



Agricultural Land Commission
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November 21, 2007

Reply to the attention of Terra Kaethler
ALC File: J-37641

Ming and Grace Hui
6507 North Road
Duncan, BC V9L6K9

Dear Sir/Madam:

Re: Application for Non-Farm Use in the Agricultural Land Reserve

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application. The Commission wishes to thank you for taking the time to meet with its representatives on October 10, 2007. The Commission found the meeting and site visit informative.

At the site visit, the Commission requested that you submit written confirmation of the marketing opportunities to promote local agriculture that may become available with the proposed development. The Commission confirms that it is in receipt of your email correspondence of October 11, 2007, documenting your commitment to showcase local agriculture through the new facility.

Please find attached the Minutes of Resolution # 544/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Erik Karlsen, Chair

cc: The Corporation of the District of North Cowichan (3025-20-07-06)

Enclosure: Minutes/Sketch Plan

TK/37641d1.doc

Discussion

Assessment of Agricultural Suitability

Although the majority of the property is identified as having high ratings for agricultural capability (improvable to Class 2 and Class 3), the property has been used as a golf course since 1994, when it was approved by the Commission. The 5.0 ha area proposed for the new facility is in the area of the existing club house, driving range and paved parking lot for the golf course.

The Commission believes that the existing development has rendered the 5.0 ha portion of the property under proposal unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission discussed that the facility would be located on the area of the current parking lot and that parking would be constructed underground. Further that Commission noted that the irrigation system to be developed would utilize gray/black water from the hotel facility, and as such water availability was not a concern.

As such, the Commission did not believe the proposal would have a negative impact on existing or potential agricultural use of the property or surrounding lands.

Assessment of Other Factors

At the site visit, the applicants discussed their willingness to showcase local agriculture and develop opportunities for the marketing of local agricultural products at the proposed facility. Ideas that were mentioned were the provision of shops focusing on local wines and other products, featuring local products on the restaurant menu, and promoting agri-tourism opportunities throughout the Cowichan Valley.

The Commission believed that there is potential that the proposed facility may benefit agriculture in the Cowichan Valley through farm marketing opportunities. To that end, the Commission requested that the applicant submit a written confirmation of their commitment to use local resources and highlight local agriculture in the proposed facility.

Conclusions

1. That the land under application is not suitable for agricultural use.
2. That the proposal will not impact agriculture.

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 siting of the permanent structures and parking area be limited to 5.0 ha and in the location as per the drawing submitted with the application. Any expansion of the facilities beyond those shown on the drawing will require additional approval from the Commission.
- Construction of the facility 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 # 544/2007

