



**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

March 22, 2006

Reply to the attention of Roger Cheetham

John Olsen/ Donalda Moffatt and  
Lorna Millard/ Bjorn Jansson/ David Olsen  
PO Box 160 - 1424 Errington Road  
Errington, BC V0R 1V0

Dear Sirs/Mesdames:

RE: **Application #S-36421**

Lot 83, District Lot 139, Nanoose District, Plan 1913, EXCEPT Part in Plan 13517

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the 9.6 ha subject property into three lots. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on 7<sup>th</sup> March 2006. The Commission found the meeting and site visit informative. In particular, the Commission noted that the property has limited agricultural potential with drainage problems in the central area and poor soil capability in the more northerly and easterly areas. The Commission noted that the proposed subdivisions relate well to the site conditions and the two existing dwellings are located on separate parcels.

The Commission writes to advise that it approved your application subject to:

- the subdivision being in substantial compliance with the attached plan.
- compliance 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. The Commission suggests you contact the Nanaimo Regional District at your earliest convenience.

The decision noted above is recorded as Resolution # **0081/2006**.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,  
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

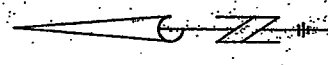
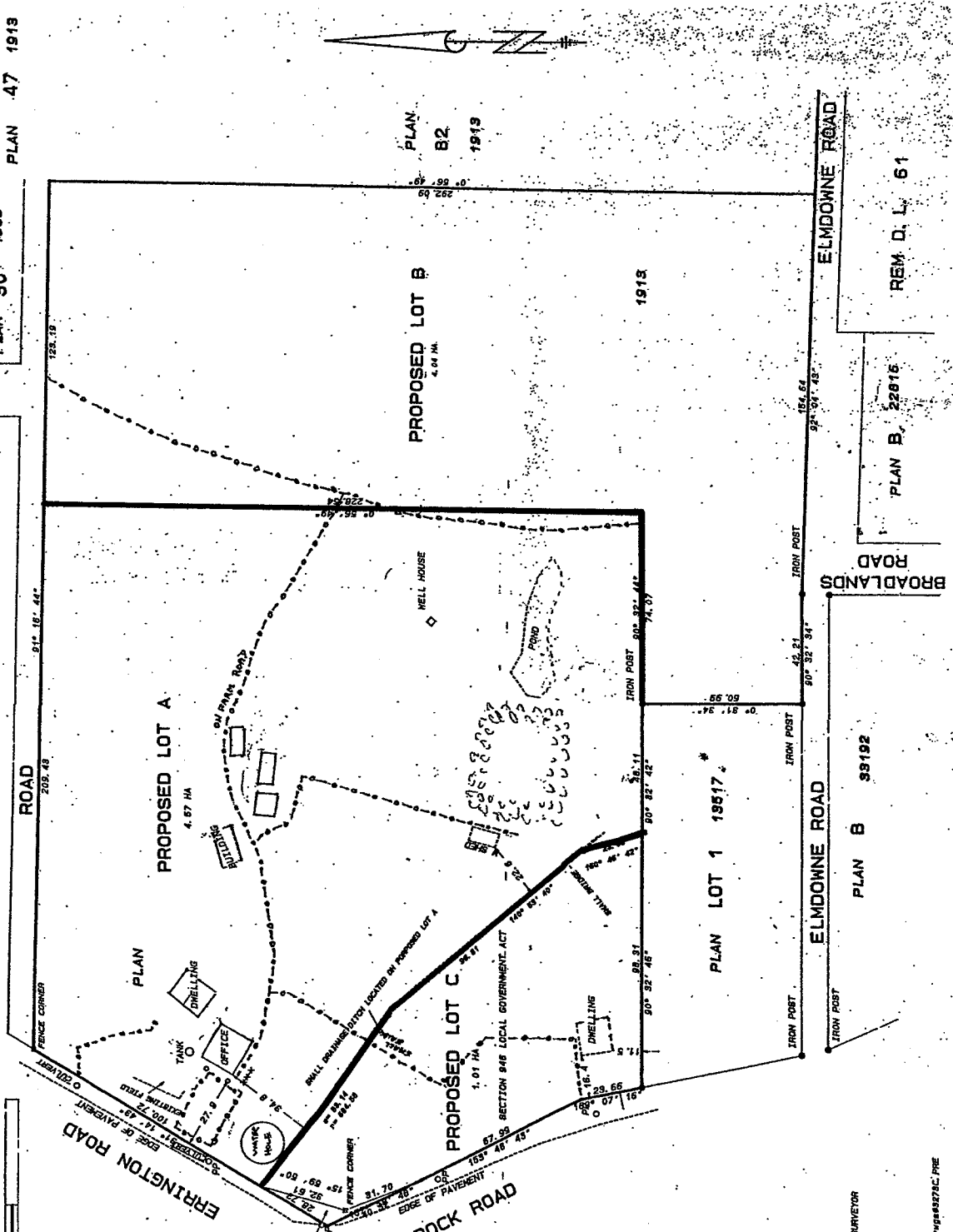
pc: Regional District of Nanaimo (#6635-04-0522)  
RC/lv/Encl./36421d1.

