



Agricultural Land Commission
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May 16, 2006

Reply to the attention of Gordon Bednard

Barry McCall
PO Box 1465
26713 - 56th Avenue
Aldergrove, BC V4W 2V1

Dear Sir:

Re: Application #O-36505

1. PID: 002-459-914
Lot 3, Section 7, Township 14, New Westminister District, Plan 2492;
2. PID: 003-370-623
Lot 4, New Westminister District, EXCEPT Part Dedicated Road on Plan 86434, Section 7, Township 14, Plan 2492;
3. PID: 012-734-063
Lot 11, New Westminister District, EXCEPT Part Dedicated Road on Plan 85670, Section 7, Township 14, Plan 2492;
4. PID: 012-734-071
Lot 12, New Westminister District, EXCEPT Part Dedicated Road on Plan 85782, Section 7, Township 14, Plan 2492;
5. PID: 012-734-080
Lot 13, Section 7, Township 14, New Westminister District, Plan 2492;
6. PID: 001-619-811
Lot 14, Section 7, Township 14, New Westminister District, Plan 2492;
7. PID: 012-734-098
Lot 15, Section 7, Township 14, New Westminister District, Plan 2492;
8. PID: 012-734-101
Lot 16, Section 7, Township 14, New Westminister District, Plan 2492;

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to exclude the subject properties from the ALR in order to facilitate their development as industrial land in concert with the adjacent Gloucester Industrial Estates lands. The application was submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you for taking the time to meet with its representatives on April 25, 2006 to discuss the application. The Commission found the meeting and its subsequent viewing of the subject lands informative.

The Commission considered that, although the subject lands consist of smaller properties, they still have prime agricultural capability ratings, and properly managed, could produce a range of agricultural crops. As well, the Commission noted that the local government had not advanced a case for the exclusion of these properties based on community need and that there had been no planning studies by the local government or the Commission which would indicate that these lands should be excluded from the ALR.

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

The decision noted above is recorded as Resolution # **222/2006**.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Township of Langley - Attn: Amy Spencer (#AL100111)

GB/iv
36505d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on April 25, 2006 at Fort Langley, B.C.

PRESENT: Carol Paulson Commissioner
Walter Dyck Commissioner

ABSENT: Peter Dhillon Vice Chair

STAFF: Gordon Bednard, Regional Research Officer
Tony Pellett, Planner

For Consideration

Gordon Bednard presented his staff report dated April 11, 2006 regarding application #O-36505.

Site Inspection

A site inspection was conducted on April 25, 2006. Those in attendance were:

- Commissioners Paulson, & Dyck
- Agricultural Land Commission Staff: Gordon Bednard, Regional Research Officer and Tony Pellett, Planner
- Barry McCall

The Commission met with Mr. McCall and viewed the properties which are the subject of the application.

Exclusion Meeting

An exclusion meeting was conducted on April 25, 2006 at the site of the application. Those in attendance were:

- Commissioners Paulson, & Dyck
- Agricultural Land Commission Staff: Gordon Bednard, Regional Research Officer and Tony Pellett, Planner
- Barry McCall

Commission Discussion

The Commission considered that, although the subject lands consist of smaller properties, they still have good agricultural capability ratings, and properly managed, could produce a range of agricultural crops. As well, the Commission noted that the local government had not advanced a case for the exclusion of these properties based on community need and that there had been no planning studies by the local government or the Commission which would indicate that these lands should be excluded from the ALR.

IT WAS

MOVED BY: Commissioner Walter Dyck
SECONDED BY: Commissioner Carol Paulson

THAT the staff report be received and the application be refused for the above reasons.

CARRIED



Staff Report
Application # O – 36505
Applicant: Gerald Mazzei et al
Agent: Barry McCall

DATE PREPARED: April 11, 2006

TO: Chair and Commissioners – South Coast Panel

FROM: Gordon Bednard, Regional Research Officer

PROPOSAL: To exclude 8 properties totaling 14.6 ha from the ALR in order to facilitate their development as industrial land in concert with the adjacent Gloucester Industrial Estates lands.

This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

All properties were purchased after the ALR was in place.

