



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 23, 2005

Reply to the attention of Ron Wallace

Vista Ventures Ltd.
7465 Thunderbird Way
Port Hardy, BC – V0N 2P0

Dear Sir/Madam:

**Re: Application # I-36340
Parcel A (DD12676-N), Block 71, Comox District, EXCEPT Part in Plan 44639**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide to above noted property as divided by the recently constructed road (Lerwick Road). The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission writes to advise that it approved your application subject to:

- the subdivision being in substantial compliance with the attached plan.
- compliance 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. The Commission suggests you contact the City of Courtenay at your earliest convenience.

The decision noted above is recorded as Resolution **#677/2005**.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

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

cc: City of Courtenay (#3320-20-05477)

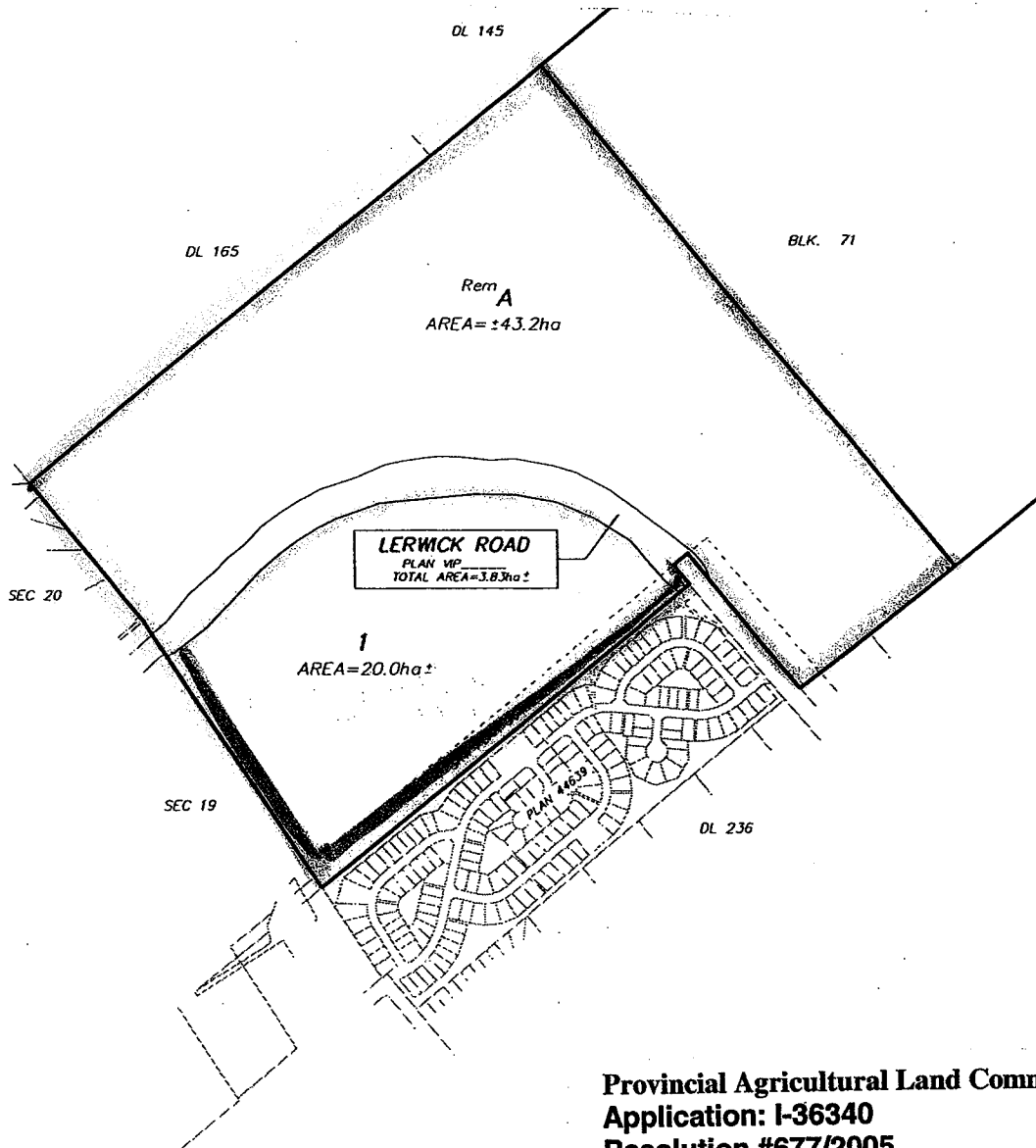
RW/lv/Encl./36340d1

PROPOSED SUBDIVISION PLAN OF
PARCEL "A" (DD 12676-N),
OF BLOCK 71, COMOX
DISTRICT, EXCEPT PART
IN PLANS 44639 AND VIP_____

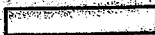

SCALE 1:10000

NOTES:

AREAS SHOWN ARE BASED ON LAND
TITLE OFFICE RECORDS.



Provincial Agricultural Land Commission
Application: I-36340
Resolution #677/2005

-  Subject property.
-  Approved for subdivision.



Staff Report
Application # I – 36340-0
Applicant: Vista Ventures Ltd
Agent: Courtenay

DATE PREPARED: December 13, 2005

TO: Chair and Commissioners – Island Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To subdivide the 64 ha parcel into a 43.2 ha lot and a 20 ha lot as divided by the recently constructed road.

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

BACKGROUND INFORMATION:

The Commission recently approved the construction of the Veterans Memorial Parkway through this property within the ALR. This created two physically separate parcels of land. The current application is to subdivide these pieces of land. The property has been owned by Vista Ventures Ltd. since 1970 (prior to the inception of the ALR). The application states that in 1979, the Commission noted that consideration would be given to subdivision of the lower capability lands. A large area of proposed Lot 1 is a gravel quarry and is also occupied by a cellular tower.

