



Agricultural Land Commission
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March 23, 2006

Reply to the attention of Roger Cheetham

Fred & Wilma Ryvers
RR1 - Site 152 - Comp 102
5125 Gainsberg Road
Bowser, BC V0R 1G0

Dear Sir/Madam:

RE: **Application #S-36496**
PID: 004-169-832
Block 1373, Newcastle District

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the property into four (4) lots. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you for taking the time to meet with its representatives on 7th March 2006. The Commission found the meeting and site visit informative. It noted that the site has not been developed and has good agricultural potential to grow a wide range of agricultural crops.

The Commission considered that the subdivision of the property into 4 lots would reduce this potential and would set a precedent for further subdivision in the area.

For these reasons, the Commission refused your application as proposed.

The decision noted above is recorded as Resolution **#0075/2006**.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

pc: Regional District of Nanaimo (#6635-04-0602)

RC/lv
36496d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the “Commission”) on 7th March, 2006 in Port Alberni, B.C.

PRESENT:	Lorne Seitz	Chair
	David Craven	Commissioner
	Donald Rugg	Commissioner

STAFF: Roger Cheetham, Planning Officer

For Consideration

Roger Cheetham presented the staff report of Simone Rivers dated 17th February 2006 regarding application #S-36496-0.

Site Inspection

A site inspection was conducted on 7th March 2006. Those in attendance were:

- Commissioners Seitz, Craven & Rugg
- Agricultural Land Commission Staff: Roger Cheetham, Planning Officer
- Fred Ryvers, Applicant

The Commission walked through the property from its north- eastern corner to its western boundary, noting its generally good agricultural capability.

The site inspection lasted from approximately 9:30 a.m. to 10:00 a.m.

Commission Discussion: Having regard to the property’s good agricultural potential to grow a wide range of agricultural crops the Commission considered that this potential would be reduced if it were subdivided into 4 lots as proposed. Moreover such subdivision would set a precedent for further subdivision in the area.

IT WAS

MOVED BY: Commissioner D. Craven

SECONDED BY: Commissioner L. Seitz

THAT the staff report be received and the application be refused.

CARRIED



Staff Report
Application # S – 36496-0
Applicant: Fred & Wilma Ryvers

DATE RECEIVED: February 17, 2006

DATE PREPARED: February 24, 2006

TO: Chair and Commissioners – Island Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To subdivide the 35 ha property into four (4) lots.

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

BACKGROUND INFORMATION:

The applicants reasons for requesting subdivision have been submitted as follows. *"This is a proposal... for the 88 acres to be subdivided into four parcels. It is our firm belief that in so doing, the smaller parcels could only add to the potential of an agricultural activity. There certainly is more demand for smaller agricultural acerages than for larger ones."*

Local Government:

Regional District of Nanaimo

Legal Description of Property:

PID: 004-169-832
Block 1373, Newcastle District

Purchase Date:

1989

Location of Property:

Nanaimo

Size of Property:

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

Present use of the Property:

Vacant

Surrounding Land Uses:

WEST: Forested (ALR)
SOUTH: Partly logged and forested (ALR)
EAST: Logged (ALR)
NORTH: Residential (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 92F.038
The majority of the property is identified as having mixed prime and secondary ratings.

Official Community Plan and Designation:

Shaw Hill / Deep Bay Official Community Plan Bylaw No. 1007,(1996) designates the property as "Resource Management"

Zoning Bylaw and Designation:

Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, (1997) designates the property as Rural 1, Subdivision District 'B' (RU1B)
Minimum parcel size 8 ha.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional District of Nanaimo Board: The Board passed a resolution dated November 26, 2002 stating that the Agricultural Land Commission should determine whether lands should be in the ALR or not.

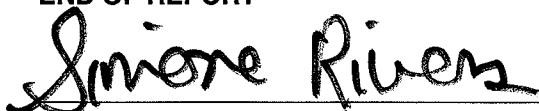
Planning Staff Comments: The minimum parcel size for the subject property is 8.0 ha pursuant to Regional District of Nanaimo (RDN) Bylaw No. 500 (1987). Should the ALC approve the subdivision as proposed, the applicants will be required to meet the requirements of subdivision pursuant to the regulations of the RDN, the Ministry of Transportation, and any other agency having jurisdiction over the lands. It should be noted that based on the proposed lot layout a 10% frontage relaxation may be required.

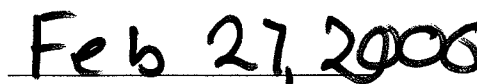
STAFF COMMENTS:

Agricultural Capability: The property crosses seven agricultural capability polygons and includes areas rated from Class 2 to 7.

Staff recommends a site visit to determine the agricultural capability of the property.

END OF REPORT


Signature


Date