PROPOSED SUBDIVISION OF LOT 83, DISTRICT LOT 139,  
 ANOOSE DISTRICT, PLAN 1913 EXCEPT PLAN 13517

SCALE: 1:1000 ALL DISTANCES ARE IN METERS



PLAN 31 1989 ROAD 209.48  
 PLAN 30 1989 ROAD 125.79  
 PLAN 47 1913 ROAD



RECEIVED  
 PROV. AGRICULTURAL  
 LAND COMMISSION  
 DEC 20 2005

*Sub. approved  
 i to. ReIn. 0081/2006.*

ERT T. MASON  
 WESTERN COLUMBIA LAND SURVEYOR  
 1000 BROADLANDS ROAD  
 SUITE 101  
 WILLOW BEACH, S.C.  
 29412  
 TEL: (803) 757-9788  
 FILE: 05-3279 DRWS #019843279C.PIE





**Staff Report**  
**Application # S – 36421-0**  
**Applicant: John Olsen**

**DATE RECEIVED:** December 20, 2005

**DATE PREPARED:** February 24, 2006

**TO:** Chair and Commissioners – Island Panel

**FROM:** Brandy Ridout, Regional Research Officer

**PROPOSAL:** To subdivide the 9.6 ha subject property into three lots (4.6 ha, 4 ha and 1 ha). The 4.6 ha lot would contain the existing farm, the 4 ha lot would contain the uncleared land, and the remaining 1 ha lot would contain the existing second residence.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

The subject property is jointly owned by five family members. For a combination of career and health considerations, the applicants are requesting subdivision in order to allow individuals to withdraw their interest from the property.

An additional rationale for the application is that subdivision as proposed would bring the parcel into compliance with the Agricultural Land Commission Act and the Regional District of Nanaimo's by-laws as each of the two houses (both pre-date the ALR) on the property would be on a separate title. It is important to note that houses that existed before the creation of the ALR are considered to be 'grandfathered'.

The applicants also note that significant drainage problems limit the type of agricultural operation that can take place on the property. They claim that it is only suited to grazing or forage crops but that it is too small for these operations. The current farming operation, growing garlic, is carried out on raised beds to allow for drainage and can only be practiced at a hobby farm scale.

Finally, as the new "village centre" will be at the north boundary of the subject property, the applicants believe that small-farm activities would provide a buffer between the designated residential area to the north and future commercial farm activities to the south.

**Local Government:**

Regional District of Nanaimo

**Legal Description of Property:**

PID: 001-598-481

Lot 83, District Lot 139, Nanoose District, Plan 1913, Except Part in Plan 13517

**BACKGROUND INFORMATION (continued):**

**Purchase Date:**

April 1985

**Location of Property:**

1424 Errington Road, Errington

**Size of Property:**

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

**Present use of the Property:**

Farm with house and outbuildings, residence with small pasture, and uncleared land

**Surrounding Land Uses:**

**NORTH:** Non-ALR, residential (small lots), community park

**EAST:** ALR, undeveloped acreage

**SOUTH:** ALR (one lot non-ALR)

**WEST:** ALR, hobby farms and acreages

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92F.029

The majority of the property is identified as having Mixed Prime and Secondary ratings.

**Official Community Plan and Designation:**

Electoral Area 'F' Official Community Plan Bylaw No. 1152 (1999)

Designation: Resource Lands within the ALR

**Zoning Bylaw and Designation:**

Zoning Bylaw No. 1285 (2002)

Designation: Agricultural 1 (A-1)

**PREVIOUS APPLICATIONS:**

**Application #12086-0**

**Applicant:** P. Weinstein

**Decision Date:** 1981


**Proposal:** To subdivide the property.

**Decision:** Refused.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Board of the Regional District of Nanaimo:** Forwarded without comment, as per policy.

END OF REPORT

  
\_\_\_\_\_  
Signature

Feb 27, 06  
\_\_\_\_\_  
Date