



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

14<sup>th</sup> January 2010

Reply to the attention of Gordon Bednard  
ALC File: 50364

Jim McManus  
9535 Faber Road  
Port Alberni, BC  
V9Y 9C5

Dear Sir:

**Re: Application for subdivision in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 1867/2009 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a large, diagonal, light-colored scribble that extends from the signature area towards the bottom right of the page.

Erik Karlsen, Chair

Enclosure: Minutes

cc: Alberni-Clayoquot Regional District

rc/  
i/50364d1



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. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

Based on 1:20 000 soil capability mapping undertaken by the Ministry of Environment the agricultural capability of the soil of the southern half of the property is generally Class 4 with soils moisture deficit limitations. The northern half is rated as Class 3 with similar soil moisture deficit limitations and also some areas with excess water. The improved capability ratings indicate that the bulk of the property can be improved to Class 2 with soil moisture deficit limitations and the remaining area to Class 3 with similar limitations.

- 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.

#### **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 did not believe that there are external factors that render the land unsuitable for agricultural use.

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

The Commission noted that the Board of the Regional District supported the application subject to a suitable water supply for the intended use. However the Commission was concerned that there are a number of significant issues that need to be clarified before favourable consideration can be given to the application. It was of the view that an overall farm plan for the subject property and other properties owned by the applicant was needed. On the basis of the information provided in the application and at the site inspection the Commission concluded that the proposed subdivision would not provide any benefit for agriculture and raise expectations for further subdivision of agricultural land in this area to the overall detriment of agriculture.

### **Conclusions**

On the basis of the information at present available to the Commission it concluded:

1. That the land under application has significant agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.

3. That the proposal will have a material impact on agriculture.
4. That the proposal is not consistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

**IT WAS**

**MOVED BY:** Commissioner L. Seitz  
**SECONDED BY:** Commissioner N. Holbek

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.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

**CARRIED**  
**Resolution # 1867/2009**