



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

March 28, 2006

Reply to the attention of Roger Cheetham

David Burgess
5180 Wilkinson Road
Port Alberni, BC V9Y 7B1

Dear Sir:

RE: **Application #A-36433**

PID: 007-622-317

Lot 22, Loop Farms, Alberni District, Plan 1297, EXCEPT That part in Plan VIP65075

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the subject property into five 'hobby farms' of approximately 2.5 ha each. 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 7th March 2006. The Commission found the meeting and site visit informative. In particular the Commission noted that the property is divided into two by Smith Road. It noted that portions of the property have been used for a poplar farm and that the remaining areas have been logged and portions cleared. It also noted that a former log sorting operation associated with the poplar farm may have debilitated portions of the property.

The Commission noted that it is your intention to sell off parcels incrementally as they have been cleared and de-stumped.

Having regard to these considerations the Commission writes to advise that it has approved the 5 parcels in accordance with Option A, subject to:

- The clearing, destumping and seeding of each subdivision prior to its registration and sale. This requirements does not apply to Parcel A.
- The subdivision being in substantial compliance with the attached plan.
- Compliance 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. The Commission suggests you contact the Regional District of Alberni-Clayoquot at your earliest convenience.

The decision noted above is recorded as Resolution #0086/2006.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

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Yours truly,

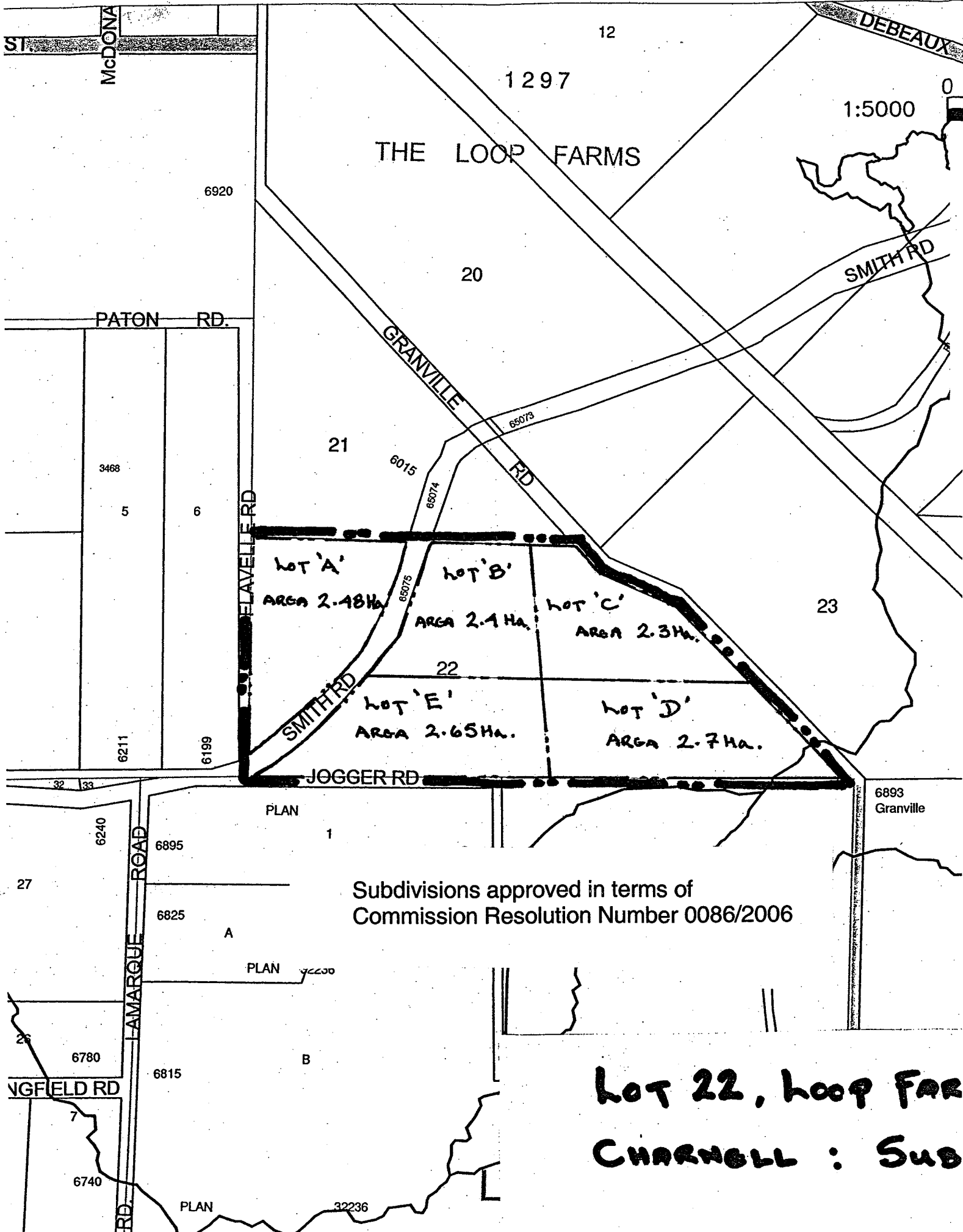
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

