



**Agricultural Land Commission**  
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Reply to the attention of Terra Kaethler  
ALC File: A-37783

April 18, 2008

Donald and Dahlia Martin  
8407 Paetz Road  
Port Alberni, BC V9Y8N5

Dear Sir/Madam:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 160/2008 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: Regional District of Alberni-Clayoquot (AB07006)

Enclosure: Minutes/Sketch Plan

TK/  
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# MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 19, 2008 in Colwood, B.C.

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

### For Consideration

Application: # A- 37783  
 Applicant: Donald and Dahlia Martin  
 Proposal: Subdivision for a Relative: To subdivide the 8.09 ha subject property to create a 2.0 parcel for the applicants' daughter.  
 Legal: PID: 004-364-694  
 Lot 2, District Lot 75, Alberni District, Plan 8070, EXCEPT Parcel A (DD66946N) and Those parts in Plans 11530, 21583 and VIP52106  
 Location: 8407 Paetz Road, Beaufort

### Site Inspection

A site inspection was conducted on March 17, 2008. Those in attendance were:

- Lorne Seitz                      Chair, Island Panel
- David Craven                    Commissioner
- Donald Rugg                    Commissioner
- Terra Kaethler                 Staff
- Roger Cheetham               Staff
- Don Martin                      Applicant

The Commission walked the property with the applicant and noted that the property was divided by several drainage creeks. There was significant small scale agriculture taking place on the property, including several large garden beds, greenhouses, chicken coops and some goats. The applicants' daughter is responsible for a large part of the agricultural activity on the property and would like room to expand production.

### 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**

### **Assessment of Agricultural Capability**

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings using the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The Commission noted that the property had agricultural capability ratings of Class 2 to Class 4 and as such had considerable potential for agriculture. It also recognized that the property had plenty of access to water.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. In general, the Commission is of the view that a parcel has more agricultural value as a single unit than as two separate parcels. However, the Commission reviewed the pros and cons of the proposal to great length, and in this unique circumstance was of the view that subdivision as proposed may encourage the development of small scale agriculture.

The Commission noted that the proposed configuration of the subdivision was awkward due to the location of the creeks and current agricultural activities on the property. The Commission considered the option of allowing a smaller subdivision around the current daughter's mobile home, as divided by the creek, to keep the majority of the parent parcel intact. However, it was discussed that such a subdivision would create a rural residential lot with minimal opportunity for agriculture.

In contrast, the Commission considered that given the reasonable agricultural capability and good access to water, a 2.0 ha subdivision as proposed would allow a range of agricultural options, provided that a residential dwelling was restricted to the south side of the creek, and that the water license of the parent parcel was divided.

After much discussion, the Commission noted the level of agricultural activity the applicants' daughter was carrying out on the property and considered that the subdivision as proposed may enhance the agricultural development of the subject property. It did not believe that the proposal would negatively impact the subject property or the existing or potential for agriculture on surrounding lands.

### **Conclusions**

1. That the land under application has agricultural capability.
2. That the proposal will not have a negative impact on agriculture.

### **IT WAS**

**MOVED BY:** Commissioner Seitz

**SECONDED BY:** Commissioner Rugg

THAT the application be approved;

AND THAT the approval is subject to the following conditions:

- a covenant restricting residential buildings to the southern side of the creek be registered on title
- the water license of the parent parcel be divided between the two parcels
- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.

**CARRIED**  
**Resolution # 160/2008**