



**Agricultural Land Commission**  
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October 25, 2007

Reply to the attention of Terra Kaethler  
ALC File: C-37652

Mark Wyatt  
Fulford Acres Holdings Ltd  
2546 Government Street  
Victoria, BC V8T4P7

Dear Sir:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 541/2007 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per. 

Erik Karlsen, Chair



cc: Islands Trust Salt Spring Island (SS-ALR-2007-2)

Enclosure: Minutes/Sketch Plan

TK/37652d1.doc



**Provincial Agricultural Land Commission**  
**Application # 37652**  
**Resolution #541/2007**

-  Subject Property
-  Approved subdivision of 9.0 ha and 26.0 ha

*Three Point Properties Ltd*  
 ENGINEERS  
 10000  
**THREE POINT PROPERTIES LTD**  
 TENTATIVE SUBDIVISION  
 PROJECT NAME: [unclear]  
 SCALE: 1:1000  
 DATE: 19/07/07  
 LOCATION: [unclear]  
 COUNTY: [unclear]



# MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 11, 2007 in Shawnigan Lake, B.C.

<b>PRESENT:</b>	Erik Karlsen	Chair
	David Craven	Commissioner
	Donald Rugg	Commissioner
	Terra Kaethler	Staff

## For Consideration

Application: # C- 37652  
 Applicant: Fulford Acres Holdings Ltd  
 Proposal: To subdivide the subject property into 2 lots: a 25.6 ha parcel and a 9.3 ha parcel (2.6 ha is not in the ALR). In exchange for donating the 25.6 ha parcel to the Salt Spring Island Farmer's Institute (SSIFI), the applicant would receive a density transfer from the Islands Trust to the property under concurrent application #37651 at Isabella Point Road.

Legal: PID: 026-852-926  
 Lot 2, Section 7 and 8, Range 1, South Salt Spring Island, Cowichan District, Plan VIP81978

Location: Fulford Valley

## Site Inspection

A site inspection was conducted on October 11, 1007. Those in attendance were:

- Erik Karlsen                      Chair
- David Craven                     Commissioner
- Donald Rugg                      Commissioner
- Terra Kaethler                  Staff
- Mark Wyatt                       Applicant
- Alison Fox                       Islands Trust staff
- George Ehring                    Island Trustee
- Peter Lamb                        Island Trustee

The Commissioners met with the applicant and representatives of the Islands Trust and walked the property. The Commission viewed the area to be donated to the SSIFI. The Commission also viewed the remainder portion of the property and noted that the proposed subdivision followed the creek bed and topography of the property, and included two small field areas.

The applicant confirmed that the staff report dated October 1, 2007, was received and no errors were identified.

## **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 soil of the subject property is identified as improvable to Class 2 and Class 4, with limitations of soil moisture deficiency, undesirable soil structure, and topography.

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly 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.

### **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 donation of 25.6 ha to the SSIFI would be a significant benefit to agriculture. Further it believed that the proposed subdivision would result in no net loss to the agricultural capability of the property. The Commission also noted that the proposal received support from the Islands Trust and the greater farming community on the island.

At the site inspection, the Commission discussed with the applicant and the Island Trust alternative subdivision configurations, such as a smaller subdivision adjacent to the road, which would perhaps have less impact on the remainder property. Although the applicant was willing to accept a smaller lot subdivision, the Islands Trust would not approve it as it would not have met the minimum lot size. Upon further discussion, the Commission determined that, while awkward, the subdivision as proposed would have minimal impact on the remainder of the property.

The Commission does not believe the proposal would negatively impact existing or potential agricultural use of the property or surrounding lands, and that the donation of 25.6 ha to the SSIFI may benefit the Salt Spring Island agricultural community.

### **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 not impact agriculture.
4. That the donation of land to the SSIFI may benefit the Salt Spring Island agricultural community.

### **IT WAS**

**MOVED BY:** Commissioner Rugg  
**SECONDED BY:** Commissioner Craven

THAT the application to subdivide the property into 25.6 ha and 9.3 ha be approved as proposed;

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.

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 # 541/2007**