



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

December 15, 2005

Reply to the attention of Gordon Bednard

Charles Jacobi and Natalie Brennan
1404 Paxton Road
Texada Island, BC - V0N 1W0

Dear Sir/Madam:

Re: **Application #X-36283**
PID: 011-184-329
Block E, Except (A) Part in Explanatory Plan 7204 and (B) Lot 2 (see 4631001)
District Lot 272, Texada Island, District Plan 5317

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the above 3.2 ha property into two lots of 1.6 ha each, within the ALR, along the creek which runs north to south through the property. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*.

In reviewing the application the Commission considered that subdivision of this property would limit future agricultural development options by decreasing lots size and increasing residential land use. As well, the Commission noted that it had refused similar applications in the immediate area in the past based on the agricultural capability of the land in the area which is typical for areas of the island which are currently developed for agriculture. Finally, the Commission noted the negative recommendation of the Regional District.

For these reasons, the Commission refused your application as proposed.

The decision noted above is recorded as Resolution #648/2005.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Powell River Regional District - Attn: Donald Turner

GB/lv
36283d1



Staff Report
Application # X – 36283
Applicants: Charles Jacobi and Natalie Brennan

DATE PREPARED: November 22, 2005

TO: Chair and Commissioners – South Coast Panel

FROM: Gordon Bednard, Regional Research Officer

PROPOSAL: To subdivide this 3.2 ha property into two lots of 1.6 ha each, within the ALR. The property is divided by a creek which runs north to south through the property.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

No previous applications on this property.

Applicant state that creek forms a natural divide, property is in a busy small acreage area, access to both proposed lots exists, proposed subdivision would fit within existing neighbourhood

Local Government:

Powell River Regional District

Legal Description of Property:

PID: 011-184-329

Block E, Except (A) Part in Explanatory Plan 7204 and (B) Lot 2 (see 4631001) District Lot 272, Texada Island, District Plan 5317

Purchase Date (m/d/y):

09/01/2004

Location of Property:

1404 Paxton Road, Texada Island, Powell River RD

Size of Property:

3.2 ha (The entire property is in the ALR).

Present use of the Property:

One house with shop, property mainly treed with some low boggy areas.

Surrounding Land Uses:

WEST: Smaller ALR property, residence, main road beyond

SOUTH: Smaller ALR properties, residences on each

EAST: Larger ALR property with dwelling

NORTH: Larger ALR property with dwelling

Agricultural Capability:

Data Source: Agricultural Capability Map # 92F/10
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

Texada OCP- Agriculture

Zoning Bylaw and Designation:

Rural
-no specified MLS

PREVIOUS APPLICATIONS:

NONE

RELEVANT APPLICATIONS:

Application #29380-0

Applicant: Gyrfalcon Enterprises Ltd Inc. #384157
Decision Date: January 16, 1995
Proposal: To subdivide the 6.5 ha property into two lot of 2 ha and two lots of 1.2 ha.
Decision: The Commission refused the subdivision proposal on the grounds of reduced capability and impact.

Application #31227-0

Applicant: Ross, Ed & Barbara
Decision Date: April 23, 1997
Proposal: To subdivide the 7.7 ha portion of the parcel within the ALR into two lots of 5.7 ha and 2 ha. The applicant plans to give the proposed 2 ha parcel to their son for the construction of a dwelling.
Decision: Refuse subdivision proposal as it would result in a reduction in agricultural potential. Allow the second dwelling which is currently under construction.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Does not recommend approvals as the property has good agricultural capability, subdivision would negatively affect the agricultural potential of the property, subdivision limits the range of agricultural activity, the creek is not a deterrent to the agricultural use of the land.

