



Agricultural Land Commission
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Reply to the attention of Terra Kaethler
ALC File: S-36327

January 8, 2008

Peter Morin
7237 McKay Avenue
Burnaby, BC V5J3S8

Dear Sir:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 708/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written in a cursive style.

Erik Karlsen, Chair

cc: Regional District of Nanaimo

Enclosure: Minutes

TK/36327d1.doc



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 28, 2007 in Comox, B.C.

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

For Consideration

Application: # S- 36327
Applicant: Peter Morin, David Morin, Steven Gaucher, Brian Krause, Melodyi Krause, Joan Russell
Agent: Peter Morin
Proposal: That the application be reconsidered in light of newly submitted soils assessment report.
Legal: 1. PID: 001-305-298
 Lot 5, District Lot 67, Nanoose District, Plan 29941
 2. PID: 001-305-271
 Lot 4, District Lot 67, Nanoose District, Plan 29941
 3. PID: 001-305-263
 Lot 3, District Lot 67, Nanoose District, Plan 29941
 4. PID: 001-305-255
 Lot 2, District Lot 67, Nanoose District, Plan 29941

Location: Nanaimo

Site Inspection

No site inspection was conducted for the reconsideration request.

A site inspection and exclusion meeting was conducted on 5 January 2006 in regards to the original application. Those in attendance were:

- Commissioners Seitz, Craven & Rugg
- Agricultural Land Commission Staff: Ron Wallace, and Roger Cheetham
- Applicants Peter Morin, Brian Krause et al.

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Discussion

The Commission reviewed the Soils Assessment Report submitted by Davey Consulting and Agrology and accepted its findings. Upon review of the report and recalling the previous site visit of January 05, 2006, the Commission did not consider the results of the report to warrant a change in the Commission's original decision. Although the Commission recognized that the agricultural capability of the subject property has limitations, it believes that the property has sufficient agricultural capabilities to warrant its retention in the ALR.

As such, it was not prepared to allow exclusion of the subject properties. Therefore the Commission confirms the original decision, that the application be refused.

IT WAS

MOVED BY: Commissioner Rugg

SECONDED BY: Commissioner Seitz

THAT the application be refused.

CARRIED

Resolution # 708/2007