



Agricultural Land Commission
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October 4, 2006

Reply to the attention of Roger Cheetham
ALC File: # I- 36827

Sonia Lewis
RR#4, Headquarters Road
Courtenay, BC V9N 7J3

Dear Madam:

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution Number 463/2006 outlining the Commission's decision as it relates to the above noted application.

Yours truly

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:

A handwritten signature in black ink, appearing to read 'EKARLSEN', is written over the printed name Erik Karlsen.

Erik Karlsen, Chair

pc: Sean C. Roy, 199 Oregon Road, Campbell River, BC, V9W8G2
Regional District of Comox-Strathcona (ALR-5C-05)
Mary Anne Adamschek - Howard Road, Merville, BC, V0R2M0
Ernest Max Adamschek - 1241 - 14th Street, Courtenay, BC, V9N1X1
Beverly Dick - 1288 Victoria Drive, Port Coquitlam, BC, V3B2T9
Elizabeth Krajnc - 302 - 169 South Island Highway, Campbell River, BC, V9W6W2
Nataliya Adamschek - 6725 Howard Road, Merville, BC, V0R2M0
Sandra Krajnc 4687 South Island Highway Campbell River BC V9H 1B8

RC/lv/Encl.
36827d1

Commission Discussion: The Commission spent some time debating the merits of allowing subdivision. It recognized that from the applicant's perspective there was a greater chance of agriculture taking place on the land with subdivision bearing in mind that each of the three families wished to farm independently of the others. The Commission noted in this respect that there had been a limited amount of agricultural activity that had taken place since they inherited the property. The Commission also noted the information provided relating to small lot agriculture. However it recognized that its mandate requires that it take a long term perspective with regard to the subdivision of the land and while an approval might lead to increased agricultural productivity in the short term this had to be weighed against the long term implications for agriculture. The Commission recognized the significant contribution made to agriculture on small lots but noted that there is no shortage of small lots in the Comox Valley that cater to this need. It noted that the applicants were willing to accept the imposition of a restrictive covenant in favour of agriculture but considered that this was of limited value in that non-agricultural development was already controlled in terms of the Agricultural Land Commission Act. Moreover its approval of an additional subdivision was likely to result in the building of an additional residence on the parcel that at present does not have a residence.

The Commission noted that the Regional Agrologist and the Regional District's Agricultural Advisory Committee were both opposed to the application as also was the Regional Board. The Commission concluded that agricultural interests would be better served and there would be more agricultural options with the retention of the property in one unit.

IT WAS

MOVED BY: Commissioner D. Rugg

SECONDED BY: Commissioner D. Craven

THAT in the light of the site inspection and discussion the application as submitted be refused

CARRIED

Resolution Number 463/2006

Commissioner L. Seitz wished it to be recorded that he dissented from the decision.



Staff Report
Application # 1 – 36827-0
Applicant: Sonia Lewis
Agent: Sean C. Roy

DATE RECEIVED: July 17, 2006

DATE PREPARED: August 30, 2006

TO: Chair and Commissioners – Island Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To subdivide two lots (9.7 ha and 8.1 ha) from the 31.8 ha subject property.
This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The applicant has applied for a specialty poultry operating quote with the anticipation of the successful division of the subject property.

Three documents were provided with the application:

1. "Successful Small Farms on Vancouver Island" – lists at least 56 small farms.
2. "Agriculture and Farming Statistics"
3. "Soil Class and Soil Maps of the Farm"

Local Government:

Regional District of Comox-Strathcona

Legal Description of Property:

PID: 006-399-673
Lot 7, Block 29, Comox District, Plan 2262

Purchase Date:

September 1975

Location of Property:

6725 Howard Road, Merville

Size of Property:

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

BACKGROUND INFORMATION (continued):

Present use of the Property:

Buildings: two single family residences, farm buildings
Agriculture: pasture, treed areas (recently selectively logged), hay on approximately 7 ha (harvested 2-3 times per year).

Surrounding Land Uses:

WEST: 43.574 ha agricultural land, residential
SOUTH: 25.663 ha forest land, residential
EAST: 7.103 ha, residential
NORTH: 7.891 ha agricultural land, residential

Agricultural Capability:

Data Source: Agricultural Capability Map # 92F.075
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

Designation: Agriculture

Zoning Bylaw and Designation:

Comox Valley Zoning Bylaw No. 2781 (2005)
Designation: Rural ALR (RU-ALR)
Minimum Lot Size: 8.0 ha

PREVIOUS APPLICATIONS:

The property was included into the ALR through the Comox/Oyster ALR Review in 1977 (application #01/10-77-5661).

Application #18605-0

Applicant: Mary Anne Adamscheck
Decision Date: 1984
Proposal: To subdivide the subject property into four, three or two lots.
Decision: Refused on the grounds of sufficiently good agricultural capability and reduction of the property's potential.

Application #20657-0

Applicant: Robert Adamscheck
Decision Date: 1986
Proposal: To subdivide a 4.8 ha parcel from the subject property.
Decision: Refused on the grounds of favourable agricultural capability rating and possibility of encouragement of applications from neighbours.

