



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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Reply to the attention of Terra Kaethler  
ALC File: # **A-37658**

January 11, 2008

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 # 712/2007 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.

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:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written in a cursive style.

Erik Karlsen, Chair

cc: Regional District of Alberni-Clayoquot (AE07003)

Enclosure: Minutes/Sketch Plan

TK  
i/37658d1.doc



# MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

**A meeting was held by the Provincial Agricultural Land Commission on November 28, 2007 in Parksville, BC**

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

### For Consideration

Application: # A- 37658  
 Applicant: Harry and Ruth Krause  
 Agent: Jim McManus  
 Proposal: The applicant proposes consolidating 51 parcels in order to create three (3) lots of approximately 2.0 ha each with the remainder lot of 23.5 ha.  
 Legal: PID: 008-667-152  
 That part of District Lot 176, Alberni District, Lying to the South of Dupont Street and to the East of First Street as shown on Plan 489  
 Location: 6920 Granville Street

### 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 on the property and discussed the application. The Commission reviewed the original plan from 1896, showing 51 legal parcels on the lands owned by the applicants. It was noted that the property is mostly cleared and currently a farming operation, which is managed by the son of the applicant, who lives on the property. The Commission also met briefly with the owners, Harry and Ruth Krause to discuss the application.

### 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 appreciated that this proposal consolidated 51 small parcels that originally may have, and currently could have, resulted into a major residential area in an agricultural area. The Commission also noted that the consolidation of lots would result in the elimination of 5 legally gazetted roads, which may have stimulated future subdivision. Without the consolidation of the lots as proposed, there legally would have been potential to subdivide 18 parcels, and create 5 road ways based on the original plan of the subject lands.

Further, the Commission discussed that the property was in an area of a variety of parcel sizes and that the three (3) proposed 2.0 ha lots were not inconsistent with a number of the surrounding parcel sizes in the area. Further, the proposed 23.5 ha remainder parcel would encompass the existing farm operation, where the son lives and manages the farm, keeping the majority of the agricultural land intact in one parcel.

The Commission considered that the consolidation of 51 lots into three (3) 2.0 ha lots and one (1) 23.5 ha remainder offered a benefit to agriculture by eliminating the possibility of a small residential subdivision and several road ways into an agricultural area and would keep the farm intact.

### **Conclusion**

That the proposal would not negatively impact agriculture, and may provide a benefit to agriculture.

### **IT WAS**

**MOVED BY:** Commissioner Craven

**SECONDED BY:** Commissioner Rugg

THAT the application be approved;

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 # 712/2007**

- Subject property
- Approved 2.0 ha lots
- 23.5 ha remainder lot

