



Agricultural Land Commission
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December 8, 2008

Reply to the attention of Terra Kaethler
ALC File: J-38280

J E Anderson & Associates
4212 Glanford Avenue
Victoria, BC V8Z4B7

Dear Sir/Madam:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 769/2008 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.

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

Enclosure: Minutes/Sketch Plan

cc: The Corporation of the District of North Cowichan (3025-20-07-12)

TK/
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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 6, 2008 in Courtenay, B.C.

PRESENT:	Lorne Seitz	Chair, Island Panel
	David Craven	Commissioner
	Jennifer Dyson	Commissioner
	Terra Kaethler	Staff

For Consideration

Application:	# J- 38280
Applicant:	Townend Park Estates
Agent:	J E Anderson & Associates
Proposal:	Exclusion of 1.3 ha property for small lot residential development.
Legal:	PID: 002-449-692
	Lot A, Section 20, Range 7, Quamichan District, Plan 26864
Location:	2390 Townend Road, North Cowichan

Site Inspection

A site inspection was conducted on November 5, 2008. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- David Craven Commissioner
- Jennifer Dyson Commissioner
- Terra Kaethler Staff
- Karl Kaercher Applicant
- Jim and Leslie Bolin Applicants

The Commission met with the applicants and walked the property. It was noted that the property is small and surrounded by non-ALR land on three sides; to the west and south is a residential development of small parcel sizes and to the east are larger parcels that are utilized as hobby farms or rural residential uses. North of Townend Road was a larger section of ALR lands. The Commission noted that although the property is small, it is cleared and appears to have agricultural potential.

Public Meeting

A public meeting was held on November 5, 2008 from 5:30-7:30 pm at the Island Savings Center in Duncan to provide interested parties an opportunity to express their views on the proposal. Approximately 15 members of the public were in attendance.

The main points expressed by the public were that ALR land with high agricultural capability should be preserved for future food demands, that the property had significant agricultural potential that will be diminished by the exclusion of the property and proposed subdivision, and that the economic concerns of the landowners did not warrant exclusion of the property from the ALR.

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 using the 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 being improvable to Class 2 with limitations of undesirable soil structure and topography. Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

Assessment of Agricultural Suitability

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission recognized that the property is small and surrounded by mostly non-ALR land and residential development. It also was of the understanding that the parcel is within North Cowichan's urban growth centre as identified in the OCP. Further, that the extension of Timbercrest Drive through to Lakes Road is anticipated in the OCP, which would cut through the property.

Assessment of Other Factors

The Commission met with staff at North Cowichan and discussed the proposal, as well as plans for the urban growth centre and OCP. It was the Commission's understanding that the OCP is currently under review. As such, the Commission considered it prudent to table the decision until further discussions with the Municipality of North Cowichan can occur.

IT WAS

MOVED BY: Commissioner Seitz
SECONDED BY: Commissioner Dyson

THAT the application be tabled subject to further discussions with the Municipality of North Cowichan regarding potential revisions to the OCP and urban growth boundary which are currently under review.

CARRIED

Resolution # 769/2008