



Agricultural Land Commission
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November 29, 2006

Reply to the attention of Terra Kaethler
ALC File: I - 36936

Sheldon Rempel and Donna Wooley
PO Box 9
Denman Island, BC V0R 1T0

Dear Mr. Rempel and Ms. Wooley:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 574/2006 outlining the Commission's decision as it relates to the above noted application.

The Commission writes to advise that it approved your application. The above noted property shown on the attached map is excluded from the Agricultural Land Reserve Plan of the Regional District of Comox-Strathcona.

By way of a copy of this letter this is to advise the Registrar of Land Titles of the exclusion of the above noted property from the ALR.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Islands Trust Denman Island (#DE-ALR-2006-1)
Land Title Office - Victoria

TK/lv/Encl.: Minutes/Map
36936d1

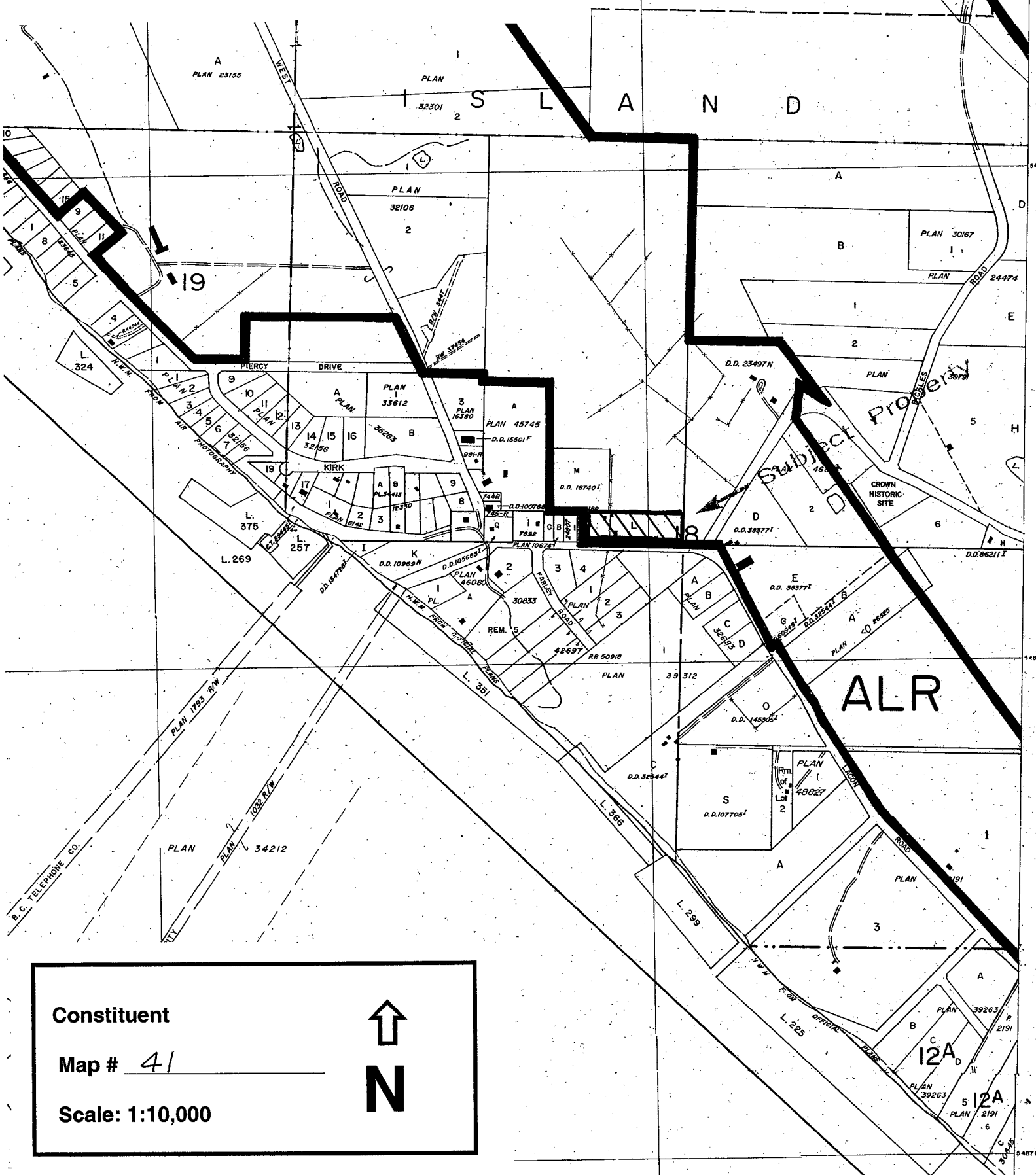
Provincial Agricultural Land Commission

Application # I-36936

Resolution #574/2006




1.38 ha area approved for exclusion from the ALR



Constituent

Map # 41

Scale: 1:10,000



Resolution # 574/2006
Application # I-36936

Conclusions

1. That the land under application has limited agricultural capability.
2. That the proposal will not have substantial impact on agriculture.

IT WAS

MOVED BY: Commissioner David Craven

SECONDED BY: Commissioner Lorne Seitz

THAT the application be approved.

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 # 574/2006



Staff Report
Application # I – 36936
Applicants: Sheldon Rempel and Donna Wooley

DATE PREPARED: October 18, 2006

TO: Chair and Commissioners – Island Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: To exclude the property from the Agricultural Land Reserve for the development of an Earth Club Factory which would include a range of commercial activities, some of which are occurring now and others that are planned for the future. The area of the property is approximately 1.4 ha.

This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Local Government:

