



**Agricultural Land Commission**  
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November 23, 2006

Reply to the attention of Roger Cheetham

Brian & Belinda Strachan  
915 Horseshoe Road  
Gabriola, BC - V0R1X3

Dear Sir/Madam:

RE: Application #S-36081

1. PID: 002-305-488

Lot 1, Section 19, Gabriola Island, Nanaimo District, Plan 25487

Please find attached the Minutes of Resolution # 582/2006 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Wayne Haddow, Regional Agrologist, MAL, Duncan

RC/eg  
i/36081d2



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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**A meeting of the Provincial Agricultural Land Commission was held on 21<sup>st</sup> November in Vancouver, B.C.**

|                 |                |              |
|-----------------|----------------|--------------|
| <b>PRESENT:</b> | Lorne Seitz    | Vice Chair   |
|                 | David Craven   | Commissioner |
|                 | Don Rugg       | Commissioner |
|                 | Roger Cheetham | Staff        |
|                 | Terra Kaethler | Staff        |

### **For Consideration**

Application # S - 36081

Proposal: A reconsideration request dated 13<sup>th</sup> March 2006 relating to a proposal to sell water from a production well on the property

### **On-Site Meeting**

An on-site meeting was conducted on 6<sup>th</sup> November 2006. Those in attendance were:

- Commissioners Seitz, Craven and Rugg
- Roger Cheetham, Regional Planner
- Terra Kaethler, Land Use Planner
- Jennifer McLeod and Jeremy Baker, Gabriola Groundwater Management Society

The following points were raised in the discussion:

The Commission pointed out that it was important that groundwater is available to meet the existing and future needs of agriculture.

Jennifer McLeod indicated that she understood that any approval granted for the abstraction of water by the Trust Committee in terms of Bylaw 232 would not include any ability to withdraw the temporary use permit in the event that the abstraction threatened ground water availability. She requested that the Commission ensure that should an approval be granted the Commission impose a requirement that protects the ground water in low level conditions.

Brian Strachan emphasized in his presentation that he understood the need to protect the ground water and that he intended undertaking the necessary hydrological assessment required in terms of Bylaw 232.

The Commission indicated that it was its intention to liaise with the Trust with regard to the application.

The site meeting lasted from approximately 12:20 – 1:00 p.m.

**Discussion** During the discussion of the application on the 7<sup>th</sup> November 2006 the Commission considered that there were grounds for the reconsideration of the application. It considered that staff should seek more information from the Islands Trust and the Groundwater Hydrologist of the Ministry of Environment with a view to ensuring

that it is possible to call for the cessation of abstraction when and if the ground water conditions are threatened. The Commission deferred further consideration of the application pending the obtaining of the further information. During further discussion of the reconsideration request on the 15<sup>th</sup> November the staff of the Commission reported that the information obtained from the Trust and Ministry of Environment indicated that the hydrological report should provide the necessary information to determine at what point water abstraction should cease. In this light the Commission was inclined to the view that its decision should await the report required by the Trust in terms of Bylaw 232. This information was accordingly conveyed to the applicant and in an e-mail dated 20<sup>th</sup> November 2006 he pointed out that he was reluctant to incur significant expenditure, which he estimated at between \$10-15 000 without some certainty that, provided the report is satisfactory, he would receive an approval.

In this light the Commission gave further consideration to the reconsideration request and in view of:

- the general satisfaction of the Commission that it was possible to undertake the abstraction of ground water without any negative impact on existing and future agricultural operations, and
- the potential benefits to residents, including those employed in the farming sector, arising out of the proposal, bearing in mind the general shortage of water on the island.

the Commission considered that the application could be approved in principle subject to the conditions outlined in the resolution.

**IT WAS**

**MOVED BY:** Commissioner L. Seitz

**SECONDED BY:** Commissioner D. Craven

That the Commission considered that new evidence had been received that provided grounds for the reconsideration of the application.

That in the light of the new information and the discussion with the applicant at the site inspection, in principle, the Commission approved the application to sell water from a production well on the property. The approval is subject to final approval being granted following the submission of a report from a hydrological engineer as required in terms of the Island Trust Bylaw 232 for Gabriola Island that indicates that the proposed abstraction of ground water will not have any detrimental effect on wells within the zone of influence, the aquifer and the natural environment.

Final approval will require that the abstraction of water complies with the recommendations made in the hydrological report and an additional condition will be imposed requiring that the abstraction of water cease in dry weather conditions if, in the Commission's opinion, as advised by the Groundwater Engineer of the Ministry of Environment, there is any threat to the wells within the zone of influence, the aquifer and the natural environment, notwithstanding the findings of the hydrological report.

The final approval will be limited to an initial period of 3 years after which the application will be reviewed and, if appropriate, it will be extended with appropriate adjustments to the conditions as necessary.

**CARRIED**  
**RESOLUTION # 592/2006**