



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

June 19, 2007

Reply to the attention of Terra Kaethler
ALC File: #S - 37356

Allen & Dagmar Looy
640 Grovehill Road
Qualicum Beach, BC V9K 2A3

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 288/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of Nanaimo (#6635-04-0702)

Enclosure: Minutes

TK/lv/37356d1.

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 majority of the subject property is identified as improvable to Class 3 with limitations of soil moisture deficiency and stoniness. Smaller sections of the property are identified as Class 2 with limitations of undesirable soil structure and soil moisture deficiency.

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

The Commission considered that subdivision of the property would not enhance the agricultural capability of the property.

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 the long term goal of preserving agricultural land. In the Commission's view, the parcel has more agricultural value as a single unit than as two separate parcels. This is due to the fact that, in general, reduction of parcel size reduces the available options for agricultural use. The Commission believed that subdivision would negatively impact the agricultural opportunities available to the subject property in the long-term.

The Commission considered that the subject property is in an area of mixed parcel sizes, and that subdivision of the subject property may have implications with respect to future applications in the area. The Commission believes the proposal would impact existing or potential agricultural use of surrounding lands.

The intent of the Act is to preserve and protect agricultural lands and farm communities in the long-term and the Commission felt that subdivision of the subject property as proposed was not in keeping with that mandate.

1. That the land under application has agricultural capability.
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 Seitz
SECONDED BY: Commissioner Craven

THAT the application be refused as proposed.

This decision does not relieve the owner or occupier of the responsibility to comply 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.

CARRIED

Resolution # 288/2007



Staff Report
Application # S – 37356
Applicant: Allen & Dagmar Looy

DATE RECEIVED: April 17, 2007

DATE PREPARED: May 24, 2007

TO: Chair and Commissioners – Island Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: To subdivide 29 ha parcel into either 2 or 3 parcels.
Proposal 1 - three parcels of 10 ha, 9 ha and 10 ha
Proposal 2 - two parcels of 12 ha and 17ha

This application is made pursuant to section 20(3) - 21(2) – 30(1) of the *Agricultural Land Commission Act*.

This application is made pursuant to section 33 of the *Agricultural Land Commission Act*.

This application is made pursuant to section 22(1) of the *Agricultural Land Commission Act*.

This application is made pursuant to Part 4 Section 6 of BC Regulation 171/2002 (*Agricultural Land Reserve Use, Subdivision and Procedure Regulation*).

BACKGROUND INFORMATION:

Local Government:

Regional District of Nanaimo

Legal Description of Property:

1. PID: 006-772-498

Lot 9 (DD51005N), District Lot 90, Newcastle District, Plan 1874, EXCEPT part in Plans VIP52920 and VIP73941

Purchase Date:

July 17, 2004

Location of Property:

640 Grovehill Road, Qualicum Beach

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

No Recommendations

STAFF COMMENTS:

Staff recommends that the Commission consider the following:

- The proposed subdivision plans are difficult to interpret and appear to divide the cleared portion of the property in two. This may reduce the agricultural capability of the property. The majority of the property is identified as having Class 3 ratings, with some areas of Class 2. A site visit may help to clarify the two proposed subdivision plans and to determine the impact of the proposals on agricultural use of the subject property.

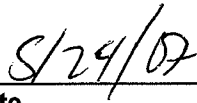
ATTACHMENTS:

- Letter from Applicant
- ALC Map 92F/07
- ALC Aerial Photo
- ALC Agricultural Capability Map
- Sketch and Key: Alternative Proposal A (3 pages)
- Sketch and Key: Alternative Proposal B (3 pages)

END OF REPORT



Signature



Date