Local Government:

The Corporation of the Township of Langley

Legal Description of Property:

1. PID: 002-459-914
Lot 3, Section 7, Township 14, New Westminster District, Plan 2492;
2. PID: 003-370-623
Lot 4, New Westminster District, EXCEPT Part Dedicated Road on Plan 86434, Section 7, Township 14, Plan 2492;
3. PID: 012-734-063
Lot 11, New Westminster District, EXCEPT Part Dedicated Road on Plan 85670, Section 7, Township 14, Plan 2492;
4. PID: 012-734-071
Lot 12, New Westminster District, EXCEPT Part Dedicated Road on Plan 85782, Section 7, Township 14, Plan 2492;
5. PID: 012-734-080
Lot 13, Section 7, Township 14, New Westminster District, Plan 2492;
6. PID: 001-619-811
Lot 14, Section 7, Township 14, New Westminster District, Plan 2492;
7. PID: 012-734-098
Lot 15, Section 7, Township 14, New Westminster District, Plan 2492;
8. PID: 012-734-101
Lot 16, Section 7, Township 14, New Westminster District, Plan 2492.

Purchase Date (m/d/y):

05/01/1976 to 02/01/2005

Location of Property:

56 Avenue between 264 and 268 Streets

Size of Property:

The properties are between 1.4 ha and 1.9 ha in size, totaling 14.4 ha (All properties are entirely within the ALR).

Present use of the Property:

Rural residential and hobby farms

Surrounding Land Uses:

WEST: Rural residential and hobby farm properties across 264 Street, in ALR

SOUTH: Industrial land out of ALR

EAST: Industrial land out of ALR

NORTH: Rural residential and hobby farms, one mushroom operation, in ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/1d

The majority of the property is identified as having Prime Dominant ratings of class 2 and 3 (improved).

Official Community Plan and Designation:

Rural Plan - Small Farms and Country Estates

Zoning Bylaw and Designation:

Rural Zone -1

1.7 ha MLS

PREVIOUS APPLICATIONS:

Application #26881-0

Applicant: McCall, Barry & Delaine

Decision Date: September 08, 1992

Proposal: Legitimize second dwelling constructed on Lot 12 (#4 of this application) prior to acquisition by present owners

Decision: allowed subject to re-application to the Commission should it ever prove necessary to replace one of the two dwellings

Application #27272-0

Applicant: Bennett, Derek & Gerry

Decision Date: February 04, 1993

Proposal: deposit fill on Lot 13 (#5 of this app.) up to a maximum depth of 40 cm, to slope property for drainage

Decision: allowed with conditions

LOCAL / REGIONAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Proposed exclusion not endorsed by Township council.

Referred to GVRD (*per* Implementation Agreement) but no response at time of printing.

PLANNER COMMENTS:

In 1979, the Commission's decision to refuse exclusion of the Gloucester Estates Industrial Park (on the grounds that the land was well suited to agriculture) was overturned by the Environment & Land Use Committee. The boundaries of the industrial park were not established as the result of a publicly initiated planning process endorsed by the Commission, but was owner-driven. On the east and southwest, the outer boundaries were located along the municipal boundary and the freeway, but on the north the boundaries are irregular. The only public process subsequently reviewing those outer boundaries has been by the City of Abbotsford, which on 17 May 2004 held a public hearing on a possible block application to extend industrial development to the east.

The current proposal to extend the industrial park northward is also owner-driven, not the result of any public planning process. Regardless of whether the proposal to exclude the subject lands has any merit from an application perspective, it is seriously flawed from a planning perspective: it does not address the broader question as to the most appropriate location for the industrial area's northern boundary. Without that question answered, any *ad hoc* exclusion (even if well buffered) will create landowner expectations that land north of Gloucester may be converted to non-farm use. Elsewhere, such expectations have led to diminished farm investment and land speculation leading to land prices out of the reach of most farmers.

Finally, there is the question of the existing planning context:

- the Township of Langley is not planning for expansion of Gloucester, and all lands north of Gloucester are designated as "Agricultural Lands within the Green Zone" in the Greater Vancouver Regional District's *Livable Region Strategic Plan* [regional growth strategy];
- to the east, Townshipline Road and the rail line are designated as "Urban Growth Boundaries" within the ALR in the Fraser Valley Regional District's *Choices for our Future* [regional growth strategy].

The Commission has not agreed to expansion of the industrial area at Gloucester, but the Commission has concurred with the GVRD plan and has conditionally concurred with the FVRD plan – thus if a community need to establish further industrial development lands in the Gloucester area is conclusively demonstrated, existing planning suggests that expansion would be to the east, not to the north.

STAFF COMMENTS:

The lands in question, while divided into 1.8 ha lots, are composed of lands with good agricultural capability ratings and would have the ability to support crop production. The local government has not advanced a case for exclusion of these lands for industrial development based on a demonstrated community need. Neither is there an existing or contemplated planning review which has pointed to these lands as an area which the Commission could consider excluding. Based on the above, staff recommends refusal of the application.

END OF REPORT

Signature

Date