



Agricultural Land Commission
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June 29, 2006

Reply to the attention of Gordon Bednard

Flavio and Ann Nave
211 – 3080 Lonsdale Avenue
North Vancouver, BC V7N 3J5

Dear Sir/Madam:

Re: **Application # A-36712**
Lot 103, Alberni District, Except the North 26 Chains 25 Links and Except Those Parts Described as (1) The West 50 Links, and (2) That Part of the South 50 Links Lying West of the Extension Northerly of the East Boundary of Arlington Street shown on Plan 1768

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your subdivision application submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you for taking the time to meet with its representatives on June 6, 2006 at the property.

The Commission observed during the site inspection that the property appeared to exhibit good agricultural capability, which is confirmed by the prime capability ratings given the land on published mapping. The Commission is opposed to the subdivision of such properties believing larger lots will allow greater diversification of agricultural uses. It is the Commission's experience that smaller parcels tend to be used less for farming and more for residential use.

For these reasons, the Commission refused your application.

The decision noted above is recorded as Resolution # 296/2006.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

pc: Regional District of Alberni Clayoquot - Attn: Marcel Cyr

GB/lv/36712d1.

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on June 6, 2006 at Courtenay, B.C.

PRESENT: Lorne Seitz Chair
 David Craven Commissioner
 Donald Rugg Commissioner

STAFF: Gordon Bednard, Regional Research Officer

For Consideration

Gordon Bednard presented a staff report prepared by Ron Wallace dated May 29, 2006 regarding application #A-36712-0.

Site Inspection

A site inspection was conducted on June 6, 2006. Those in attendance were:

- Commissioners Seitz, Craven & Rugg
- Agricultural Land Commission Staff: Gordon Bednard, Regional Research Officer
- Flavio Nave

The Commission walked the property from both east and west accesses, and discussed the application with Mr. Nave.

Commission Discussion

Based on the information in the application file which identifies the property as having prime agricultural capability ratings, and on its observations at the site inspection, the Commission believes the property is a usable agricultural unit and should not be subdivided into smaller lots.

IT WAS

MOVED BY: Commissioner David Craven

SECONDED BY: Commissioner Donald Rugg

THAT the staff report be received and the application be refused for the above reasons.

CARRIED



Staff Report
Application # A – 36712
Applicant: Flavio & Ann Nave

DATE PREPARED: May 29, 2006

TO: Chair and Commissioners – Island Panel

FROM: Ron Wallace, Regional Research Officer

PROPOSAL: The applicant has three different proposals/options for subdividing the 22 ha property.

1. To subdivide the property into six (6) 2 ha lots and two (2) 4.8 ha lots.
2. To subdivide the property into three (3) 4 ha lots and two (2) 4.8 ha lots.
3. To subdivide the property into one (1) 11.7 ha lot and one (1) 10 ha lot.

The owners wish to maximize the number of lots.

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

BACKGROUND INFORMATION:

This property has been the subject of three previous applications, two for exclusion from the ALR and one for subdivision within the ALR. These applications were refused. In reviewing the previous applications the Commission noted the good soil capabilities of the property and concluded that the potential for agriculture was high.

Local Government:

Regional District of Alberni-Clayoquot

Legal Description of Property:

1. PID: 001-169-467
Lot 103, Alberni District, Except the North 26 Chains 25 Links and Except Those Parts Described as (1) The West 50 Links, and (2) That Part of the South 50 Links Lying West of the Extension Northerly of the East Boundary of Arlington Street shown on Plan 1768

Purchase Date:

July 26, 2005

Location of Property:

Cypress Boulevard, Port Alberni

Size of Property:

22 ha (The entire property is in the ALR)

Present use of the Property:

Vacant land, no buildings.

Surrounding Land Uses:

WEST: Residential lots
SOUTH: Rural residential, small scale agriculture
EAST: Single-family dwellings
NORTH: Rural residential use

Agricultural Capability:

Data Source: Agricultural Capability Map # 92F.027
The majority of the property is identified as having primary capability ratings.

Official Community Plan and Designation:

The Cherry Creek OCP designates the property as "Agricultural Use" and "Environmentally Sensitive" 30 metres on each side of the creek that runs through the property.

Zoning Bylaw and Designation:

Rural (A-2) District, which has a minimum parcel size of 2 ha.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional Board

The Regional Board passed a resolution to forward the application to the Commission.

Advisory Planning Commission

No recommendation

Agricultural Advisory Committee

It is recommended that the application not be approved.

Local Government Staff

The Planning staff commented that the three previous applications on the property have been refused by the Regional District and the Commission. It was also noted that the west part of the property has been cleared and is in pasture. The agricultural capability of the property mostly Class 3 with some Class 4 – improved capabilities of Class 2 and 3. That the Commission has previously noted that as property size decreases so does the potential range of agricultural activities.