Local Government:

The Corporation of the City of Courtenay

Legal Description of Property:

1. PID: 004-189-523
Parcel A (DD12676-N), Block 71, Comox District, EXCEPT Part in Plan 44639;

Purchase Date (m/d/y):

12/15/1970

Location of Property:

Courtenay

Size of Property:

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

Present use of the Property:

Lightly treed with some brush cover, old gravel quarry and cellular tower installation. No agricultural activity or improvements.

Surrounding Land Uses:

WEST: Vacant land, treed (ALR)
SOUTH: Vacant land, treed and some residential (non-ALR)
EAST: Residential trailer park (non-ALR)
NORTH: Vacant land, treed (non-ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 92F.076
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

City of Courtenay Official Community Plan Bylaw No. 2387, 2005 Designates the property as Agricultural

Zoning Bylaw and Designation:

City of Courtenay Zoning Bylaw No. 1427, 1986
Minimum Lot Size 8 ha

PREVIOUS APPLICATIONS:**Application #30145-0**

Applicant: Vista Ventures Ltd.

Decision

Date:

Proposal: To install a sewer line through the property. The Right of Way will be 10 meters wide and approximately 1000 meters long for a total taking of 1 ha.

Decision: Allowed.

Application #34444-0

Applicant: Courtney

Decision July 30, 2002

Date:

Proposal: To construct a road to a maximum width of 40 metres across the subject property.

Decision: Approved but the Commission wishes the width to be kept down to 30 metres where possible

Application #08863-0

Applicant: Michael Poje

Decision October 30, 1979

Date:

Proposal: To exclude the property on the basis that Parcel A can never be developed into an economically justifiable agricultural unit.

Decision: Refused as proposed but that the applicant be advised the Commission would be prepared to consider some subdivision of the lower capability lands lying south-east of and including the gravel pit.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

City of Courtney City Council:

Council recommends approval of the application. The application is consistent with OCP policy and reflects the direction outline in the OCP Road Network Plan.

STAFF COMMENTS:

The Commission has conducted an on-site of the property and is now in a position to make a final decision on this application.

END OF REPORT

Signature

Date