



Agricultural Land Commission
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Reply to the attention of Terra Kaethler
ALC File: I-37904

April 18, 2008

Dan Bowen
2120 Stewart Avenue
Courtenay, BC V9N3H9

Dear Sir:

Re: Application to Subdivide Land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 154/2008 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.

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 Comox-Strathcona (ALR/6C-07)

Enclosure: Minutes/Sketch Plan

TK/
i/37904d1.doc



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

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

For Consideration

Application: # I- 37904
Applicant: Gisela and Helmut Peter
Agent: Dan Bowen
Proposal: Subdivision for a Relative: To subdivide a 2.0 - 4.0 ha lot from the 21.5 ha property to separate the poultry processing operation from the remainder of the property. The applicants' son manages the poultry operation.
Legal: PID: 006-070-205
That part of Lot 6, Block 29, Comox District, Plan 4267, lying northerly of a boundary parallel to and 8.692 chains perpendicularly distant northerly from the southerly boundary of said lot
Location: 8486 Island Highway, Black Creek

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
- Dan Bowen Agent
- Gisela and Helmut Peter Applicants
- Gordon and Tracy Peter Applicants' family

The Commission met the applicants on site and walked the property to view the area of the existing poultry operation. The Commission noted that the operation was small and that a creek cut through the property, separating the applicants' residence from the poultry operation and the sons' residence.

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 considered that the subject poultry slaughterhouse is the only active operation of its kind in the Comox Valley and is in the process of meeting the new slaughterhouse regulations. Commission recognized that the applicants' son has invested significantly to upgrade the facility as necessary to satisfy the required regulations. The subdivision would allow the son to acquire land title and in turn secure financing for the continued operation of the slaughterhouse.

The Commission was of the view that the proposed subdivision would foster the continued existence of the poultry operation which it believed to be critical for the agricultural industry of the region. Therefore the Commission believes the proposal would have a positive impact on existing or potential agricultural activities in the region.

Further the Commission noted that expansion of the facility would likely be necessary in the future, and as such was prepared to allow a subdivision of up to 3.0 ha.

Conclusion

That the proposal will have a positive impact on agriculture.

IT WAS

MOVED BY: Commissioner Craven
SECONDED BY: Commissioner Seitz

THAT a subdivision of up to 3.0 ha be approved;

AND THAT the approval is subject to the following conditions:

- the preparation of a subdivision plan to delineate the area to be subdivided.
- the subdivision must be completed within three (3) years from the date of this decision.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 154/2008

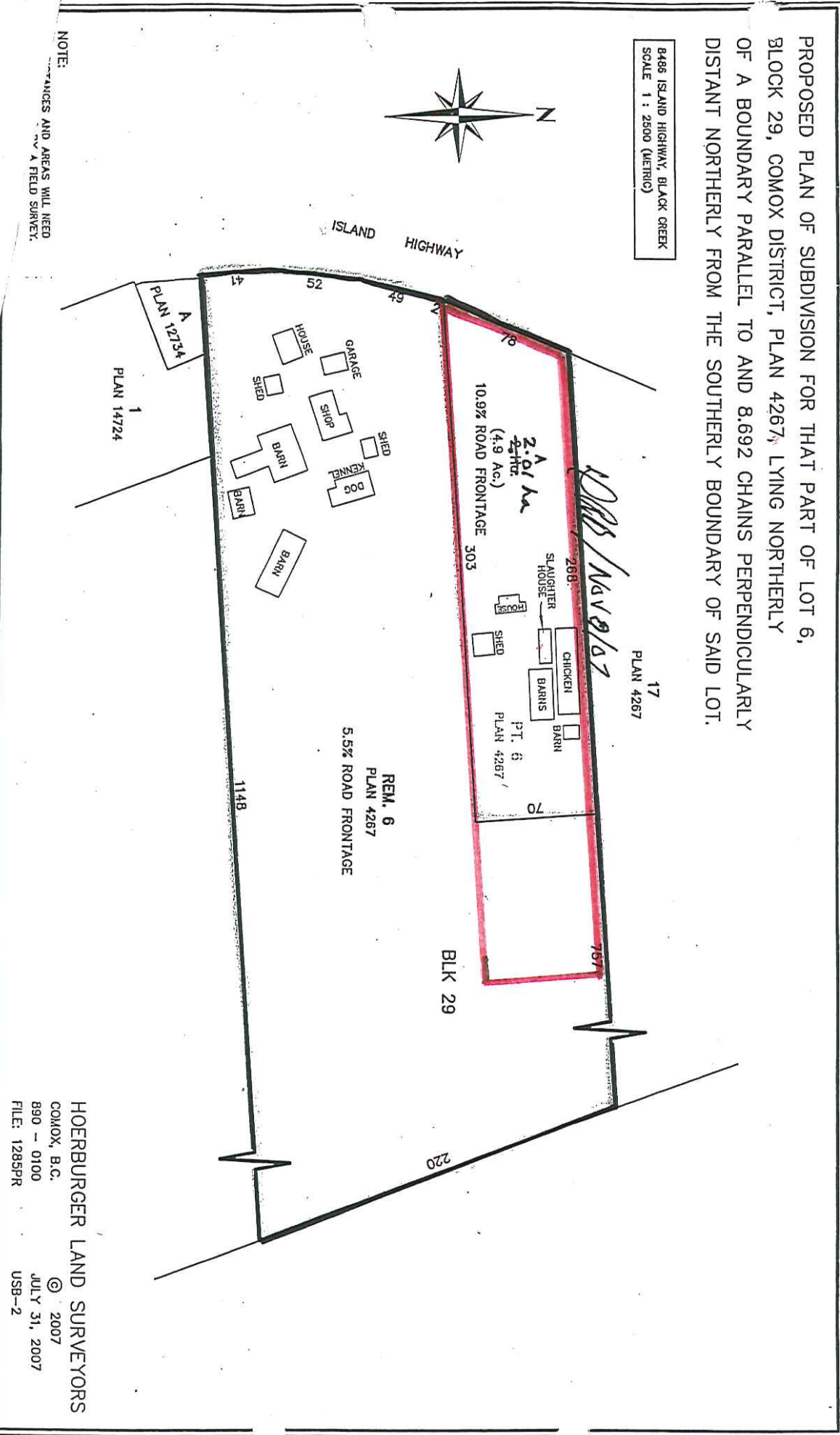
Provincial Agricultural Land Commission
Application # I-37904
Resolution # 154/2008

Subject Property

Approved Subdivision of 3.0 ha

PROPOSED PLAN OF SUBDIVISION FOR THAT PART OF LOT 6,
 BLOCK 29, COMOX DISTRICT, PLAN 4267, LYING NORTHERLY
 OF A BOUNDARY PARALLEL TO AND 8,692 CHAINS PERPENDICULARLY
 DISTANT NORTHERLY FROM THE SOUTHERLY BOUNDARY OF SAID LOT.

B486 ISLAND HIGHWAY, BLACK CREEK
 SCALE 1 : 2500 (METRIC)



HOERBURGER LAND SURVEYORS
 COMOX, B.C.
 890 - 0100
 FILE: 1285PR
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