



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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April 26 2007

Reply to the attention of Jennifer Carson  
ALC File: #Z - 37248

Creeshen Everett  
1920 Lower Road  
Roberts Creek, BC V0N 2W6

Dear Ms. Everett:

**Re: Application to Exclude land from the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 134/2007 outlining the Commission's decision as it relates to the above noted application.

By way of a copy of this letter, the Commission is advising the Registrar of Land Titles of its order and confirming that the property has been excluded from the Agricultural Land reserve (ALR) thereby amending the ALR map of the Sunshine Coast Regional District.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Sunshine Coast Regional District (#D-46)  
BC Land Title & Survey, New Westminster

Enclosure: Minutes

JC/lv  
37248d1



**A meeting was held by the Provincial Agricultural Land Commission on April 11, 2007 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.**

<b>PRESENT:</b>	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Erik Karlsen	Commissioner
	Tony Pellett	Staff
	Colin Fry	Staff
	Jennifer Carson	Staff

**For Consideration**

Application: # Z - 37248  
Applicant: Creeshen Everett  
Proposal: To exclude the 1.8 ha parcel in order to facilitate a subdivision into a 0.4 ha lot and remainder parcel. This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.  
Legal: PID: 017-780-918  
          Lot 6, District Lot 905, Plan LMP4544  
Location: 1920 Lower Road, Roberts Creek

**Exclusion Meeting**

A waiver of the required notice and the requirement to have a meeting with the Commission with respect to the application in question was forwarded by the applicant on April 3, 2007.

**Context**

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
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**

The Commission has agreed to exclude this property from the ALR through Resolution #236/2005.

**IT WAS**

**MOVED BY:** Commissioner Pranger  
**SECONDED BY:** Commissioner Tomlinson

THAT the application be allowed as requested.

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 # 134/2007**



**Staff Report**  
**Application # Z – 37248**  
**Applicant: Creeshen Everett**

**DATE RECEIVED:** February 21, 2007

**DATE PREPARED:** March 27, 2007

**TO:** Chair and Commissioners – South Coast Panel

**FROM:** Jennifer Carson, Land Use Planner

**PROPOSAL:** To exclude the 1.8 ha parcel in order to facilitate a subdivision into a 0.4 ha lot and remainder parcel. This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

On 15 September 2005, the Commission considered a staff report on the Roberts Creek ALR Review (File #50-Z-EAZ-1988-22858) and, by Resolution #236/2005 decided as follows:

**THAT** the staff report be received

**AND THAT** the Commission establish the following as criteria under which the chief executive officer (CEO) may approve any or all applications of any type within the area covered by the Sunshine Coast Regional District "Roberts Creek Official Community Plan Bylaw No.375", except that decisions on exclusion applications in the area covered by Resolution #597/2003 shall be subject to the criteria established by that resolution rather than to the following criteria:

1. Decisions should reflect the fact that although the Commission sees no need for ALR designation, the area is rural-residential and may support isolated hobby-farms for the foreseeable future;
2. The CEO must consider the policies of Bylaw No. 375 or its successor before reaching a decision; and
3. The CEO must consider the effect of any proposed exclusion, subdivision or non-farm use on adjacent lands in farm use or having prime-dominant agricultural capability "improved" ratings per the 1993 Schori Consultants report filed in #Z-22858.

Relevance of criteria to the subject parcel

1. The subject parcel is not farmed and is remote from lands which are farmed.
2. Bylaw No. 375 (the "OCP") designates the subject parcel as "Agricultural C", defined as "Lands which should be excluded from the ALR". The policies of that designation define the minimum parcel size which should be applied when the land is excluded from the ALR.
3. The subject parcel is rated by the 1993 Schori Consultants report as mainly improvable to Class 6:5PT 4:7PT, with the extreme north-east corner of the parcel improvable to Class 4:5AP 4:4DP 2:7P.

Other relevant considerations

Land to the south was never in the ALR. Lands to the west and north have previously been excluded from the ALR. The only adjoining ALR parcel (to the east) has the same agricultural capability ratings as the subject parcel (in mirror image).

**Local Government:**

Sunshine Coast Regional District

**Legal Description of Property:**

PID: 017-780-918  
Lot 6, District Lot 905, Plan LMP4544

**Purchase Date:**

July, 1992

**Location of Property:**

1920 Lower Road, Roberts Creek

**Size of Property:**

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

**Present use of the Property:**

Residential/ inlaw suite - detached garage

**Surrounding Land Uses:**

**WEST:** Residential, not in the Agricultural Land Reserve  
**SOUTH:** Residential, not in the Agricultural Land Reserve  
**EAST:** Residential, workshop, office, in the Agricultural Land Reserve  
**NORTH:** Residential not in Agricultural Land Reserve

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92G/5  
The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

West Howe Sound OCP  
Designation: Agricultural C

**Zoning Bylaw and Designation:**

Zoning Bylaw No. 310  
Designation: N/A  
Minimum Lot Size: 1 ha

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Sunshine Coast Regional District Board:**

The Regional Board forwarded the application with a recommendation of non-support

**STAFF COMMENTS:**

This parcel meets all the criteria of Resolution #236/2005 for exclusion.

**END OF REPORT**

  
\_\_\_\_\_  
Signature

March 28, 2007  
\_\_\_\_\_  
Date