



**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: J-38335

October 2, 2008

Focus Corporation  
552 Trunk Road  
Duncan, BC V9L2R1

Dear Sir/Madam:

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

Please find attached the Minutes of Resolution # 549/2008 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.

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: Cowichan Valley Regional District (1-E-07-ALR)

Enclosure: Minutes/Sketch Plan

TK/  
i/38335d1.doc



A meeting was held by the Provincial Agricultural Land Commission on September 10, 2008 at the offices of the District of Saanich at 770 Vernon Ave, Victoria, B.C.

<b>PRESENT:</b>	Lorne Seitz	Chair, Island Panel
	David Craven	Commissioner
	Jennifer Dyson	Commissioner
	Terra Kaethler	Staff
	Roger Cheetham	Staff

**For Consideration**

Application: # J- 38335  
 Applicant: Mark and Melissa Collins  
 Agent: Focus  
 Proposal: To subdivide the 4.0 ha property into two lots of approximately 2.0 ha.  
 Legal: PID: 003-750-396  
 Location: Lot 2, Section 8, Range 9, Sahtlam District, Plan 18495  
 4470 Cowichan Lake Road

**Site Inspection**

A site inspection was conducted on September 9, 2008. Those in attendance were:

- Lorne Seitz                      Chair, Island Panel
- David Craven                    Commissioner
- Jennifer Dyson                 Commissioner
- Terra Kaethler                 Staff
- Roger Cheetham                Staff
- Mark Collins                     Applicant
- Dick Wright                     Agent

The Commissioners met on the property and inspected the areas on both the north and south side of Currie Creek. It was noted that the creek created a natural division of the property and that a bridge had been washed out from seasonal flooding.

**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 BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The soil capability maps indicate a difference between the areas to the north and south of Currie Creek. The southern portion had agricultural capability improvable to Class 2AP and Class 4A, while the southern portion of the property was identified as having soil capability improvable to Class 4PT and Class 5TP.

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.

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

#### Subclasses

A	soil moisture deficiency	P	stoniness
T	topography		

It was also noted that adjacent lots to the southern portion of the property were of the same agricultural capability as that portion and were not within the ALR. As such, the Commission considered that the original ALR boundary was likely based on existing property boundaries rather than the soil capability.

### **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. The property is 4.0 ha in size which the Commission would generally consider to be suitable for agriculture production in the area. However, the Commission believed that the creek and its related wetlands reduced the property's usable area for agriculture production, and that given the relatively small size of the property, the creek created a significant barrier to the use of the property as a single unit.

As such, the Commission believed that the property was unsuitable for agricultural use as a single unit.

### **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 discussed that the adjacent parcels to the south side of Currie Creek were of a similar size and similar agricultural capability as the proposed lot, south of the creek. As such, the Commission did not believe that the proposed subdivision would create a negative impact on the agricultural potential of surrounding lands.

### **Conclusions**

1. That the land under application has agricultural capability.
2. That the land under application is not suitable for agricultural use as a single unit.
3. That the proposal will not negatively impact agriculture.

### **IT WAS**

**MOVED BY:** Commissioner Seitz  
**SECONDED BY:** Commissioner Craven

THAT the application be approved;

AND THAT the approval is subject to the following conditions:

- the subdivision be along the Currie Creek boundary, 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.

