



Agricultural Land Commission
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January 16, 2007

Reply to the attention of Terra Kaethler
ALC File: #MM - 36925

Flier Dairy Farm Ltd
731 Lamson Road
Abbotsford, BC V3G 1W2

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 663/2006 outlining the Commission's decision as it relates to the above noted application. A map depicting the Commission's decision is also attached.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Katsen, Chair

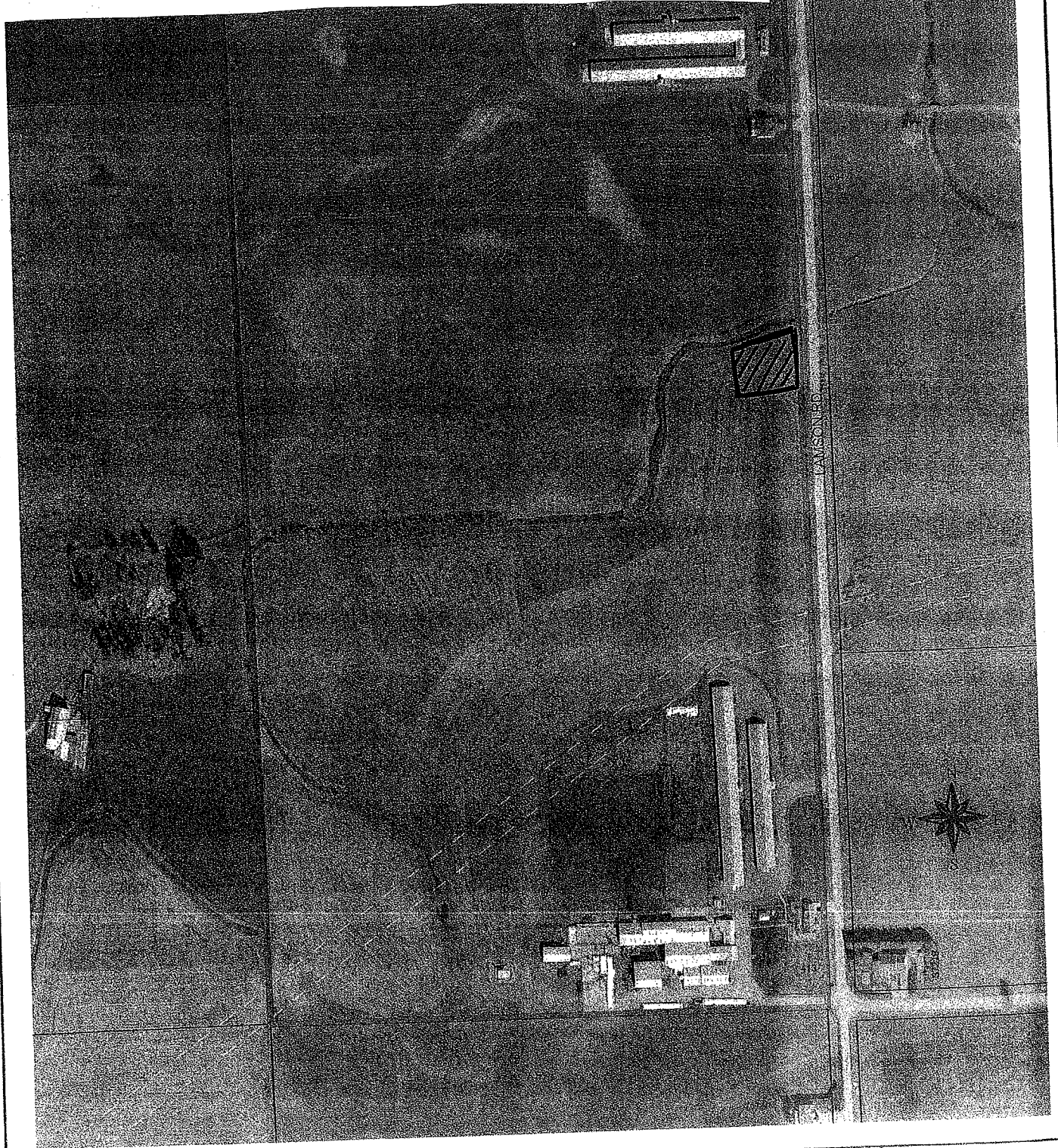
cc: City of Abbotsford (#A06-013)
BC Farm and Ranch Realty Corp, 34831 Delair Road, Abbotsford, BC V2S 2E1

TK/lv/Encl.: Minutes/Sketch Plan
36925d1

Provincial Agricultural Land Commission
Application # MM-36925
Resolution #663/2006



0.4 ha area approved for subdivision



CITY OF
Abbotsford

731 Lamson Road
A06-013

DWG NO.	ORTHO
SCALE	1:4000
PLOT DATE	June 21, 2006



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on December 19, 2006 in Fort Langley, B.C.

