



Agricultural Land Commission
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Reply to the attention of Terra Kaethler
ALC File: S-37895

April 18, 2008

John and Janet Wilson
2820 Peters Road
Qualicum Beach, BC V9K1V1

Dear Sir/Madam:

Re: Application for Non-Farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 152/2008 outlining the Commission's decision as it relates to the above noted application.

When the Commission confirms that all conditions have been met, it will authorize the commencement of the construction of the second dwelling and request the posting of a bond as outlined in the attached Minutes.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', written in a cursive style.

Erik Karlsen, Chair

cc: Regional District of Nanaimo (6635-05-0705)

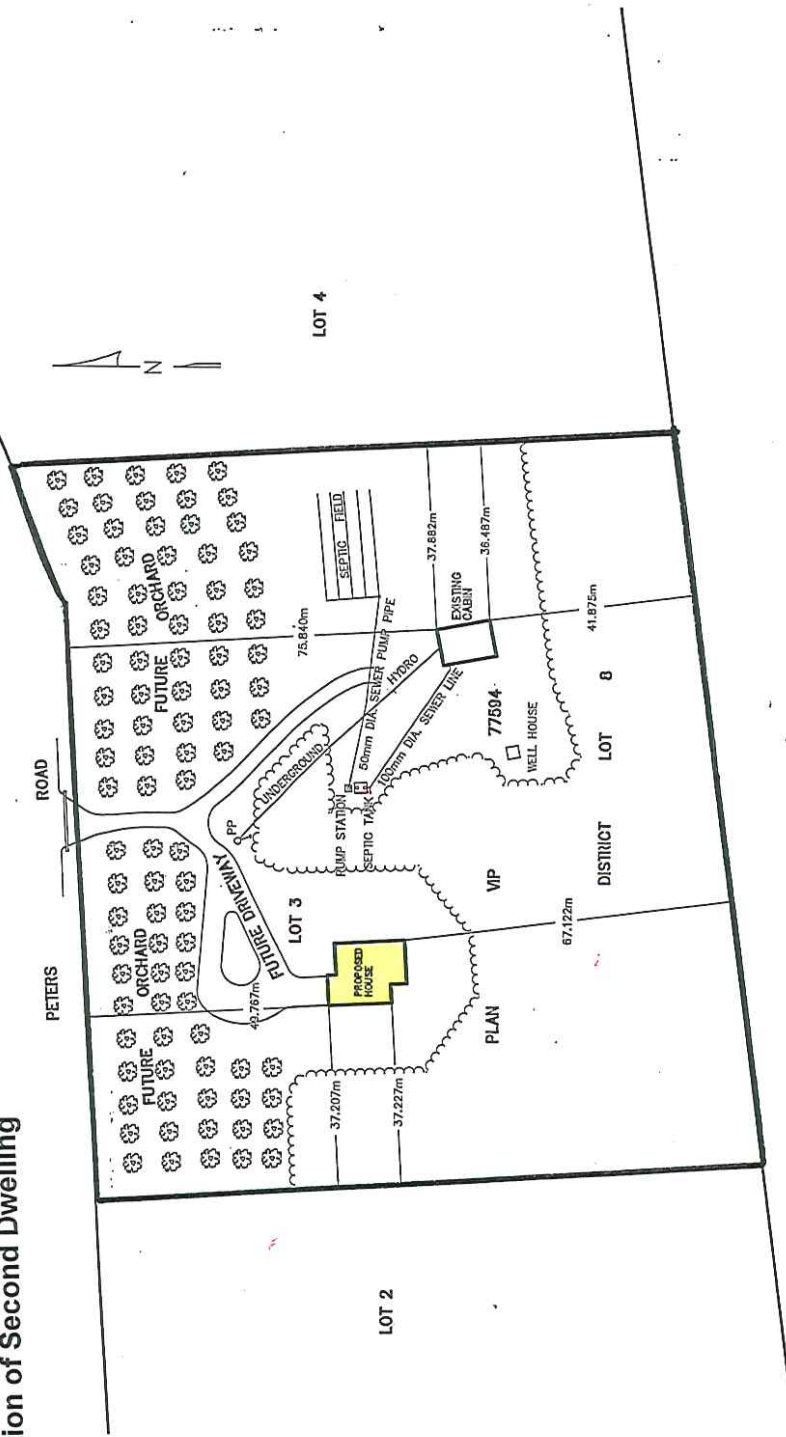
Enclosure: Minutes/Sketch Plan

TK/
i/37895d1.doc

Provincial Agricultural Land Commission
 Application # S-37895
 Resolution # 153/2008

Subject Property

Approved location of Second Dwelling



TITLE		LOT 3, 28/20 PETERS ROAD, DISTRICT LOT 8	
APPROVED	DATE	SCALE	1/1000
JOB No.		DWG No.	

CLIENT	JOHN AND JANET WILSON
PROJECT	SITE PLAN SHOWING LOCATION OF PROPOSED PRIMARY DWELLING AND FUTURE ORCHARD





MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 19, 2008 in Colwood, B.C.

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

For Consideration

Application: # S- 37895
Applicant: John and Janet Wilson
Proposal: Non-farm use to construct a second dwelling.
Legal: PID: 026-044-978
Lot 3, District Lot 8, Newcastle District, Plan VIP77594
Location: 2820 Peters Road, Qualicum Beach

Site Inspection

A site inspection was conducted on March 18, 2008. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- David Craven Commissioner
- Donald Rugg Commissioner
- Terra Kaethler Staff
- Roger Cheetham Staff
- John and Janet Wilson Applicants

The Commission met with the applicants on the property and discussed the proposal. The applicants clarified that the existing dwelling was built by a relative, and would be occupied by the applicants' children. The property had been cleared and the foundation of the second dwelling was in place.

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 agricultural capability of the subject property is identified as 70% Class 4, 30% Class 3.

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.

The Commission was of the view that the property had potential for small-scale agriculture.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission noted the applicants' proposal to establish an orchard and discussed these plans with the applicants at the site visit. The Commission believes that the proposed agricultural development would offer a significant benefit to agriculture. As such, the Commission is prepared to allow the proposed second dwelling on the condition that significant investment is made to ensure the development of the agricultural activity on the property.

To this end, the Commission believes it would be appropriate for the applicants to submit a detailed farm business plan which outlines all aspects of the proposed orchard development and substantially reflects the proposed site plan submitted in the application. Once the farm business plan is received and approved, the Commission will authorize construction of the second dwelling.

The Commission discussed that the posting of a bond would ensure the implementation of the farm business plan. If the orchard is not developed according to the plan, the applicants will be required to remove the original dwelling. The bond will be used by the Commission to demolish or remove the original dwelling on the property in the event that the owners fail to meet their obligation.

Conclusions

1. That the area proposed for a second dwelling has limited agricultural capability.
2. That the proposal will not negatively impact agriculture.
3. That the proposal provides compensating benefits to agriculture.

IT WAS

MOVED BY: Commissioner Seitz
SECONDED BY: Commissioner Rugg

THAT the application be approved in principle; subject to the submission of a farm business plan. Upon its receipt and approval by the Commission, construction of the second dwelling will be authorized.

AND THAT the Commission must receive the farm business plan within one (1) year from the date of this decision. In the event the applicants do not submit a plan within the specified time frame, this decision will expire.

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 # 153/2008