



Agricultural Land Commission
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Reply to the attention of Terra Kaethler
ALC File: S-37838

February 7, 2008

Walter & Donna Paravicini
1020 Page Road
Qualicum, BC V9K1X4

Dear Sir/Madam

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 14/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a light blue horizontal line.

Erik Karlsen, Chair

cc: Regional District of Nanaimo (6635-04-0709)

Enclosure: Minutes

TK
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A meeting was held by the Provincial Agricultural Land Commission on January 15, 2008 in Parksville, B.C.

PRESENT:	Lorne Seitz	Chair, Island Panel
	David Craven	Commissioner
	Donald Rugg	Commissioner
	Terra Kaethler	Staff

For Consideration

Application: # S- 37838
Applicant: Walter & Donna Paravicini
Proposal: Subdivision of a Relative: To subdivide the 34.7 ha parcel into three (3) lots. Lots A , B, and C are approximately 2.0 ha with a remainder Lot D approximately 28.72 ha.
Legal: PID: 006-643-329
Lot 10, District Lot 78, Newcastle District, Plan 2047
Location: 1020 Page Road, Qualicum Beach

Site Inspection

A site inspection was conducted on January 15, 2008. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- David Craven Commissioner
- Donald Rugg Commissioner
- Terra Kaethler Staff
- Donna, Walter Paravicini Applicants

The Commission met with the applicants and walked the area of the proposed subdivision. It was noted that the area proposed for subdivision had been partially cleared. The remainder of the property was mostly flat and was used for grazing. The applicants noted that the intent was that the property stay in the family and continue to be farmed. There were several houses and outbuildings on the remainder portion of the property which were rented out. The applicants informed the Commission that the subdivision as proposed would enable a lot for the applicants and a lot for each of their two children to remain on the family farm and raise horses. The applicants also owned a small property on Page Road.

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.

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 improvable to Class 2WD and Class 2A. The property also includes some areas identified as improvable from Class 3PW to Class 5PA.

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.

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

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

The Commission considered that the majority of the property has prime capability for agricultural use. The Commission believed that subdivision of the property would decrease the agricultural potential of the property.

Assessment of Agricultural Suitability

The Commission considered whether the property was suitable for agriculture. This consideration included details such as property size, surrounding land uses and other external limitations to agriculture. The Commission did not believe there were 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, reduction of parcel size generally reduces the available options for agricultural use. Therefore, the Commission believed that the subject parcel had more agricultural value as a single unit and that subdivision would negatively impact the agricultural opportunities available to the subject property in the long-term.

Further, the Commission believed that introducing an addition of three residential lots would encourage further parcelization of agricultural areas and may impact existing or potential agricultural use of surrounding lands.

Assessment of Other Factors

The Commission noted the family circumstances behind the application, and recognized the applicant's intention to use the property for agricultural use. It was also noted that the Commission must weigh an applicant's personal circumstances against its legislated responsibility to preserve agricultural land. In this case, the Commission believed that subdivision would have a negative impact on agriculture and would be inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

Conclusions

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.

IT WAS

MOVED BY: Commissioner Seitz

SECONDED BY: Commissioner Rugg

THAT the application be refused as proposed.

CARRIED

Resolution # 14/2008