



## Agricultural Land Commission Staff Report

**DATE:** May 27, 2010  
**TO:** Vice Chair and Commissioners - Island Panel  
**FROM:** Gordon Bednard

**RE:** Application # 51632  
**PROPOSAL:** Non-Farm Use - Extract water from a well on subject property for distribution to residents of Gabriola Island

### PROPOSAL INFORMATION

**Background:** Extract water from single well for community residents who are in need of water due to seasonal shortages  
**Received Date:** March 16, 2010  
**Applicant:** James Andrew Brown  
**Agent:** Dan Foley  
**Local Government:** Islands Trust Gabriola Island

### DESCRIPTION OF LAND

**PID:** 018-972-225  
**Legal Description:** Lot A, Section 22, Gabriola Island, Nanaimo District, Plan VIP59936, EXCEPT Part in Plan VIP66042  
**Civic Address:** 411 Daniel Way  
**Area:** 25.5 ha  
**ALR Area:** 18.9 ha  
**Purchase Date:** October 10, 1997  
**Owner:** James Andrew Brown

**Total Land Area:** 25.5 ha  
**Total ALR Area:** 18.9 ha  
**Current Land Use:** Farming - 1 residence, barns and pump house

### PROPOSAL DETAILS

#### Non Farm Use

Area	Agricultural Capability	Agricultural Capability Source
0.1	Prime	CLI

**Surrounding Land Uses:**

North Rural Residential- Raw land 1 Residence, out of ALR  
 East Rural Residential, out of ALR  
 South Rural Residential/hobby farming in ALR  
 West Rural Residential, out of ALR

**Official Community Plan**

**Bylaw Name:**  
**Designation:**  
**OCP Compliance:**

**Zoning**

**Zoning Bylaw Name:**  
**Zoning Designation:**  
**Minimum Lot Size:**  
**Zoning Compliance:**

**PREVIOUS APPLICATIONS**

**Application #:** 38759  
**Applicant:** C Smythies  
**Proposal:**

**Decisions:**  

Resolution Number	Decision Date	Decision Description
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**Application #:** 29321  
**Applicant:** J.A. Brown  
**Proposal:**

**Decisions:**  

Resolution Number	Decision Date	Decision Description
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**Application #:** 27914  
**Applicant:** E. & J. Brown  
**Proposal:**

**Decisions:**  

Resolution Number	Decision Date	Decision Description
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**RELEVANT APPLICATIONS**

**Application #:** 43588  
**Applicant:** Brian & Belinda Strachan  
**Proposal:**

**Decisions:**  

Resolution Number	Decision Date	Decision Description
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592                      November 21, 2006                      Approved in principle subject to satisfactory hydrological report and subject to condition that operations cease if ground water threatened.

**Application #:** 43112  
**Applicant:** Ernest Brown  
**Proposal:** Notice of Intent

<b>Decisions: Resolution Number</b>	<b>Decision Date</b>	<b>Decision Description</b>
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**Committee Recommendations**

<b>Type</b>	<b>Recommendation</b>	<b>Description</b>
Board/Council	Refuse	Forwarded by LTC, however, the LTC does not support the activity and recommends that if the Commission allows the water extraction, it be on a time limited basis (2 years).

**STAFF COMMENTS**

This application is akin to one directly adjacent to the south. Water extraction on Gabriola is of substantial concern to the Trust and many residents.

Please see attached:

- decision from Strachan application next door,
- hydrogeologic study regarding subject property,
- review of study by MOE staff,
- Islands Trust staff report,
- Strachan decision

**ATTACHMENTS**

**END OF REPORT**

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**Signature**

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**Date**