



**Agricultural Land Commission**  
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October 13, 2010

Reply to the attention of Gordon Bednard  
ALC File: 51800

Glenn Carey  
6774 Dickenson Rd  
Nanaimo, BC V9V 1A2

Dear Sir:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 2668/2010 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: District of Lantzville Attn: Pamela Shaw ( 3030-20-1)

GB/lv  
/51800d1



# MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

**A meeting was held by the Provincial Agricultural Land Commission on July 30, 2010 at Port Alberni, BC.**

<b>PRESENT:</b>	Richard Bullock	Chair
	Jennifer Dyson	Vice Chair
	Niels Holbek	Commissioner
	Mike Bose	Commissioner
	Gordon Bednard	Staff

### For Consideration

Application:	# 51800
Applicant:	Jager/Dickenson
Agent:	Glenn Carey
Proposal:	Subdivision of 1.2 ha lot from 16.2 ha property
Legal:	District Lot 66, Easterly 1/2, Nanoose District
Location:	Lantzville

### Site Inspection

A site inspection was conducted on July 29, 2010. Those in attendance were:

Richard Bullock	Chair
Jennifer Dyson	Vice Chair
Niels Holbek	Commissioner
Mike Bose	Commissioner
Gordon Bednard	Staff
James and Rhonda Dickinson	Applicants
Glenn Carey	Agent

The Commission walked the area of the proposed lot and discussed the application with the owners and their agent.

### 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.

- There are a number of previous onsite inspections and reports from agrologists for this property which were researched and provided by the applicant's agent. Many of these conflict with the ratings from the BCLI mapping normally used by the Commission. The Commission, based on its own observations of the proposed subdivision area (the 0.8 ha area added to the original approval) considered that while this area may not be as capable for agriculture as other areas of the parent property, it could be nonetheless used for agricultural buildings or farm residential buildings as it had been in the past. This would leave the balance of the land, with higher capability, with a larger area to be used for agricultural production in the future.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. Approval of the proposed increased area for the subdivided lot would effectively represent an additional 0.8 ha (2 acre) loss of agricultural land. For this reason, the Commission believes the proposal would impact existing or potential agricultural use of the subject land.

### **Conclusions**

1. That the land under application is suitable for agriculturally related uses.
2. That the proposal will negatively impact agriculture.
3. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

### **IT WAS**

**MOVED BY:** Commissioner Mike Bose  
**SECONDED BY:** Commissioner Jennifer Dyson

THAT the application be refused for the above reasons.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.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.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration, that the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter, and that if the applicant sells or transfers the property within one (1) year of the decision the new owner is not eligible to submit a request for reconsideration.

**CARRIED**  
**Resolution # 2668/2010**