



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: I-37822

February 11, 2008

Triple Rock Land Co-Operative
RR1 - 8851 A Reginald Road
Denman Island, BC V0R1T0

Dear Sir/Madam:

Re: **Application for Non-Farm Use in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 37/2008 outlining the Commission's decision as it relates to the above noted application.

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: Islands Trust Denman Island

Enclosure: Minutes

TK/
i/37822d1.doc



A meeting was held by the Provincial Agricultural Land Commission on January 29, 2008 by conference call.

PRESENT:	David Craven	Commissioner
	Donald Rugg	Commissioner
	Terra Kaethler	Staff

For Consideration

Application: # I- 37822
Applicant: Triple Rock Land Co-Operative
Proposal: Proposal to create a new driveway to allow landowner access to their future common garden site.
Legal: PID: 006-657-290
The South West 1/4 of Section 17, Denman Island, Nanaimo District, Except that part in Plan 14174 and VIP77481
Location: Denman Island, Denman Road

Site Inspection

A site inspection was conducted on January 15, 2008. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- David Craven Commissioner
- Donald Rugg Commissioner
- Terra Kaethler Staff
- Sean Woods Representative of Triple Rock Land Co-Operative

The Commission met with the applicant and walked the boundary of the ALR portion of the property along Denman Road. It observed that the ALR portion was flat but had not been cleared. The applicant noted that the Co-Operative planned to develop the ALR portion for agricultural use. It was also noted that the property was in the process of being subdivided along the ALR boundary.

It was discussed as to whether Commission approval was needed, as the proposal is not for a public road. It was determined that Commission approval is needed, as the road will provide access to multiple dwellings.

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 majority of the ALR portion of the property has an improvable agricultural capability rating of 60% Class 3P and 40% Class 2X. A smaller area of the ALR portion of the property is identified as 80% Class 7RT and 20% Class 4PM (improvable).

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 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.

Class 7 – Land in this class has no capability for arable or sustained natural grazing

Subclasses

M	soil moisture deficiency
P	stoniness
R	shallow soil / bedrock outcroppings
T	topography
X	cumulative and minor adverse

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 considered that the agricultural capability of the majority of the ALR portion of the property was high and that the access road as proposed would decrease its potential for agriculture. As such the Commission believes the proposal would impact existing or potential agricultural use of the subject property.

As the majority of the subject property is not within the ALR, the Commission believed that there were other options available to create an access road to the housing development on the non-ALR portion of the property. The Commission suggests the applicant work with the Islands Trust and the landowner of the remainder property to ensure access to the proposed housing development through the non-ALR portion of the property. Access may be available through the registration of an easement on the remainder property or lot line adjustment as a condition of the subdivision along the ALR boundary.

Conclusions

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

IT WAS

MOVED BY: Commissioner Rugg
SECONDED BY: Commissioner Craven

THAT the application be refused as proposed.

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 # 37/2008