



Agricultural Land Commission
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December 5, 2006

Reply to the attention of Terra Kaethler
ALC File #: J - 36972

Helen West
1140 Fisher Road, RR#2
Cobble Hill, BC V0R 1L0

Dear Ms. West:

Re: Application to Subdivide land within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 561/2006 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 'Erik Karlsen', is written over the 'Per:' label.

Erik Karlsen, Chair

cc: Cowichan Valley Regional District (#1-C-05ALR)

TK/lv/Encl: Minutes
36972d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 7, 2006 at Courtenay, B.C.

PRESENT:	Lorne Seitz	Chair, Island Panel
	Donald Rugg	Commissioner
	David Craven	Commissioner
	Roger Cheetham	Staff
	Terra Kaethler	Staff

For Consideration

Application: # J - 36972
Applicant: Helen West
Proposal: To subdivide 0.4 ha from the 1.2 ha subject property for the applicant's daughter
Legal: PID: 001-952-846
Lot 12, Section 16, Range 7, Shawnigan District, Plan 22741
Location: 1140 Fisher Road, Cobble Hill

Site Inspection

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

- Applicant: Helen West
- Commissioners: Lorne Seitz, David Craven

The Commission met with Helen West at the property and discussed the reason for the proposed subdivision. The Commission viewed the area proposed for subdivision.

Ms. West confirmed that she received the staff report dated October 16, 2006 and did not identify any errors.

Commissioner Eligible to Vote

Commissioner Rugg was not present at the site inspection. A summary of the site inspection was provided thus establishing the Commissioner's eligibility to vote on the application.

Discussion

Assessment of Agricultural Suitability

The Commission considered the subject property to have capability for agricultural production. The Commission does not believe there are external factors such as encroaching non-farm development that render the land unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission did not believe that the creation of a new small lot in this area would be beneficial to agriculture. Although there are smaller parcels bordering the property to the north, the neighbouring properties within the ALR boundary are of similar size to the subject property. A subdivision in this area may result in similar applications for further subdivisions of other agricultural lands adjacent to the subject property.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner David Craven
SECONDED BY: Commissioner Lorne Seitz

THAT the application be refused as proposed.

CARRIED
Resolution # 561/2006



Staff Report
Application # J – 36972
Applicant: Helen West

DATE PREPARED: October 16, 2006

TO: Chair and Commissioners – Island Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: To subdivide one 0.4 ha lot from the 1.2 ha subject property for the applicant's daughter.

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

BACKGROUND INFORMATION:

Local Government:

Cowichan Valley Regional District

Legal Description of Property:

PID: 001-952-846

Lot 12, Section 16, Range 7, Shawnigan District, Plan 22741

Purchase Date:

Certificate of Title entered on May 15, 1992

Location of Property:

1140 Fisher Road, Cobble Hill

Size of Property:

1.2 ha (The entire property is in the ALR)

Present use of the Property:

House, garage/shop and cabin

Agricultural Capability:

Data Source: Agricultural Capability Map # 92B/12
The property is identified as having mixed prime and secondary ratings

Surrounding Land Uses:

WEST: Rural residential
SOUTH: Agricultural
EAST: Rural residential
NORTH: Rural residential

Official Community Plan and Designation:

OCP: Cobble Hill Community Plan Bylaw No.1210
Designation: Agriculture

Zoning Bylaw and Designation:

Zoning: Bylaw No.1405
Designation: A-1 Primary Agricultural
Minimum Lot Size: 12 ha

PREVIOUS APPLICATIONS:

Application #21-J-84-18350

Applicant: Douglas & Janice Sauser,
Decision Date: February 1985
Proposal: To subdivide a 0.5 ha lot from the 1.2 ha parcel for parents' residence.
Decision: Refused as submitted. The Commission previously refused the proposal (#Resolution 1308/84), but offered a modular home in lieu of subdivision.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional District Planning Staff:

Recommended to the Regional Board for denial as it is contrary to the *Agricultural Objectives and Policies of the Cobble Hill Official Community Plan* and would set an unwanted precedent for further subdivision of adjacent properties.

Advisory Planning Commission:

Recommended to the Regional Board that the application be denied.

Regional Board:

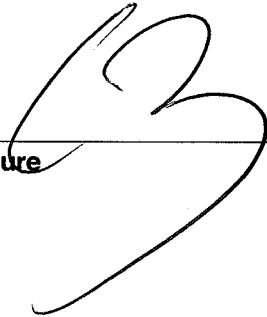
The Board concurs with the Planning Staff and the APC recommendations that the application be denied.

Attachments:

1. ALC Context and Agricultural Capability Map
 2. Aerial Photograph
 3. Map of Proposed Subdivision
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END OF REPORT

Signature

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Date

Oct 20/06