



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

December 28, 2013

ALC File: #53230

Ken Knight
4134 St. Catherines Drive
Cobble Hill, BC
V0R 1L3

Dear Mr. Knight:

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #323/2013 as it relates to the above noted application. As agent, it is your responsibility to notify your mother 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.

Further correspondence with respect to this application is to be directed to Liz Sutton.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:


Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #323/2013
Sketch Plan

cc: Cowichan Valley Regional District (File #2-B-12-ALR)
175 Ingram Street, Duncan, BC V9L 1N8
Attention: Maddy Koch, Planning Technician

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 2, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53230.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner

COMMISSION STAFF PRESENT:

Liz Sutton	Land Use Planner
Brian Underhill	Executive Director

PROPOSAL: (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

To subdivide the 10 ha ALR parcel into one 6.6 ha lot south of Shawnigan Lake-Mill Bay Road and one 3.4 ha lot north of the road to facilitate succession planning.

PROPERTY INFORMATION:

Owner: Joyce Knight

Legal: PID: 009-349-685
The West 66.67 Acres of Section 1, Range 6, Shawnigan District, Except a Strip 40 Feet Wide Taken For Road Purposes, as shown Coloured Red on Plan in DD 126611, Except Part in Plans 2985 And 29477, and Except Parcel A (DD 134452I) Thereof and Except Part in Plan EPP20080

Location: Shawnigan Lake

Size: 22.6 ha (18 ha within the ALR)

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
- (a) to preserve agricultural land;
 - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and

- (c) 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.
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COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the British Columbia Land Inventory (BCLI), 'Soil Capability Classification for Agriculture' system. The improved agricultural capability ratings identified on BCLI map sheets 92B.062 and 92B.063 for the subject property are Class 3, Class 4, Class 5, and a small portion of Class 7.

Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

Class 5 - land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

Class 7 - land has no capability for soil bound agriculture.

The limiting subclasses associated with this parcel of land are W (excessive water), R (bedrock near the surface), P (stoniness) and T (topographic limitations).

Conclusion: The subject property has agricultural capability. The subject property has been used as a dairy farm and is currently used for hay production and pasture.

2. The original farm was comprised of two parcels. The applicant has subdivided both parcels along the ALR boundary resulting in the farm now being comprised of four lots (two non-ALR lots and two ALR lots). In order to accommodate all of the interested family members, the applicant is proposing to subdivide the subject parcel along Shawnigan Lake-Mill Bay Road. The applicant states that the family had operated a dairy farm on the property in the 1960s and used to herd cattle across Shawnigan Lake-Mill Bay Road. The applicant now states that it impractical to utilize the property as a single farm unit due to safety issues of crossing the road.

Conclusion:

The Commission considered this portion of Shawnigan Lake-Mill Bay Road to be a significant impediment to using the property as a single agricultural unit.

3. The applicant requested that the Commission further consider creating a 3.8 parcel which consisted of the 3.4 ha lying north of Shawnigan Lake-Mill Bay Road hooked to 0.4 ha south of the road in order to encompass existing structures.

Conclusion:

The Commission was not amenable to creating a hooked lot as the proposed configuration would alienate the infrastructure on one side of the road.

IT WAS

MOVED BY: Commissioner Miles

SECONDED BY: Commissioner Dyson

THAT the proposal to subdivide the 10 ha ALR parcel into one 6.6 ha lot south of Shawnigan Lake-Mill Bay Road and one 3.4 ha lot north of the road be approved.

AND THAT approval is subject to:

1. The subdivision be in substantial compliance with the plans submitted with the application; and
2. The subdivision plan must be completed within three (3) years from the date of the Commission's letter conveying this decision.

AND FINALLY THAT 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 #323/2013