



Agricultural Land Commission
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16th August 2010

Reply to the attention of Gordon Bednard
ALC File: 51894

Qualicum Bay Low Rental Housing Society
280 Lions Way
Qualicum Beach, BC
V9K 2C3

Dear Sirs:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 2604/2010 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.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Regional District of Nanaimo (File No. PL-2009-835)
Provincial Rental Housing Corp., 1701-4555Kingsway, Burnaby, BC, V5H 4V8

rc/51894d1



A meeting by conference call was held by the Provincial Agricultural Land Commission on 11th August 2010.

PRESENT:	Jennifer Dyson	Vice Chair
	Niels Holbek	Commissioner
	Mike Bose	Commissioner
	Brian Underhill	Staff
	Roger Cheetham	Staff

For Consideration

Application: 51894
Applicant: Provincial rental Housing Corp.
Agent: Qualicum Bay Rental Housing Society
Proposal: To exclude a 2.2 ha property to permit its further development for 20 additional seniors units
Legal: PID: 012-669-008, Lot 1, District Lot 32, Newcastle District, Plan 4
Location: 280 Lions Way, near Qualicum Bay

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 agricultural capability of the soil of the subject property is Class 3 with soils moisture deficiency, stoniness and topography limitations. Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both. However, much of the property has been developed and debilitated by the existing development. The Commission therefore concluded that only the western portion of the property has agricultural capability.

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 believed that the level of non-farm development in the area has compromised the suitability of much of the property for agricultural use. The presence of 10 residences and their associated utilities such as septic fields and driveways, has created challenges to the agricultural use of the bulk of the property. Nevertheless, the Commission noted the western corner did not seem to be compromised and appeared, with the benefit of the site inspection of the property on 19th February 2010, when it was considering a previous application under File 51227, to have agricultural suitability.

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 noted that the portion of the property that was proposed to be developed for the additional senior's housing units is separated from the ALR land to the south by the E and N Railway line.

Conclusions

The Commission concluded that, with respect to the eastern portion of the subject property that is proposed to be developed for senior's housing, this part of the property has no significant agricultural potential and should be excluded from the ALR. With respect to the western section that has not been and is not proposed to be developed for housing it concluded that it has agricultural capability and suitability and hence should be retained in the ALR.

IT WAS

MOVED BY: Commissioner Niels Holbek
SECONDED BY: Commissioner Mike Bose

THAT the application be refused as submitted.

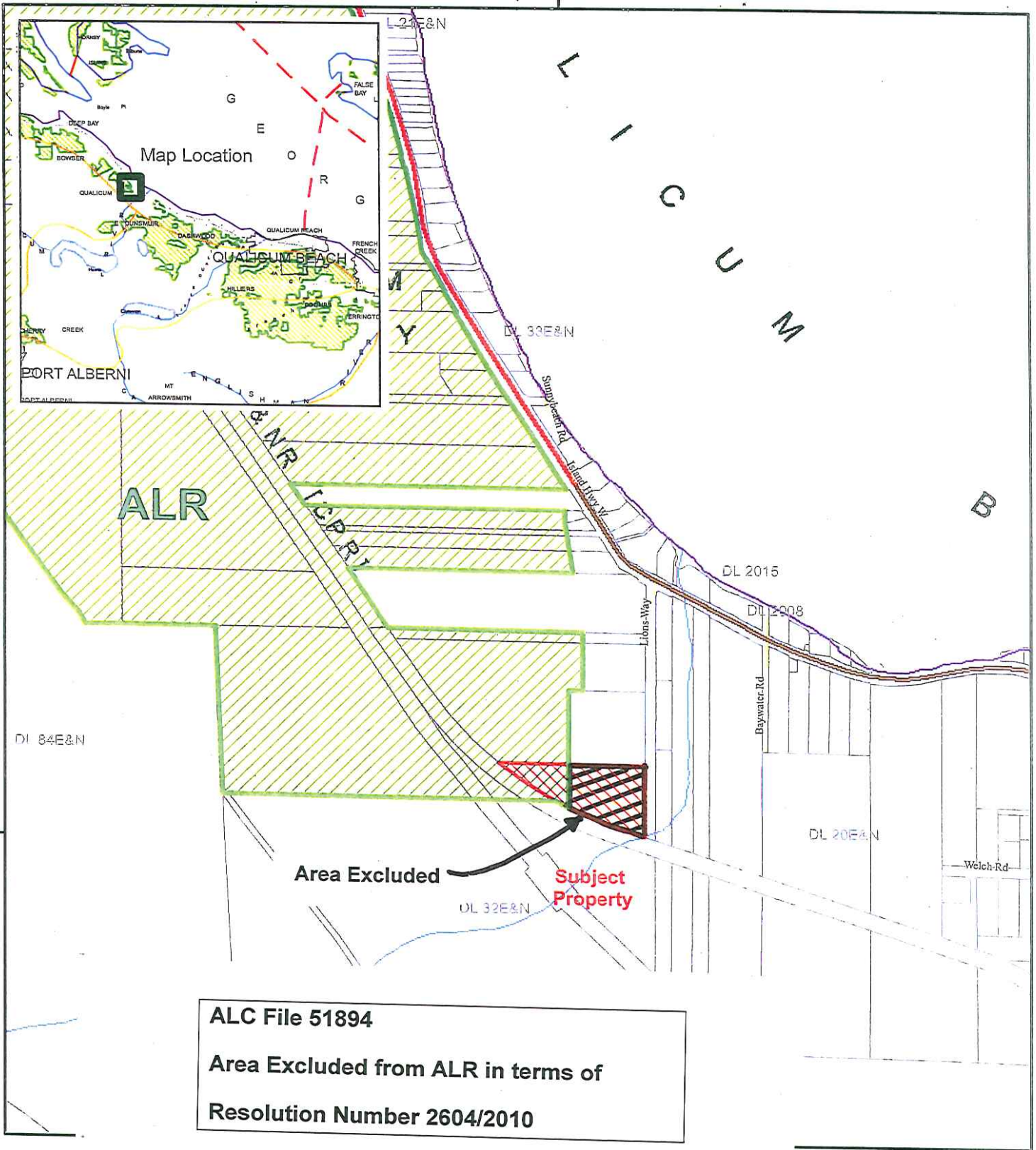
AND THAT the eastern portion of the subject property, approximately 1.5 ha in extent, as shown on the attached map be excluded from the Agricultural Land Reserve having regard to the discussion reflected in the minutes.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

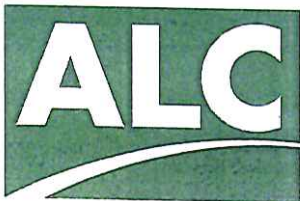
CARRIED

Resolution # 2604/2010

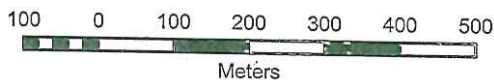
124°38'0"W



ALC File 51894
Area Excluded from ALR in terms of
Resolution Number 2604/2010



ALC Context Map
 Adjusted Boundary
 Map Scale: 1:10,000



ALC File #:	51894 51894
Mapsheet #:	92F.037 & 92F.047
Map Produced:	Aug 17, 2010
Regional District:	Nanaimo

49°24'0"N