



Agricultural Land Commission
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June 27, 2014

ALC File: #53513

Debbie & Kevin Lamson
2350 Quennell Road
Nanaimo, B.C. V9K 1K3

Dear Mr. and Mrs. Lamson:

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

Please find attached the Minutes of Resolution #135/2014 as it relates to the above noted application.

The Commission draws your attention to s. 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: 

Colin J. Fry, Chief Tribunal Officer

Enclosures: Minutes of Resolution #135/2014

cc: Regional District of Nanaimo (File #PL2013-098)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 26, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53513.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

COMMISSION STAFF PRESENT:

Jennifer Carson	Planner
Liz Sutton	Planner
Brian Underhill	Deputy Chief Executive Officer
Colin Fry	Chief Tribunal Officer

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

To adjust the boundary between a 34.6 ha parcel and a neighbouring 1.4 ha parcel. The proposed boundary adjustment would create a 30.6 ha parcel and a 5.2 ha parcel in order to allow for more room for livestock on the smaller parcel and to raise capital for the hop farm on the larger parcel.

PROPERTY INFORMATION:

Parcel 1

Owners: Debbie & Kevin Lamson

Legal: PID: 000-374-989
That Part of Section 9, Range 2, Cedar District, Lying to the West of the Westerly Limit of Thomas Road as Shown on Plan 2082, Except Parcel A (DD 2222N), and Except Parts in Plans 2791 and 24930

Location: 2350 Quennell Road, Nanaimo

Size: 34.6 ha

Parcel 2

Owners: Shane and Tara Sampson

Legal: PID: 000-374-164
Parcel A (DD 2222N) of Section 9, Range 2, Cedar District

Location: Quennell Road, Nanaimo

Size: 1.4 ha

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.

COMMISSION CONSIDERATION

The Commission reviewed one previous application involving the subject property:

Application # 28947 To subdivide an 8 ha parcel from the 33.59 ha property to develop a
(Lamson, 1994) horse training/boarding operation on the new lot. Refused by
Resolution #627/94 dated June 27, 1994.

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 interpreted 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 92G.001 for the subject property are Class 3 and Class 5.

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 R (shallow soil over bedrock and/or bedrock outcroppings), A (moisture deficiency), P (stoniness) and T (topographic limitations).

Conclusion:

The subject property has good agricultural capability and in its present configuration, Parcel 1 can support a wide range of crops.

2. The aerial photograph of the subject properties shows that a cultivated field would be divided in the proposed subdivision.

Conclusion:

The Commission believes that Parcel 1 has greater agricultural potential as a larger farm parcel.

IT WAS

MOVED BY: Commissioner Dyson
SECONDED BY: Commissioner Thibeault

THAT the proposal to adjust the boundary between two properties be refused.

CARRIED

Resolution #135/2014