



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604-660-7000  
Fax: 604-660-7033  
www.alc.gov.bc.ca

December 15, 2005

Reply to the attention of Gordon Bednard

Friesland Developments Ltd  
1709 Cameron Road  
Agassiz, BC - V0M 1A0

Dear Sir/Madam:

Re: **Application #MM-36320**  
**PID: 004-399-811**  
**Parcel T, District Lot 19, Reference Plan 811, Yale Division of Yale District,**  
**EXCEPT Plan BCP14667**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide a  $\pm$  0.2 ha lot from the 1.6 ha subject property to surround an existing house and complete a residential subdivision in the District of Kent. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*.

The Commission wishes to thank Mr. Reimersma for taking the time to meet with its representatives on December 6, 2005 at the property. The Commission found the meeting and site visit informative.

In reviewing the application, the Commission noted that it had approved some residential subdivision adjacent to the present subject property and had retained the subject lands in its present configuration for a partial buffer between those residential lands and the small-lot residential use. The Commission feels that the present subject property size is appropriate and would act as a buffer between the residential subdivision and some of the adjacent farmland.

For these reasons, the Commission refused your application as proposed.

The decision noted above is recorded as Resolution # 653/2005.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: District of Kent – Attn: Ken Hanna  
H G Sarborn & Associates Inc, 45974 Ivy Avenue, Chilliwack, BC - V2R2C6

GB/lv  
36320d1





**Staff Report**  
**Application # MM – 36320**  
**Applicant: Friesland Developments Ltd**  
**Agent: H G Sanborn & Associates Inc**

**DATE PREPARED:** November 23, 2005

**TO:** Chair and Commissioners – South Coast Panel

**FROM:** Gordon Bednard, Regional Research Officer

**PROPOSAL:** To subdivide a  $\pm$  0.2 ha lot from the 1.6 ha property to surround an existing house and complete a "street of dreams" in the District of Kent.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

The Commission's decision in an earlier application allowed for the exclusion of land for small lots with the retention of the subject lands, and the existing house, in the ALR at the end of the road. This application asks for a continuation of the creation of small residential parcels, this time within the ALR.

**Local Government:**

The Corporation of the District of Kent

**Legal Description of Property:**

PID: 004-399-811

Parcel T, District Lot 19, Reference Plan 811, Yale Division of Yale District, EXCEPT Plan BCP14667

**Purchase Date (m/d/y):**

06/01/1986

**Location of Property:**

McCaffrey Road, District of Kent

**Size of Property:**

1.6 ha (The entire property is in the ALR).

**Present use of the Property:**

residential, balance forested

**Surrounding Land Uses:**

**WEST:** Active nut farms (ALR)  
**SOUTH:** Small lot residential, some never in ALR, some recently excluded by Commission  
**EAST:** Agriculture Canada Research Farm (ALR)  
**NORTH:** UBC research farm (ALR)

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92H/4f  
The majority of the property is identified as having Prime Dominant ratings (class 1 and 2).

**Official Community Plan and Designation:**

Residential - Single family

**Zoning Bylaw and Designation:**

RS-1 (single family residential)  
0.3 acre MLS

**PREVIOUS APPLICATIONS:**

**Application #21630-0**

**Applicant:** Friesland Farms Ltd.  
**Decision Date:** January 28, 1988  
**Proposal:** Proposed exclusion of a 2.9 ha property for subdivision into residential lots.  
**Decision:** Application refused on the grounds that the property has good potential for a variety of agricultural purposes.

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**Application #34816-0**

**Applicant:** Friesland Farms Ltd.  
**Decision Date:** June 24, 2003  
**Proposal:** The proposal is to exclude 1.68 ha of the 2.99 ha property for subdivision into about 11 residential lots, with 1 hobby farm lot of 1.31 ha to remain in the ALR.  
**Decision:** Allowed the exclusion of proposed lots 1 through 11, with lot 12 to remain within the ALR, subject to:  
1) the construction of a berm and treed buffer being located on the western property boundary and  
2) as indicated in the District of Kent Council's March 26, 2003 Resolution #2003/08/15, the registration of an information covenant - to be registered against the titles of each lot to be created, in favour of the District of Kent, stating:

"The owner acknowledges that lots are adjacent to active farms, where some or all of the following agricultural practices may occur:  
d) noise from farm operations at various times of the day, including propane cannons and other devices used to deter wildlife;  
e) farm smells and chemical spray;  
f) aesthetic appearance of fields (unkempt fields, storage of materials, etc.);  
g) light from greenhouse."

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**Application #34816-1**

**Applicant:** Friesland Farms Ltd.

**Decision Date:** November 25, 2004

**Proposal:** To review and ratify the Commission's November 16, 2004 letter to H.G. Sanborn & Associates Inc. and to determine the amount of the bond.

**Decision:** The Commission reviewed and ratified its November 16, 2004 letter to H.G. Sanborn & Associates Inc. and set the bond at \$20,000.