STAFF COMMENTS:

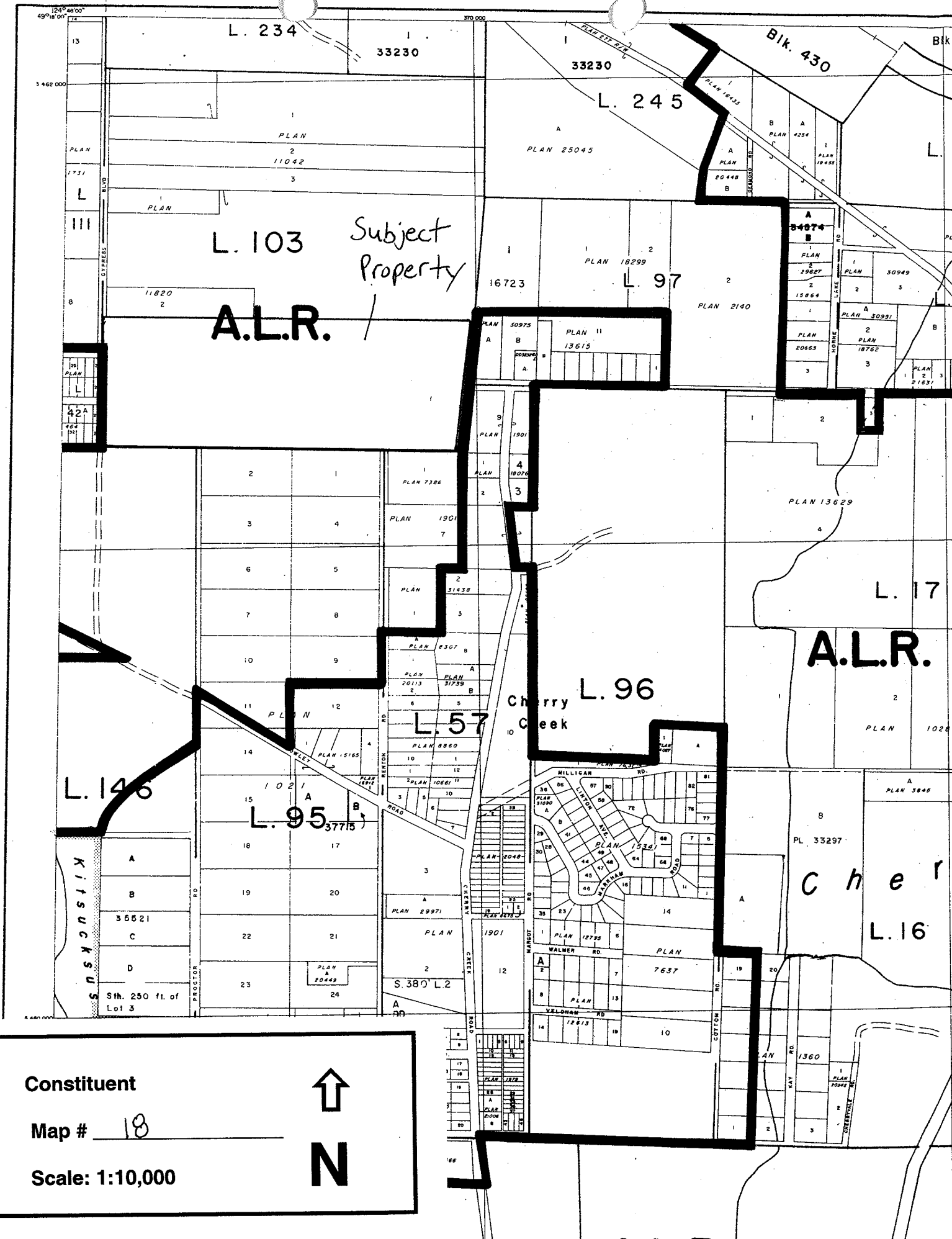
Staff has the following comments:

- There have been three previous applications to exclude or subdivide the subject property. These applications were refused due to favorable soil quality and the Commission held that the potential for agricultural use was high.
- The west part of the property has been cleared and is in pasture. The soil capability ratings are predominately Class 3 with some Class 4, improved capabilities are class 2 and 3.
- It is noted that the property sizes to the south are in the 2 ha range, while the properties to the north are larger parcels which are farmed on a part time basis.

END OF REPORT

Signature

Date



L. 103 Subject Property
A.L.R.

L. 17
A.L.R.

Cherry
L. 16

Constituent

Map # 18

Scale: 1:10,000

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