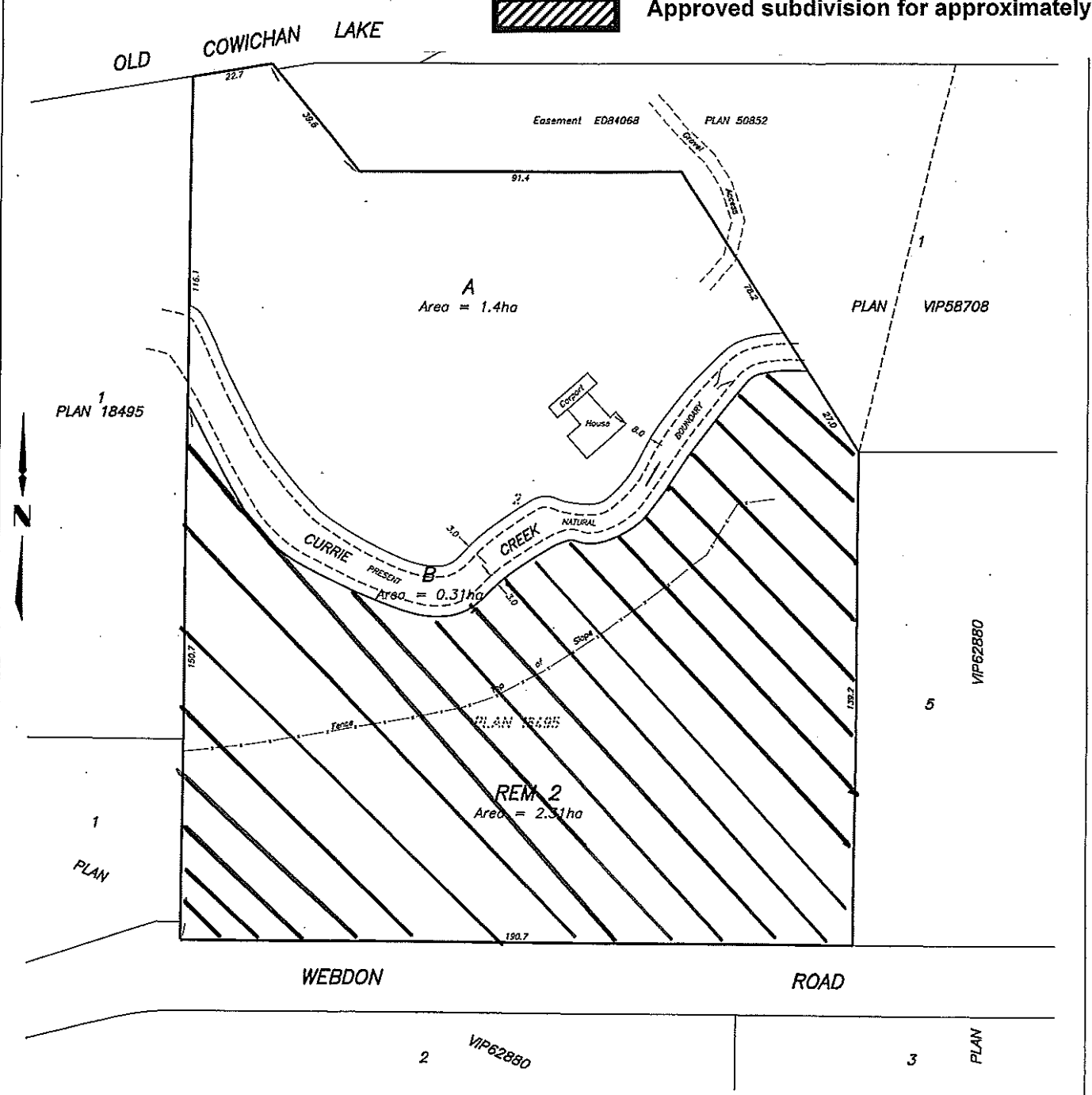
### **CARRIED**

**Resolution # 549/2008**

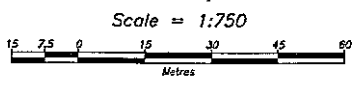
Provincial Agricultural Land Commission  
 Application # 38335  
 Resolution #549/2008



Approved subdivision for approximately 2.3 ha



PROPOSED SUBDIVISION OF LOT 2,  
 SECTION 8, RANGE 9,  
 SAHTLAM DISTRICT, PLAN 18495.



**NOTE:**  
 All distances and areas are in metres and hectares,  
 and are subject to change upon final survey.

1	2008.06.24	Amended Lot A/B Boundaries
Rev No.	Date	Comment
<b>FOCUS</b> Engineering • Planning • Geomatics		
PROJECT <b>Mark and Melissa Collins</b>		
PROJECT NO. 012055-00		
SHEET TITLE <b>PROPOSED SUBDIVISION</b>		
Drawn VS/ME	DATE JAN 5/07	CHECKED RH
SHEET NO. <b>012055PS11</b>		SCALE 1:750