pc: Regional District of Alberni-Clayoquot (#AB05005)
J. McManus, RR3 - Site 337, Comp 12 - 9535 Fabor Road, Port Alberni V5Y7L7

RC/lv/Encl./36433d1



Subdivisions approved in terms of
Commission Resolution Number 0086/2006

**LOT 22, LOOP FARMS
CHARNELL : SUB**

The Commission considered that the creation of separate parcels for the two portions of the property separated by Smith Road was logical and recognized the *de facto* situation. With regard to the further subdivision of the block east of Smith Road the Commission considered that the issues were fairly evenly balanced. It considered that its approval of the subdivisions would help ensure that the land was cleared and that water was made available. There was thus a greater chance that the property would be put to productive agricultural use than would be the case were the property to remain unsubdivided. These considerations were weighed against the drawbacks of further subdivision, including the possibility of an increase in the unit cost for land, a possible decrease in the number of farming options and the possibility of setting a precedent for further subdivision in the area. On balance the Commission, considered that in this instance, and having regard to the support of the Agricultural Advisory Committee as well as that of the Board and the Advisory Planning Commission the pros slightly outweighed the cons.

IT WAS

MOVED BY: Commissioner D. Rugg

SECONDED BY: Commissioner L. Seitz

THAT the staff report be received and Option A providing 5 parcels be approved, subject to the clearing, destumping and seeding of each subdivision prior to registration.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # A – 36433-0
Applicant: David Burgess

Agent: J. McManus

DATE PREPARED: February 27, 2006

TO: Chair and Commissioners – Island Panel

FROM: Ron Wallace, Regional Research Officer

PROPOSAL: To subdivide the subject property into five 'hobby farms' of approximately 2.5 ha each.

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

BACKGROUND INFORMATION:

The Commission reviewed a similar application involving the subject property in 1994, see application # A-28473 below. There have been a number of letters from local residents making comments regarding this application. Many of the letter express support for the application but there are others who are not in support of the proposed subdivision (copies attached).

Local Government:

Regional District of Alberni-Clayoquot

Legal Description of Property:

1. PID: 007-622-317
Lot 22, Loop Farms, Alberni District, Plan 1297, EXCEPT That part in Plan VIP65075;

Purchase Date (m/d/y):

08/08/2005

Location of Property:

Off Smith Road, Beaver Creek District, Port Alberni

Size of Property:

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

Present use of the Property:

A poplar tree farm, recently harvested in April 2005. There are no structures on the property.

Surrounding Land Uses:

WEST: Residential and forest land
SOUTH: Forest land, second growth
EAST: Forest land, second growth
NORTH: Partly pasture, cleared land

Agricultural Capability:

Data Source: Agricultural Capability Map # 92F.036
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

The property is designated 'Forestry' within the Beaufort OCP

Zoning Bylaw and Designation:

small Holdings (A-2), 2 ha minimum lot size

PREVIOUS APPLICATIONS:

Application #28473-0

Applicant: MacMillan Bloedel Ltd.

Decision February 22, 1994

Date:

Proposal: To subdivide the subject properties into several smaller lots.

Decision: Refused as it was held that the proposed subdivision would likely have negative implications for the agricultural utilization of the property and could also have similar implications for agriculture in this locality.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional Board

The Regional Board concurs with the recommendation of the Beaufort Advisory Planning Commission and support the application.

Advisory Planning Commission

The APC recommend approval of the application.

Agricultural Advisory Committee

The Agricultural Advisory Committee recommends support for the application.

STAFF COMMENTS:

It appears to staff that there is no agricultural benefit to supporting the proposed subdivision. However, as Smith Road bisects the property, subdivision along this road may improve the land use efficiency of the site.

END OF REPORT

Signature

Date