PRESENT:	Erik Karlsen	Chair
	Sylvia Pranger	Vice Chair
	Lorne Seitz	Commissioner
	John Tomlinson	Commissioner
	Mike Bose	Commissioner
	Tony Pellett	Staff
	Terra Kaethler	Staff

For Consideration

Application: # MM - 36925
Applicant: Flier Dairy Farm Ltd
Proposal: To subdivide a 0.4 ha lot from the 29.2 ha property for retirement purposes.
Legal: PID: 013-423-975
East 1/2 North West 1/4, Section 5, Township 19, New Westminster District, EXCEPT Part on Statutory R/W Plan 17648
Location: 731 Lamson Road

Site Inspection

No site visit was conducted.

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

While appreciating the circumstances related to your application, the Commission had reservations about the subdivision proposal provided.

The Commission considered that the siting of proposed subdivision was too close in proximity to the existing farm operation and may result in conflict between residential and agricultural uses in the long term. Such a conflict may hinder the farm activities of the property in the long term.

Therefore, the Commission considered the proposal as submitted would negatively impact the agricultural potential of the property and as such was not prepared to allow the subdivision as proposed.

However, in consideration of the *Homesite Severance Policy*, the Commission would have no objection to subdividing a 0.4 ha property, on the conditions that:

- 1) The subdivided property be located off Lamson Road, adjacent to the irrigation ditch.
- 2) That the applicants will not be eligible for any future consideration pursuant to the *Homesite Severance Policy*.

The Commission determined that this alternative proposal would minimize the impact on the property and reduce potential urban/rural conflicts in the long term.

IT WAS

MOVED BY: Commissioner Pranger

SECONDED BY: Commissioner Seitz

THAT the application be refused as proposed.

AND THAT approval be given to subdivide one (1) 0.4 ha lot from the property subject to the following conditions:

- the lot be located off Lamson Road, adjacent to the irrigation ditch.
- the submission of a buffer plan indicating the construction of a fence and vegetative screening on the North, West and South boundaries for the purpose of buffering the homesite from farm activities. The buffer should be trespass inhibiting to individuals and animals.
- compliance with the *Homesite Severance Policy*.

AND THAT the approval is granted to the applicant only and the subdivision must be completed within three (3) years from the date of this decision.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 663/2006



Staff Report
Application # MM – 36925
Applicant: Flier Dairy Farm Ltd
Agent: BC Farm and Ranch Realty Corp
Location: Abbotsford

DATE RECEIVED: September 6, 2006

DATE PREPARED: November 7, 2006

TO: Chair and Commissioners – South Coast Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To subdivide a 0.4 ha lot from the 29.2 ha subject property in order to retire in the existing home and sell the remainder.

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

BACKGROUND INFORMATION:

It is unclear as to the length of ownership and residence of the present owners. The Certificate of Title supplied with the application lists Albert Flier & Sons, Ltd. as the registered owner of the property in October 1961. The current Certificate of Title lists Flier Dairy Farm Ltd. (John and Elizabeth Flier) as the registered owner as of April 1976.

Local Government:

City of Abbotsford

Legal Description of Property:

PID: 013-423-975
East ½ North West ¼, Section 5, Township 19, New Westminster District, EXCEPT Part on Statutory R/W Plan 17648

Purchase Date:

October 1961 or April 1976 – to be clarified

Location of Property:

731 Lamson Road

Size of Property:

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

BACKGROUND INFORMATION (continued):

Present use of the Property:

Four (4) commercial poultry barns and dairy forage crops

Surrounding Land Uses:

WEST: Dairy/Crops
SOUTH: Dairy/Crops
EAST: Dairy/Crops
NORTH: Dairy/Crops

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/1b
The majority of the property is identified as having Prime Dominant ratings.

Zoning Bylaw and Designation:

City of Abbotsford Zoning Bylaw (1996)
Designation: Agricultural 1 Two Zone (A2)
Minimum Lot Size: 16 ha

RELEVANT APPLICATIONS:

Application #20209-0

Applicant: Sietze Kobes
Decision Date: 1986
Proposal: To subdivide a 0.4 ha homesite lot from the subject property under the *Homesite Severance Policy*.
Decision: Refused on the grounds that the Commission had no wish to create small residential lots in this area.

Application #25487-0

Applicant: Lamson Farms Ltd
Decision Date: September 10, 1991
Proposal: To subdivide a 0.8 or 2.8 ha homesite lot from the 21.8 ha subject property under the *Homesite Severance Policy*.
Decision: Refused on the grounds that the introduction of a residential lot into the area would lead to rural/residential conflicts and reduce the agricultural potential of the remnant parcel. No legal evidence was submitted proving that the farm was purchased prior to 1972. In addition, there was no evidence presented that the applicant planned to sell the remainder.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

City of Abbotsford Council: That the application be forwarded.

STAFF COMMENTS:

- Documentation proving continuous residence and ownership of the property by the current owners was not provided with the application. Staff spoke with the agent, who explained that the change in title was only of the business name, and that the applicants were on the original title in 1961. This would make them eligible under the *Homesite Severance Policy*. Documentation of this is pending.
- The Commission has historically resisted the introduction of residential lots in this area.

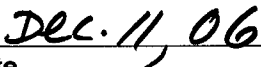
ATTACHMENTS:

- ALR Base Map #92 G/1
- Air photo (provided by the City of Abbotsford)
- Sketch of proposed subdivision (provided by applicant)

END OF REPORT



Signature



Date