



Agricultural Land Commission
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March 22, 2007

Reply to the attention of Jennifer Carson
ALC File: #Z - 36997

Jeffrey and Corinne Olsen
331 Hough Road
Gibsons, BC V0N 1V4

Dear Mr. and Mrs. Olsen:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 57/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Sunshine Coast Regional District (#ALRE-35)

Enclosure: Minutes

JC/lv
36997d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on February 19, 2007 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Terra Kaethler	Staff
	Tony Pellett	Staff
	Brian Underhill	Staff
	Gordon Bednard	Staff
	Jennifer Carson	Staff

For Consideration

Application: # Z- 36997
Applicant: Jeffrey and Corinne Olsen
Proposal: To subdivide to create two (2) separate lots. The property is 4.0 ha
Legal: PID: 012-894-168
Lot J, District Lot 909, Plan 3417
Location: 331 Hough Road, Elphinstone

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.

The Act provides processes for landowners, local governments and First Nations to apply to the Commission to remove land from or to include land into the ALR or to subdivide or use land in the ALR for non-farm purposes.

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 4 – Land in this class has limitations that require special management practices or severely 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.

Subclasses

M	soil moisture deficiency	P	stoniness
D	undesirable soil structure	W	excess water

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 its mandate to preserve land suitable for farming.

- In 1984, in preparation for its review of a proposed two-lot subdivision, the Commission undertook a review of the entire ALR block centred on Pratt Road (south of Highway 101). It was noted that “improved” agricultural capability information is not available and that the “unimproved” capability ratings are within the range normally considered appropriate for inclusion within the ALR. At that time, there were 55 lots in the area, with about 50% of the area made up of 4 ha lots. Most of the application history was for the area west of Pratt Road. Of 23 applications, only one resulted in an approved subdivision – and that was to allow parcels consistent with the general parcel size in the area. The review concluded that it was important for the agricultural integrity of the Pratt Road ALR block that further subdivision be discouraged.
- In 1986, when the Commission reviewed the Elphinstone Official Community Plan (OCP), its position was that the OCP must clearly avoid creating the expectation that land will be subdivided to small parcel sizes, which generally provide fewer options for long term agriculture and are thus less suitable for farming. In the ensuing 20 years, the Commission has allowed only one subdivision in the Elphinstone ALR block south of Highway 101 – and that was to allow one lot on either side of a proposed collector road. Now that the Elphinstone OCP is in the process of being updated, the Commission’s letter of 06 June 2006 to SCRD suggested the regional district consider a policy saying that *“further subdivision of ALR land is discouraged, but where the Commission allows subdivision it is the policy of the OCP that no parcel created by such a subdivision be less than 4 ha (or 1.75 ha in the area south of the Sunshine Coast Highway or east of Gilmour Road) except where a parcel is created under the Commission’s homesite severance policy”*. In making this suggestion the Commission recognized that allowing subdivision where no agricultural benefit has been demonstrated would heighten non-farm expectations and discourage investment in farming in the Elphinstone area.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
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 Tomlinson

SECONDED BY: Commissioner Bose

THAT the application be refused.

CARRIED

Resolution # 57/2007



Staff Report
Application # Z – 36997
Applicant: Jeffrey and Corinne Olsen

DATE RECEIVED: October 11, 2006

DATE PREPARED: December 27, 2006

TO: Chair and Commissioners – South Coast Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To divide the 4 ha property into two (2) 2 ha lots.

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

BACKGROUND INFORMATION:

Local Government:

Sunshine Coast Regional District

Legal Description of Property:

PID: 012-894-168
Lot J, District Lot 909, Plan 3417

Purchase Date:

August 2004

Location of Property:

331 Hough Road, Elphinstone

Size of Property:

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

Present use of the Property:

Residence, chicken coop, small barn-sheep, horses, workshop

Surrounding Land Uses:

SOUTH: Residence, mixed forest alder, cedar and fir
EAST: Residence, mixed forest alder, cedar and fir
NORTH: Residence, mature forest

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/5
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

West Howe Sound Official Community Plan designates the property as Agricultural B

Zoning Bylaw and Designation:

Zoning Bylaw No. 310 designates the property as RU3
Minimum Lot Size: 1.75 ha

RELEVANT APPLICATIONS:

Application #29653-0

Applicant: Preston/Neilson, Gayle/Ron
Decision Date: May 11, 1995
Proposal: To subdivide the 4.0 ha property into two equal parcels of 2.0 ha each.
Decision: Refused as proposed. The Commission noted that the property has the capability to support agricultural uses. It was held that subdivision of the property would adversely affect the agricultural potential of the land and limit the number of future agricultural options. Furthermore, the introduction of smaller lots in this area would likely precipitate further applications resulting in the reduction of overall agricultural potential. It is a contention of the Commission that parcelization in agricultural areas can result in the introduction of incompatible urban influences which can have negative implications for agriculture in the long-term.

Application #25600-0

Applicant: Corrance/Chahal/Ryan, Ian/Manjeet/Ter
Decision Date: October 23, 1991
Proposal: To subdivide the property into two lots of 2.0 ha each.
Decision: Refused as proposed. In the Commission's experience subdivision such as this are counter-productive and serve only to reduce the agricultural potential of ALR lands. In this area of the ALR, the Commission believed that it would be more beneficial to agriculture in the long term to preserve the current level of parcel size and thereby maintain as many farming options as possible.

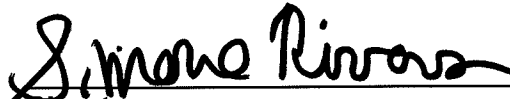
LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

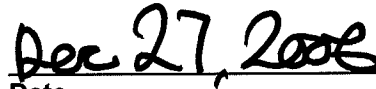
Sunshine Coast Regional Board: The Regional Board forwarded the application with a recommendation of support

ATTACHMENTS:

- Sketch of proposed subdivision of the property (Submitted by the applicants)
- Sunshine Coast Regional District Staff Report - Dated August 22, 2006 - (2 pages)
- Letter from the applicants date June 5, 2006 describing the reasons for requesting subdivision (3 pages)
- Letter from the prospective purchasers of the property describing reasons for wishing to purchase the proposed new lot (2 pages)
- ALC Context Map - Sunshine Coast Regional District Shedule "B" - 1:12,000 - (created by ALC Staff)
- Airphoto - 1:10,000 (created by ALC staff)

END OF REPORT


Signature


Date