



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

June 3, 2014

ALC File: #53685
Your File: 5400-65 DRI LAN

Municipality of North Cowichan
7030 Trans-Canada Highway
Duncan, BC V9L 3X4

Attention: David Conway

Re: Application to Conduct a Non-Farm Use on Land within the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #170/2014 as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly. The Commission has also attached a Sketch Plan depicting the decision.

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.

Further correspondence with respect to this application is to be directed to Liz Sutton.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Colin J. Fry, Chief Tribunal Officer

Enclosures: Minutes of Resolution #170/2014
Sketch Plan

53685d1



Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on June 3, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

FOR CONSIDERATION

Application: 53685
Applicant: Tanya and Jason Lees
Agent: David Conway, Municipality of North Cowichan
Proposal: To use 0.1 ha of a 4.3 ha parcel to construct a traffic roundabout.
(Submitted pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation))

Legal: PID: 006-349-978
Lot F, Section 4, Range 5, Somenos District, Plan 2751 Except That Part Shown Outlined In Red On Plan 934 BL And Except That Part Commencing At A Point, Said Point Being Distant Northerly And Easterly 8.5 Feet And 301.1 Feet Respectively From The Southwest Corner Of The Said Lot F, Thence Northeast 87 Degrees 7 Minutes 50 Seconds A Distance Of 273.64 Feet More Or Less To The Westerly Boundary Of The E & N Railway, Thence Southerly And Following The Said Westerly Boundary A Distance Of 1.0 Feet, Thence Southwest 75 Degrees 1 Minute 10 Seconds A Distance Of 54.3 Feet, Thence Northwest 89 Degrees 39 Minutes 55 Seconds And Parallel To The South Boundary Of The Said Lot F, A Distance Of 221.15 Feet More Or Less To The Point Of Commencement

Location: 3095 Drinkwater Road, Duncan

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: 140-60/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 4

Non-farm use applications made pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation)

DECISION:

After reviewing the entire file material, I, Brian Underhill, Deputy Chief Executive Officer of the Commission, am satisfied that the proposal is consistent with Criterion # 4 of Resolution #016N/2011 and approve the application on behalf of the Commission.

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.

RESOLUTION #170/2014

I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION



Brian Underhill, Deputy Chief Executive Officer

