



Agricultural Land Commission
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March 22, 2006

Reply to the attention of Roger Cheetham

Brick & Rose Betsworth
16608 Island Road
Port Renfrew, BC V0S 1K0

Dear Sir/Madam:

RE: Application #C-36407
PID: 002-894-955
Lot B, Section 7, Range 10, Renfrew District, Plan 25187

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the subject property in half. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on 6th March 2006. The Commission found the meeting and site visit informative. In particular the Commission noted that, while subject to flooding, with drainage improvements the property has significant agricultural potential and is capable of growing a wide range of crops.

Accordingly the Commission writes to advise that it has refused the application. It considers that the property is already small and any further subdivision will render it less suitable for agriculture and will reduce the number of agricultural options for the property. Moreover, an approval would have the effect of encouraging further subdivision and development in the area that would not be in the interests of agriculture.

The decision noted above is recorded as Resolution #0070/2006.

Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

pc: Capital Regional District (#ALR-03-05)

RC/lv
36407d1



Staff Report
Application # C – 36407-0
Applicant: Brick & Rose Betsworth

DATE PREPARED: February 28, 2006

TO: Chair and Commissioners – Island Panel

FROM: Gordon Bednard, Regional Research Officer

PROPOSAL: To subdivide the subject 2.75 ha property in half and sell the new lot for residential use.

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

BACKGROUND INFORMATION:

There are a number of e-mails and letters from neighbours who are concerned with the division of this land as it is good farmland and the present owners have not made any effort to farm it. There is also a concern that the present owners may be exceeding their allowance for tourist accommodation in the B&B and cabins. This may hinge on whether the owners have farm status on the property.

Local Government:

Capital Regional District

Legal Description of Property:

PID: 002-894-955
Lot B, Section 7, Range 10, Renfrew District, Plan 25187

Purchase Date (m/d/y):

09/01/2003

Location of Property:

16608 Island Road, Port Renfrew

Size of Property:

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

ALR Area:

2.7 ha

Present use of the Property:

Residence, bed and breakfast, cabins

Surrounding Land Uses:

WEST: residential and hobby farm properties in ALR
SOUTH: River channel, forested lands in ALR beyond
EAST: Residences and hobby farms in ALR
NORTH: River channel, forested lands beyond, in ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 92C/9
The majority of the property is identified as having Prime Dominant ratings of Class 2.

Official Community Plan and Designation:

No community plan in this area

Zoning Bylaw and Designation:

No zoning in this area

PREVIOUS APPLICATIONS:

NONE

RELEVANT APPLICATIONS:

Application #32524-0

Applicant: TimberWest Forest Products Ltd

Decision January 20, 1999

Date:

Proposal: An application for subdivision within the ALR. The subject lands are proposed to be added to the inventory of protected areas on Vancouver Island. The San Juan Estuary is being acquired for its unique habitat of plant life and protection of the estuary.

Decision: The Commission recognizes the unique habitat of this area and the desire of the Crown to create a park area. The application was therefore approved.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional Board has forwarded the application to the Commission with a recommendation for refusal.

STAFF COMMENTS:

This subdivision application appears to be more about dividing land for non-farm use rather than for any farm development. The applicants state that the land has no potential for farming and yet appear to have made little effort in that regard, rather using the land for tourist accommodation and the base for fishing activities. There is every reason to believe that the land (like adjacent properties historically) could be used for agriculture based on the excellent agricultural capability rating. Without the benefit of an onsite inspection to ascertain the capability and suitability of the land for agriculture, and based on presently available information, staff recommends refusal of the application.

END OF REPORT

Signature

Date

PLAN OF SUBDIVISION OF LOT 2 & PART OF LOT 3, PLAN 1994, S.W. 1/4 SEC. 2, TOWNSHIP 10, RENFREW DISTRICT.

