



**Agricultural Land Commission**  
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January 26, 2011

Reply to the attention of Gordon Bednard  
ALC File: #52017

Grant & Beatrice Duckett  
400 Lowry's Road  
Parksville, BC V9P 2B5

Dear Sir and Madam:

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

Please find attached the Minutes of Resolution # 28/2011 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'B Underhill', is written over the printed name.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Nanaimo Regional District Attn: Angela Buick (PL2010-190)

GB/eg  
/52017d1



**A meeting was held by the Provincial Agricultural Land Commission on December 7, 2010 at Qualicum Beach, BC.**

**PRESENT:** Jennifer Dyson Vice Chair  
Niels Holbek Commissioner  
Gordon Bednard Staff

### **For Consideration**

Application: #52017  
Applicant: Grant and Beatrice Duckett  
Agent: none  
Proposal: Subdivision of two lots into 7 lots for estate planning  
Legal: Lots A and B, DL 20, Nanoose District Plan VIP78090  
Location:

### **Site Inspection**

A site inspection was conducted on December 7, 2010. Those in attendance were:

- Jennifer Dyson Vice Chair
- Niels Holbek Commissioner
- Gordon Bednard Staff

The Commission viewed the properties and discussed the proposal with the applicants.

### **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.

The agricultural capability of the soil of the subject property is

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

**Subclasses**

A soil moisture deficiency  
W excess water

**Assessment of Agricultural Suitability**

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use. These properties are located in an area of extensive agricultural activity with limited residential or other non-farm useage.

**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 is not supportive of the subdivision of good quality agricultural lands. The Commission believes the proposal would negatively impact existing or potential agricultural use of the subject and surrounding lands.

**Conclusions**

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

**IT WAS**

**MOVED BY:** Commissioner Niels Holbek  
**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 # 28/2011**