



Agricultural Land Commission
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Reply to the attention of Terra Kaethler
ALC File: # A-37973

April 18, 2008

Jim McManus
9535 Faber Road
Port Alberni, BC V9Y9C5

Dear Sir:

Re: Application to Subdivide Land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 158/2008 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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: Regional District of Alberni-Clayoquot (AF07008)

Enclosure: Minutes/Sketch Plan

TK
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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
	Roger Cheetham	Staff

For Consideration

Application: # A- 37973
 Applicant: Peter and Maureen Lenihan
 Agent: Jim McManus
 Proposal: To subdivide the 4.6 ha subject property to create one 2.0 ha lot and one 2.4 ha lot.
 Legal: PID: 002-819-945
 Lot 1, District Lot 97, Alberni District, Plan 18299
 Location: 3579 Trevor Road, Cherry Creek, Port Alberni

Site Inspection

A site inspection was conducted on March 19, 2008. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- David Craven Commissioner
- Donald Rugg Commissioner
- Terra Kaethler Staff
- Roger Cheetham Staff
- Jim McManus Agent
- Bill Thorton Representative of Applicant

The Commission walked the property and noted the proposed subdivision boundary. The western portion of the property contains the applicants' dwelling and accessory buildings. The eastern portion of the property, the area proposed for subdivision, was a small field. The property was slightly sloped.

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 agricultural capability of the majority of the subject property is rated as improvable to Class 3 and Class 4:

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Although the Commission recognized that the subject property has some limitations, the Commission considered that the majority of the property is improvable to prime capability for agricultural use. The Commission believed that the proposed subdivision would decrease the agricultural potential of the property.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land.

In the Commission's view, reduction of parcel size generally reduces the available options for agricultural use. The Commission believed that in this case, the subject parcel had more agricultural value as a single unit than as two separate parcels and that subdivision would negatively impact the agricultural opportunities available to the subject property in the long-term. Further, the Commission believed that introducing an additional residential lot would encourage further parcelization in the area and may impact existing or potential agricultural use of surrounding lands.

The Commission believes that it is in the interest of agriculture to have a variety of lot sizes that allow for a range of agricultural activity. As such, the Commission was of the view that the subject parcel was currently an appropriate size for the area, and that subdivision was not warranted.

Assessment of Other Factors

The Commission noted the family circumstances behind the application, however the Commission must weigh an applicant's personal circumstances against its legislated responsibility to preserve agricultural land. In this case, the Commission believed that subdivision would have a negative impact on agriculture and would be inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

Conclusions

1. That the land under application has agricultural capability.
2. That the proposal will impact agriculture.

IT WAS

MOVED BY: Commissioner Rugg
SECONDED BY: Commissioner Craven

THAT the application be refused.

CARRIED

Resolution # 158/2008