



Agricultural Land Commission
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June 19, 2007

Reply to the attention of Terra Kaethler
ALC File: #S - 37354

Vallance, H Rautiainen, S
2450 Whistler Rd West
Qualicum Beach, BC V9K 2A6

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 286/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of Nanaimo (6635-04-0701)

Enclosure: Minutes

TK/lv/37354d1.

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 portion of the subject property under application is identified as approximately 50% Class 3 and 50% Class 5 with limitations of soil moisture deficiency and stoniness.

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.

Although the Commission recognized that the agricultural capability of the subject property has limitations, the Commission considered that subdivision of the property would not enhance the agricultural capability of the property or enhance agriculture in the area.

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 Commission does not believe there are external factors that render the land unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. In the Commission's view, the parcel has more agricultural value as a single unit than as two separate parcels. This is due to the fact that, in general, reduction of parcel size reduces the available options for agricultural use. The Commission believed that subdivision would negatively impact the agricultural opportunities available to the subject property in the long-term.

The Commission considered that the subject property is in an area of mixed parcel sizes, and that subdivision of the subject property may have implications with respect to future applications in the area. The Commission believed that subdivision of the subject parcel would encourage further parcelization of properties within agricultural areas and may impact existing or potential agricultural use of surrounding lands.

Further, the Commission recalled the decisions of other proposals in the area, which were refused by the Commission in part on the grounds that the creation of small lots this area would negatively impact existing or potential agricultural use of surrounding lands.

The intent of the Act is to preserve and protect agricultural lands and farm communities in the long-term and the Commission felt that subdivision of the subject property as proposed was not in keeping with that mandate.

Conclusions

1. That the land under application has sufficient agricultural capability.
2. That the land under application is suitable for agricultural use.
3. That the proposal will impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Craven

SECONDED BY: Commissioner Rugg

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 # 286/2007



Staff Report
Application # S – 37354
Applicant: H. Vallance, S. Rautiainen

DATE RECEIVED: April 17, 2007

DATE PREPARED: May 25, 2007

TO: Chair and Commissioners – Island Panel

FROM: Jennifer Carson, Land Use Planner

PROPOSAL: Subdivide a 7 ha parcel into a 2 ha lot and a 5 ha lot. This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Local Government:

Regional District of Nanaimo

Legal Description of Property:

PID: 004-738-721
Lot 6, District Lot 81, Newcastle District, Plan 8857

Purchase Date:

June 2006

Location of Property:

2450 Whistler Rd West, Qualicum Beach

Size of Property:

7 ha (The entire property is in the ALR).

Present use of the Property:

Residential

Surrounding Land Uses:

WEST: residential
SOUTH: residential
EAST: residential
NORTH: residential

Agricultural Capability:

Data Source: Agricultural Capability Map # 92F038
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

OCP: Bylaw No 1335, (2003)
Designation - resource lands within subdivision

Zoning Bylaw and Designation:

Zoning: Bylaw No 500, (1987)
Designation - RU1 - rural
Minimum Lot Size- 2 ha

RELEVANT APPLICATIONS:

Application #33868-0

Applicant: Tessier, Roger & Alice
Decision Date: August 2, 2001
Proposal: To subdivide 0.5 ha from of the property and consolidate this parcel with the neighboring property so they may expand their hobby farm.
Decision: Allowed subdivision and consolidation as proposed.

Application #35620-0

Applicant: Lee, Robert & Jen
Decision Date: December 01, 2004
Proposal: Robert and Jen Lee are requesting subdivision of the subject 4.1 ha parcel into two lots of 2 ha each. They plan to pass these properties on to their sons so that each would have a residence and be allowed to improve their property independently.
Decision: Refused. Property in its current size creates a good buffer between smaller lots to north and larger ALR properties to south.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Board of Regional Directors passed a resolution dated November 26, 2002 stating that they will not comment on such applications in the ALR.

ATTACHMENTS:

1. ALR Map
2. Soil Capability Map
3. Aerial Photograph
4. Sketch of Proposal

END OF REPORT



Signature

May 25, 2007

Date