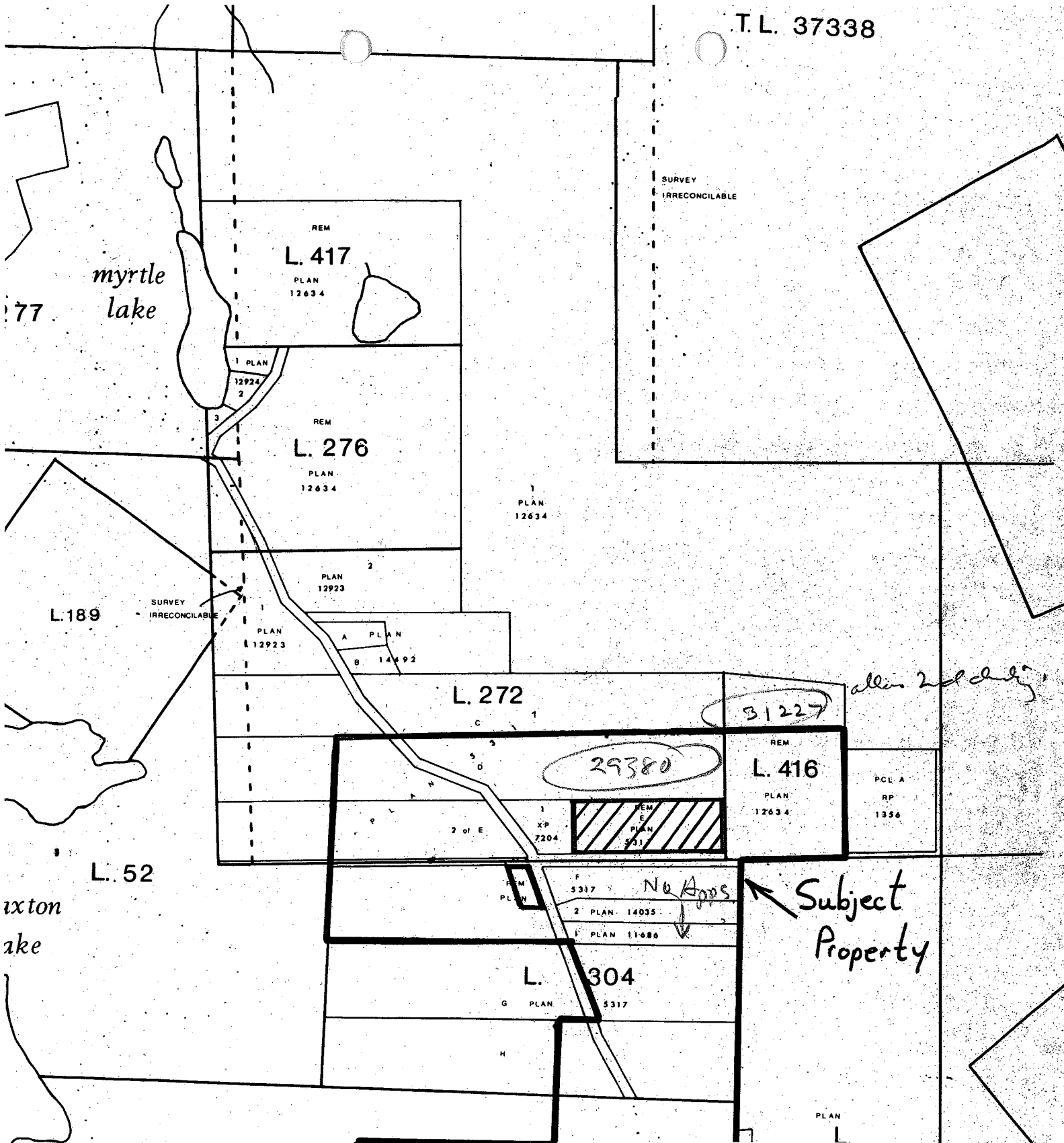
STAFF COMMENTS:

The Commission has in past refused subdivisions in this area, allowing only those for division along the main road. While this is not prime agricultural capability land, it is typical for the island, some of which is actively farmed. The land owners have only owned the property for two years and have shown no evidence of having even attempted farming.

END OF REPORT

Signature

Date



all in 2nd d...

31227

29380

L. 416

No Apps

Subject Property

S. 3

ALR

Constituent

Map # 10

Scale: 1:10,000



N