



Agricultural Land Commission
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December 15, 2008

Reply to the attention of Terra Kaethler
ALC File: S-38456

Jim McManus
9535 Faber Road
Port Alberni, BC V9Y9C5

Dear Sir:

Re: Application to Subdivide Land in and for Non-Farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 803/2008 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:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a white background.

Erik Karlsen, Chair

Enclosure: Minutes

cc: Regional District of Nanaimo (6635-04-0804)

TK/
i/38456d1.doc



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 06, 2008 in Courtenay, B.C.

PRESENT:	Lorne Seitz	Chair, Island Panel
	David Craven	Commissioner
	Jennifer Dyson	Commissioner
	Terra Kaethler	Staff

For Consideration

Application: # S- 38456
 Applicant: Dokey Resources Ltd
 Agent: Jim McManus
 Proposal: To subdivide the 13.9 ha subject property to create two parcels of 6.4 ha and 7.5 ha. Also, proposed non-farm use of expansion of the current RV park by 25 new, full serviced sites.
 Legal: PID: 005-191-165
 District Lot 143, Block G, Nanoose District, Plan 4782, EXCEPT Part in Plan 735RW
 Location: 2619 Alberni Highway, Coombs

Site Inspection

A site inspection was conducted on November 6, 2008. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- David Craven Commissioner
- Jennifer Dyson Commissioner
- Terra Kaethler Staff
- Nancy Nedokus Applicant
- Jim McManus Agent

The Commission met at the property and discussed the proposal. It was noted that the proposed subdivision would facilitate the expansion of the campground by 25 full services sites. The Commission viewed the areas proposed for the new sites and noted that infrastructure was already in place. The Commission also viewed the areas of the property that had previous approvals for campground sites.

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 soil of the subject property is identified as improvable to:
Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

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.

Subclasses

A	soil moisture deficiency	P	stoniness
W	excess water		

Although the Commission recognized that the property was currently used as a campground, the Commission considered that the property had prime capability for agriculture and that in its present size did have potential for agricultural use in the long-term.

Assessment of Agricultural Suitability

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission recognized that the majority of the site had been developed for campground facilities and as such the agricultural suitability of the property may have been diminished. However, the Commission noted that the proposed Lot 2, and the area of the proposed expansion of the campground, was largely undeveloped at present, and due to the agricultural capability of the property, had potential for future agricultural use. The proposed subdivision and expansion of the campground may negatively impact the long-term availability of the property for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. Upon observation at the site visit, the Commission found that the current level of non-farm use activity on the property exceeds what was previously approved by the Commission in 2002 and was cause for concern. The 2002 decision approved 42 serviced sites and 58 unserviced sites. At the site visit, it was the Commission's understanding that the applicant's position was that serviced sites refers to sites that have "full" service or "full hook-up", referring to all three services of water, electricity and septic. In the Commission's view, unserviced refers to no servicing of the sites. The Commission believes that serviced sites have more impact on the long-term agricultural potential of the property, due to the servicing and infrastructure costs required.

Based on its observations at the site visit and the campground site map, it appears that 43 sites have full service, 28 sites have power and water, and 6 sites have water. In the Commission's view, this totals 77 existing serviced sites. As such, the Commission believed that the amount of activity currently on the property exceeds the previous approval and thus did not believe that further expansion of the campground was warranted.

Further, the Commission recalled that the applicants had applied for reconsideration in 2005 and 2007 to revise the previous decision to allow 25 additional services sites. The Commission refused both requests.

As the purpose of the subdivision is to facilitate the expansion of the campground, the Commission did not believe that subdivision of the property is warranted.

Conclusions

1. That the land under application has agricultural capability.
2. That the land under application is suitable for agricultural use.
3. That the proposal will negatively impact agriculture.

IT WAS

MOVED BY: Commissioner Seitz
SECONDED BY: Commissioner Dyson

THAT the application be refused.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.33 (1) *On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*
- (a) evidence not available at the time of the original decision has become available,*
 - (b) all or part of the original decision was based on evidence that was in error or was false.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

CARRIED

Resolution # 803/2008