



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

Reply to the attention of Terra Kaethler
ALC File: A-37657

January 21, 2008

Tyler and Alesia Servatius
9010 Bryson Road
Port Alberni, BC V9Y8N8

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 711/2008 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.

As stated in the Minutes, the Commission refused your proposal but is prepared to consider a smaller subdivision alternative. If you would like to proceed with this alternative, please send a copy of a revised subdivision plan to this office for review. If you have any questions about how to proceed, please contact Terra Kaethler at 604-660-7022.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Erik Karlsen, Chair

cc: Regional District of Alberni-Clayoquot (AB07004)

Enclosure: Minutes

TK
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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- 37657
 Applicant: Joseph and Laura Kalugin
 Agent: Tyler and Alesia Servatius
 Proposal: Subdivision for a Relative: To subdivide the 32.3 ha subject property to create a 4.5 lot for the landowner's grandson who currently lives on the property and works part-time on the farm.
 Legal: PID: 006-620-491
 District Lot 73A, East 1/2, Alberni District
 Location: 9075 Beaver Creek Road, approximately 1 km north of Bayne 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
- Tyler and Alesia Servatius Agents
- Joseph Kalugin Applicant

The Commission met with the applicant and agents (the applicant's grandson and family) on the area of the property proposed for subdivision and discussed the application. It was noted that the majority of the property was mostly flat and cleared and currently utilized to graze cattle and horses. The area proposed for subdivision consisted of two knolls and a small portion of pasture and was currently occupied with a mobile home, residence of the grandson and his family. The Commission drove to view the north side of the property and noted the permanent dwelling of the applicant and several outbuildings.

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 3 to Class 5 with limitations of stoniness, topography and excess water.

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

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

The Commission considered that the majority of the field portion of the property had potential for agriculture and that subdivision of the field was not warranted. However, the Commission recognized that the area of the existing mobile home and forested knoll was limited for agriculture and that some subdivision of this area would not decrease the agricultural capability of the field portion of the property.

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 does not believe the proposal would impact existing or potential agricultural use of surrounding lands.

The Commission noted that the applicant requested the large lot size of 4.5 ha to enable a small farm of his own and that the applicants intent was to retain connection with family farm and continue to be involved with the farming operation. Although the Commission considered this, it believed that subdividing a portion of the field area would decrease the agricultural capability of the remainder property.

The Commission determined that the subdivision as proposed was not warranted, given its size and intrusion into the field portion of the property. However, it discussed that it may be prepared to approve a smaller lot, consisting of the higher ground on the southern portion of the property. The Commission believed that this alternative proposal would have a minimal impact on the agricultural potential of the property by retaining the majority of the hay field within the remainder parcel. This alternative may also serve to encourage the family farm operation. As such, the Commission would be prepared to consider an alternative subdivision that left the field intact upon receipt of a revised subdivision plan from the applicants.

Conclusions

1. That the land under application has agricultural capability.
2. That the subdivision as proposed will impact agriculture.
3. That the Commission would be prepared to consider an alternative subdivision that left the field intact upon receipt of a revised subdivision plan from the applicants.

IT WAS

MOVED BY: Commissioner Rugg

SECONDED BY: Commissioner Seitz

Refused as proposed.

CARRIED

Resolution # 711/2008