



**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 26, 2012

Reply to the attention of Roger Cheetham  
ALC File: #38767

Beddis Development Ltd.  
2030 Malaview Road  
Sidney, BC V8L 5X6

Dear Sirs:

**Re: Application to Exclude Land from the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution #320/2012 outlining the Commission's decision to remove the conditions under Resolution 1906/2009 in the light of the undertakings conveyed in the letters to the Commission from McKimm & Lott dated 2<sup>nd</sup> July 2012 and 22<sup>nd</sup> October 2012.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A large, stylized handwritten signature in blue ink, which appears to be 'BU', is written over the signature line and extends upwards into the commission name.

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #320/2012

cc: Islands Trust (File: SS-ALR-2005.4)  
1 – 500 Lower Ganges Road, Salt Spring Island, BC V8K 2N8  
Attention: Kristen Aasen, Planner  
McKimm & Lott, Att. Damon O'Brian (File Ref. 27711)

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## PROVINCIAL AGRICULTURAL LAND COMMISSION

**Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on October 23, 2012 at its offices located at #133 – 4940 Canada Way, Burnaby, BC.**

### FOR CONSIDERATION

**Application:** #38767

**Request:** To amend the conditions of approval specified by the Commission in Resolution #1906/2009 to allow completion of the exclusion of a 5 ha property to facilitate the establishment of a building supply yard and retail store for Slegg Lumber.  
(Submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*)

**Applicant:** Beddis Development Ltd.

**Legal:** PID: 006-461-794  
Lot 2, Section 18, Range 4 East, North Salt Spring Island, Cowichan District, Plan 2289, Except parts in Plans 3960, 6134, 47303 and Except part in Parcel "A" (DD2534811) and Except that part in Plan VIP60214.

### BACKGROUND

On December 18, 2009, by Resolution #1906/2009, the Commission approved the application subject to:

- a) fulfillment of the commitments made by the proponents in the letter of November 2, 2009;
- b) the establishment of tenure for the distribution centre to a recognized body representing agricultural interests as approved by the Commission; and
- c) the Commission confirming the transfer of the agricultural distribution parcel of land to the Salt Spring Island Farmland Trust Society.

### ISSUE

A difficulty has arisen in that the transfer of the parcel for the agricultural distribution centre cannot be registered until the property has been excluded. The Islands Trust is unable to authorize the subdivision in advance of the property being excluded from the ALR. In order to resolve the problem the lawyers acting on behalf of the applicant have submitted a letter in which a number of undertakings are given that will ensure that the conditions required by the Commission are fulfilled after the property is excluded.

The undertaking, *inter alia*, includes the gifting of the subdivided parcel to the Salt Spring Island Farmland Trust Society, the disbursement of \$40,000 to the Salt Spring Island Farmers Trust and the retention of an additional \$65,000 to ensure that sufficient funds are available to construct the building following subdivision.

**DELEGATION OF DECISION-MAKING TO THE CHIEF EXECUTIVE OFFICER (CEO)**

On June 27, 2011 the Commission delegated decision-making to the CEO by Resolution #016N-2011 (File: 135-45/ALC/CEO/APPL). In accordance with section 27 of the *Agricultural Land Commission Act* the Commission has specified that the following applications may be decided by the CEO.

**Criterion 8**

Requests for minor variations of conditions of approval imposed by the Commission by resolution in exclusion, subdivision, non-farm use and inclusion applications provided the minor variations are consistent with the intent of the Commission's original decision;

**DECISION**

After reviewing the entire file material, I, Richard Bullock, Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion #8 of Resolution #016N/2011, and having regard to the undertakings in the letter from McKimm and Lott dated July 2, 2012, authorize the exclusion of the property.

**RESOLUTION # 320/2012**

**I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION**



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**Richard Bullock, Chief Executive Officer**