Islands Trust – Denman Island

Legal Description of Property:

PID: 009-708-189
Parcel L (DD6602N), Section 18, Denman Island, Nanaimo District, Except that part in Plan 24807

Purchase Date:

12/04/2003

Location of Property:

3806 Denman Road

Size of Property:

1.4 ha (The entire property is in the ALR)

Present use of the Property:

Guesthouse, restaurant, and residence on property.

Surrounding Land Uses:

WEST: Residence
SOUTH: Light industrial
EAST: Residence
NORTH: Artisans home and shop

Agricultural Capability:

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

Official Community Plan and Designation:

OCP: Denman Island OCP
Designation: Sustainable Resource

Zoning Bylaw and Designation:

Zoning: Bylaw No. 148
Designation: Site Specific Agriculture A (2) Zone
Minimum Lot Size: 15 ha

PREVIOUS APPLICATIONS:

Application #27012-0

Applicant: Robert Okrainec
Decision Date: 1992
Proposal: To exclude property from the ALR to expand guest accommodation.
Decision: Refused as submitted but allowed the expansion of the existing guest accommodation.

Application #06094-0

Applicant: R.K. Reinke
Decision Date: 1978
Proposal: To register an easement along the west boundary of Parcel L to give legal private access to Parcel M.
Decision: Allowed as submitted.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Local Government Staff:

Recommended to the Trust Committee that the application not be forwarded to the ALC.

Trust Committee:

Referred to the APC for its advice (Resolution DE-LTC-54-0)

Advisory Planning Commission:

Recommended to the Trust Committee that the application be forwarded to the ALC.

STAFF COMMENTS:

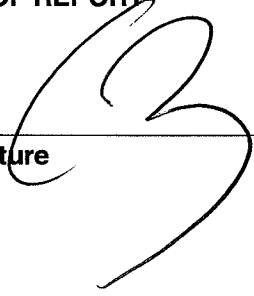
The business nature of the Earth Club Factory is not clearly defined. A site visit may clarify the intent of the proposal.

Attachments:

1. ALR Constituent Map # 41
2. Islands Trust Staff Report
3. Sketch of Property

END OF REPORT

Signature

A large, stylized handwritten signature in black ink, consisting of several loops and a long tail.

Date

The handwritten date "Oct 20/06" in black ink, written above a horizontal line.