



Agricultural Land Commission
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Reply to the attention of Terra Kaethler
ALC File: A-37604

December 20, 2007

Jim McManus
9535 Faber Road
Port Alberni, BC V9Y9C5

Dear Sir:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 696/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written over a white background.

Erik Karlsen, Chair

cc: Regional District of Alberni-Clayoquot (AF06005)

Enclosure: Minutes

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 27, 2007, Parksville, B.C.

PRESENT: Lorne Seitz Chair, Island Panel
David Craven Commissioner
Donald Rugg Commissioner
Terra Kaethler Staff

For Consideration

Application: # A- 37604
Applicant: Asia Pacific Investors Ltd
Agent: Jim McManus
Proposal: To subdivide the 24.1 ha subject property to create a 1.5 ha lot for a family member
Legal: PID: 000-637-700
District Lot 93, Alberni District, Except those parts in Plans 8352, 14931, 17566, 21766, 23163, 24276, 25372, 25716, 25984, 26034, 27886, 30363
Location: 5777 Cherry Creek Road

Site Inspection

A site inspection was conducted on November 27, 2007. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- David Craven Commissioner
- Donald Rugg Commissioner
- Terra Kaethler Staff
- Jim McManus Agent

The Commission met with the agent and walked the portion of the property under application. It noted that the area proposed for subdivision was treed and slightly sloped and surrounded on three sides by non-ALR residential development. The property is divided by Cherry Creek Road, and is adjacent to farmland on the east side of the road. The agent noted that the proposal had been revised to include a wider panhandle for extra privacy.

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

Assessment of Agricultural Capability

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the area of the proposed subdivision is improvable to Class 3 (70%) and Class 4 (30%) with limitations of stoniness and topography:

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

The Commission considers that the proposal area has agricultural capability ratings indicating good potential for agricultural use.

Assessment of Agricultural Suitability

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. Although the area proposed for subdivision is on the ALR boundary and adjacent to residential development outside of the ALR, given the large size of the parcel, the Commission did not believe that the land is unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land.

The Commission believed that the existing small lots adjacent to the property provided sufficient buffering to the ALR, and did not agree with the proponent's argument that the subdivision would serve to provide a stronger buffer. Rather, the Commission was of the view that subdivision of this kind contributes to the incremental parcelization of agricultural areas. As such, the Commission believed the proposal would impact existing or potential agricultural use of the subject property and surrounding lands.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will impact agriculture.

IT WAS

MOVED BY: Commissioner Seitz

SECONDED BY: Commissioner Craven

THAT the application be refused.

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CARRIED
Resolution # 696/2007