Application #28550-0

Applicant: Dora Krajnc
Decision Date: 1994
Proposal: To subdivide the subject property into three lots and legitimize an existing 2nd dwelling.
Decision: Refused on the grounds that a reduction in parcel size would not be in the best interests of agriculture and an increase in lot density would have future negative implications with regard to heightened expectations for similar consideration.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional District of Comox-Strathcona Board: Not support.

Jill Hatfield, Regional Agrologist: The subdivision continues to not be in the best interests of agriculture in the long-term.

Agricultural Advisory Committee: Recommends the application be refused.

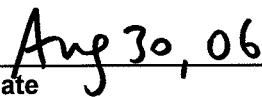
ATTACHMENTS:

- ALR Context Map: 92F.075 - 1:50,000 (Created by ALC Staff)
- Airphoto (Created by ALC Staff)
- Plan of Proposed Subdivision (Submitted by the applicant)
- Regional District of Comox-Strathcona Staff Report

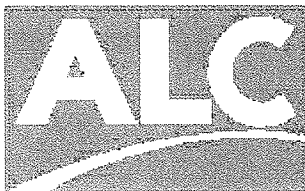
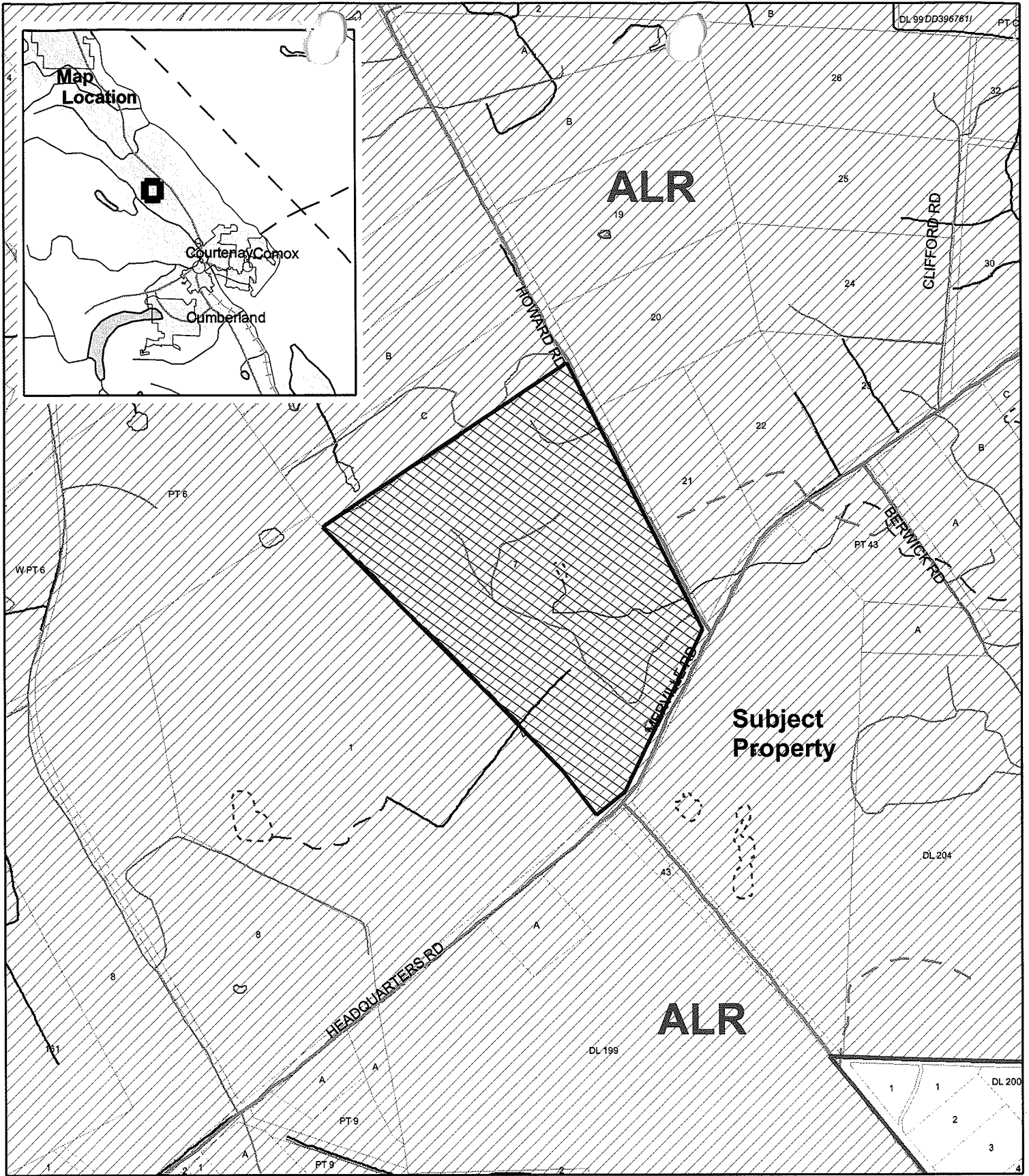
END OF REPORT



Signature

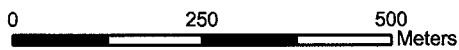


Date



ALC Context Map

Map Scale: 1:10,000



ALC File#:	21-06-36827
Map sheet#:	92F.075
Regional District:	Comox-Strathcona