCEPT Part outlined in red on Plan 975 RW
 Location: South Shore Road and Ruskin Road

Site Inspection

A site inspection was conducted on February 6, 2007 at 10:00 a.m. Those in attendance were:

- Don Rugg, David Craven - Commissioners
- Ian Atherton, Ron Quilter, Russell Malcolm - Ministry of Environment
- Ian De Lisle - John Hancock Co.

The group met at the entrance to Gordon Bay Provincial Park on Lake Cowichan and proceeded to review the proposed acquisition of a 51.42 hectare parcel from the John Hancock land adjacent to Gordon Bay Park, leaving a 33.28 hectare remainder. The park acquisition is primarily intended to expand the width of the park, allowing for a new access off South Beach Road and providing some protection for an adjacent ecological reserve along with minimal associated parking. There is the potential for some additional campsite development on the site as the current campsites are right up to the border of the area to be acquired.

The Commissioners renewed their understanding of the property in question, having examined it in 2004 when it was included into the ALR, including walking a portion of the area. The area requested for subdivision appears to have the highest agriculture capability as it is quite flat, although the whole area is rated as Class 5 on the soil capability assessment maps.



Staff Report
Application # J – 37140
Applicant: John Hancock Life Insurance Co.
Agent: Ministry of Environment

DATE RECEIVED: December 22, 2006

DATE PREPARED: February 5, 2007

TO: Chair and Commissioners – South Coast Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: To subdivide the subject property into two (2) lots: one (1) 51.42 ha parcel to be acquired by the Ministry of Environment as an addition to Gordon Bay Provincial Park and a 33.28 ha remainder parcel to remain as managed forest.

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

BACKGROUND INFORMATION:

Local Government:

Cowichan Valley Regional District

Legal Description of Property:

PID: 000-278-921

Parcel A (DD794741), Section 37, Renfrew District, (Situate in Cowichan Lake District) EXCEPT Part outlined in red on Plan 975 RW

Purchase Date:

11/01/2000

Location of Property:

South Shore Road and Ruskin Road

Size of Property:

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

Present use of the Property:

Managed Forest Area

BACKGROUND INFORMATION (cont.):

Surrounding Land Uses:

WEST: Forestry
SOUTH: South Shore Road (Honeymoon Bay Ecological Reserve) and golf course
EAST: Gordon Bay Provincial Park
NORTH: Forestry Use

Agricultural Capability:

Data Source: Agricultural Capability Map # 92C/16
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

OCP: Bylaw No. 1945 Electoral Area "F"
Designation: Agriculture and Forestry

Zoning Bylaw and Designation:

Zoning: Bylaw No. 2600
Designation: A-1 and F-1
Minimum Lot Size: A-1 = 12 ha and F-1 = 20 ha

PREVIOUS APPLICATIONS:

Application #35142-0

Applicant: John Hancock Life Insurance Co.
Decision Date: July 21, 2004
Proposal: To exclude 8 properties (34 ha) from the ALR to develop a variety of uses which may include some residential, recreational, light industrial, and community uses.
Decision: Allow exclusion of 34 ha subject to inclusion of 80.9 ha (application #35960) on the grounds of community need considerations.

Application #35960-0

Applicant: John Hancock Life Insurance Co.
Decision Date: May 26, 2005
Proposal: To include four parcels of land, totaling 80.9 ha, into the ALR.
Decision: Allow inclusion of land as proposed.

RELEVANT APPLICATIONS:

Application #28479-0 and 28479-1

Applicant: Slack, James
Decision Date: February 22, 1994
Proposal: Subdivide the subject property into 2 lots of equal size. (0.5 ha each approx.)
Decision: Originally refused, this application was reconsidered and allowed on January 17, 1995.

Application #30187-0

Applicant: Shieldings Incorporated -A26998
Decision Date: November 14, 1995
Proposal: To subdivide a 6.2 ha lot from the 53.3 ha property as divided by the ALR boundary. The 6.2 ha lot would lie wholly within the ALR.
Decision: The Commission had no objection to the subdivision of the property as divided by the ALR boundary.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Cowichan Valley Regional Board: The Regional Board forwarded the application with a recommendation of support.

Local Planning Staff: Recommended for approval.

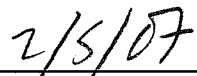
ATTACHMENTS:

- Description of Subject Property
- ALC Context Map (92C.089 & 92C.090)
- Agricultural Capability Map (92C/16)
- Sketch of Proposed Subdivision

END OF REPORT



Signature



Date