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**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

Allow as requested

**Agricultural Advisory Committee:** does not support the creation of an additional title

**STAFF COMMENTS:**

Staff is concerned that this proposal places one more residential lot into a farming area. One of the arguments made in the previous application for the exclusion was the complaints received from the residents about spreading of manure. While the provision of a covenant to inform future land owners about the nature of farming is a worthwhile condition, limitation on residential growth in farm areas is a better assurance of less complaints and conflict between residents and farmers.

Staff feels that the applicants desire for a large estate/hobby farm at the end of the road is already realized with the present lot configuration, and sees no benefit for agriculture in the allowance of an additional lot.

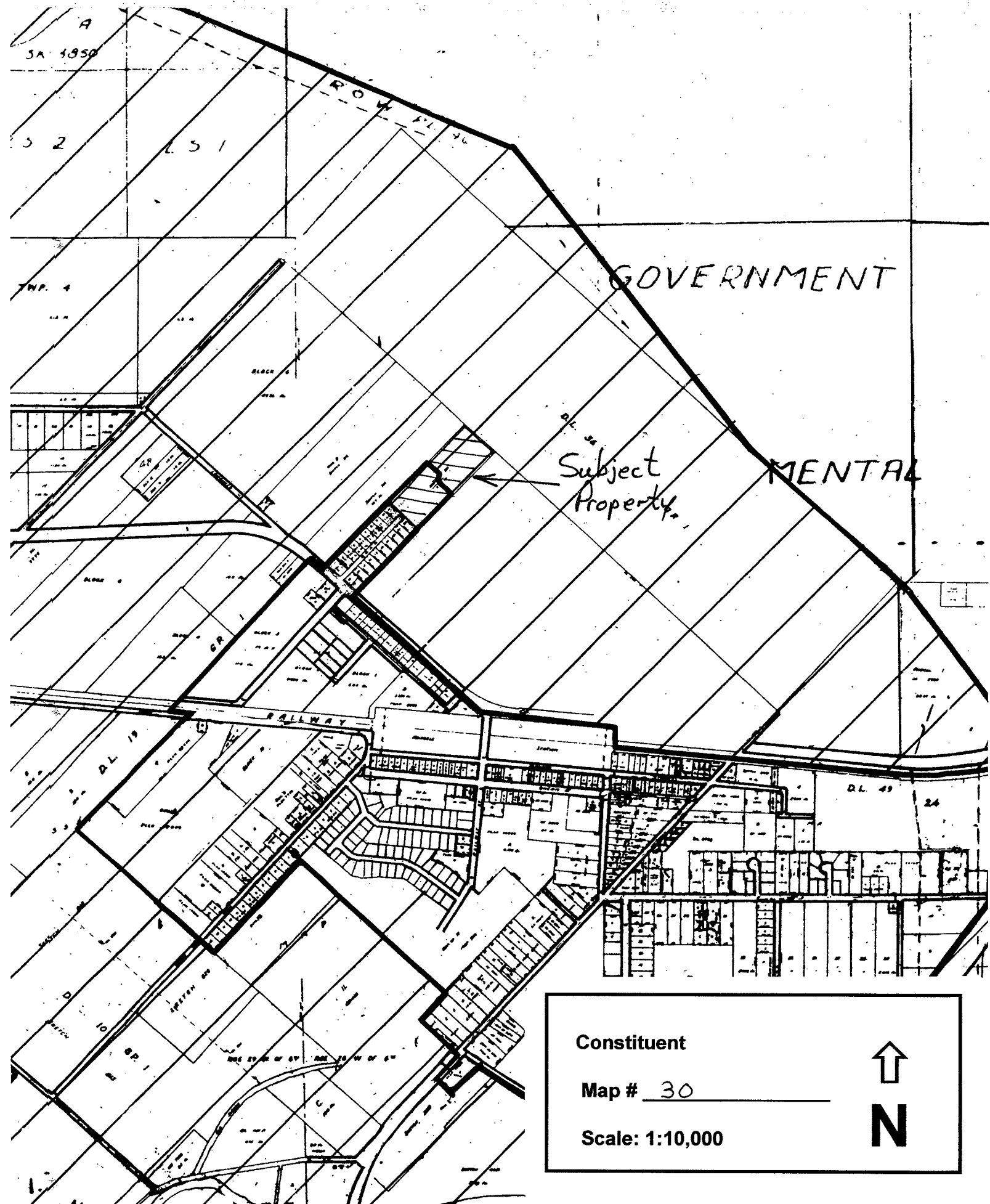
Staff therefore recommends refusal of the application.

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**END OF REPORT**

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**Signature**

\_\_\_\_\_  
**Date**



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SA 1850

32 251

TWP. 4

GOVERNMENT

Subject Property

MENTAL

RAILWAY

DL 49

Constituent

Map # 30

Scale: 1:10,000

