



Agricultural Land Commission
133-4940 Canada Way
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January 23, 2014

ALC File: #53216

Robert Olson and Glen Olson
380 Boorman Road
Qualicum Beach, BC V9K 2A6

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #253/2013 as it relates to the above noted application.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

- 33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:
- (a) evidence not available at the time of the original decision has become available,
 - (b) all or part of the original decision was based on evidence that was in error or was false.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Further correspondence with respect to this application is to be directed to Liz Sutton.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink that reads 'Liz Sutton'. The signature is written in a cursive, flowing style.

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #253/2013

cc: Regional District of Nanaimo (File: PL2013-014)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on July 17, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53216.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner

COMMISSION STAFF PRESENT:

Liz Sutton	Land Use Planner
Roger Cheetham	Regional Planner
Brian Underhill	Executive Director

PROPOSAL: (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*).

To subdivide a 2 ha lot encompassing the existing buildings, with a panhandle access to Boorman Road, from a 4.5 ha parcel. The remainder of the property is proposed to be sold to family members.

PROPERTY INFORMATION:

Owner: Robert Olson and George Olson

Legal: PID: 005-471-231
Lot 7, District Lot 81, Newcastle District, Plan 8857

Location: Qualicum Beach

Size: 4.5 ha

SITE INSPECTION

A site inspection of the subject property was conducted on July 3, 2013. Those in attendance included Commissioner Dyson, ALC Planner Roger Cheetham and Mr. Robert Olson.

Section 14(2) of the *Agricultural Land Commission Act* provides that a member of the Commission who was not present at a meeting to determine an application or other matter may vote on the application or matter only if a summary of the meeting is given to the member before the vote. The site inspection meeting report constitutes a written record of the site inspection meeting and has been provided to all Commission members recorded above.

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
- (a) to preserve agricultural land;
 - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
 - (c) 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.
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COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are identified using the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The improved agricultural capability ratings identified on BCLI map sheet 92F.038 for the subject property are approximately 60% Class 3AP and 40% Class 5AP.

Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

Class 5 - land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

The limiting subclasses associated with this parcel of land are A (soil moisture deficiency), and P (stoniness).

Conclusion:

The subject property has agricultural capability in its present size and subdivision of the property would not enhance the agricultural capability of the property.

2. The applicants' rationale for subdivision is to create a parcel for a family member. The Commission found no agricultural rationale that would support an approval of the subdivision.

Conclusion:

The proposal for subdivision is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve and encourage agriculture.

IT WAS

MOVED BY: Commissioner Miles
SECONDED BY: Commissioner Bullock

THAT the proposal to subdivide be refused.

CARRIED
Resolution #253/2013