PLAN 25187

Proposed in the Land Registry Office of Regina, S.C. on the 26th day of January, 1976

W. K. ...
Surveyor

Approved under the provisions of the Act on the 26th day of January, 1976

McElin
Assessing Officer

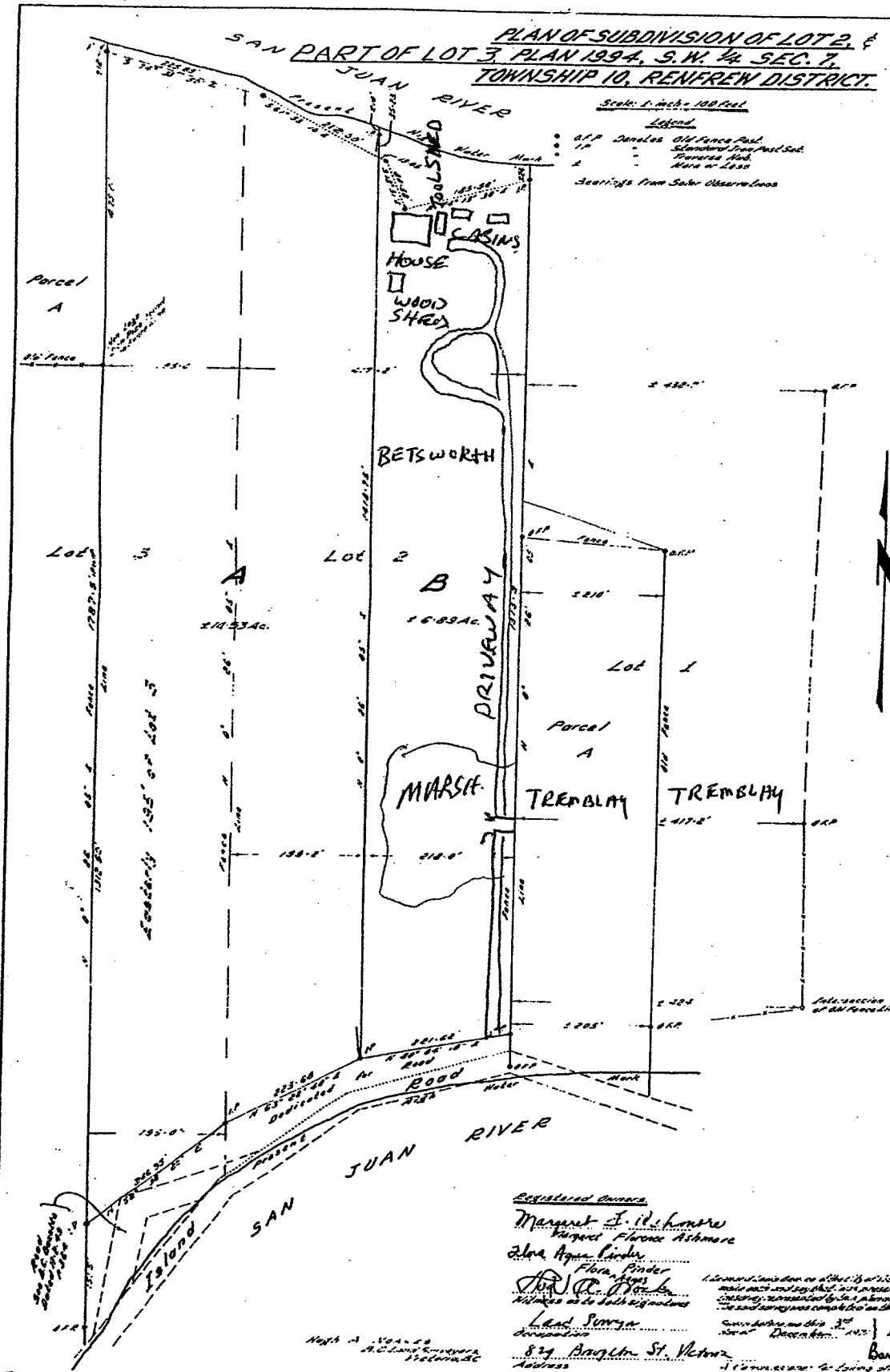
This Plan has within the Capital Reference District

This plan need not comply with Clause (b) of Section 86 of the Land Registry Act. Dated the 20th day of January, 1976

McElin
Senior Surveying Officer
Dept. of Agriculture

Scale: 1 inch = 100 feet

Legend
 O.P. Dashed Old Fence Post
 S.S. Standard Iron Post Set
 F.F. Fences Flag
 H.H. Hole or Ledge
 Startings from Suber Observance



Registered Owners
 Margaret F. P. ...
 Eugene Florence ...
 Mrs. Agnes ...
 Flora ...
 ...
 Land Surveyor
 827 Brough St. Victoria
 Address

...
 Leonard ...
 9122
 Barney ...