



Agricultural Land Commission
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March 21, 2007

Reply to the attention of Jennifer Carson
ALC File: #MM - 36982

H G Sanborn & Associates Inc
45974 Ivy Avenue
Chilliwack, BC V2R 2C6

Dear Mr. Sanborn:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 71/2007 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:

Erik Karlsen, Chair

cc: City of Chilliwack (#ALR00152)

Enclosure: Minutes

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on February 21, 2007 in Chilliwack, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Terra Kaethler	Staff
	Tony Pellett	Staff
	Jennifer Carson	Staff

For Consideration

Application: # MM - 36982
Applicant: Glad Tidings Fellowship, Chilliwack
Agent: H G Sanborn & Associates Inc.
Proposal: To exclude the 18 ha lot in order to accommodate the expansion of Glad Tidings Church and Highroad Academy.
Legal: PID: 010-886-656
Lot 12 of Section 32, Township 26, District Lot 344, Group 2, New Westminster District, Plan 3191
Location: 46791 Chilliwack Central Road, Chilliwack

Site Inspection

A site inspection was conducted on Wednesday, February 21, 2007. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Terra Kaethler Staff
- Tony Pellett Staff
- Jennifer Carson Staff
- Grant Sanborn Agent
- Lorne Lueck Pastor
- Todd Lueck
- Arend Borst
- John Maarhuis
- James Layzell

The Commission viewed the subject property from Chilliwack Central Road. It is currently owned by the applicant (who bought it in January of 2002) and is being leased out to a local farmer who is growing corn. The Commission was then given a power point presentation regarding the application and the church's contributions to the community. The case was presented that as a growing congregation with increased interest in their various services there is a need to expand. Some of the reasons used as to why the ALR land to its east was the most suitable option included that there was a lack of suitable land available as well as the existing location being easily accessible and close to the population centre. The case for the application meeting a community need was argued.

There was then the opportunity for the Commissioners and staff to ask questions to the applicants. The Commissioners were concerned about the effects of the application on agriculture in the area. The applicants mentioned that a large percentage of their

congregation are from the agricultural community. The Commissioners also expressed concern that there is a perception that whenever expansion is required, agricultural land is seen as the simplest solution.

The applicant confirmed that the staff report dated December 5, 2006 was received and no errors were identified.

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 improved agricultural capability ratings of the subject property are identified as being:

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

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Subclasses

D undesirable soil structure
W excess water
T topography

Organic Soils - Organic soils are grouped into seven classes, designated as O1 to O7. The organic soil class definitions are equivalent in terms of their relative capabilities and limitations for agricultural use to those defined for mineral soil.

Subclasses

L degree of decomposition – permeability W excess water

Assessment of Agricultural Suitability

The Commission assessed whether the 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.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The property proposed for exclusion is currently being leased for farming purposes, thus demonstrating its agricultural capability. Further, the Commission suggests that the agricultural capability of the whole property could be improved if a farmer is given a longer lease on the property, or if the property is sold to a farmer as they would likely be more prepared to invest in making the necessary improvements. The Commission believes the proposal would adversely impact existing or potential agricultural use of surrounding lands.

Assessment of Community Need

It has been argued by the applicants that there is a need within their congregation and community for more land to accommodate population growth and increasing demands for their services. A "community need" argument whether it be for residential, commercial, institutional, industrial purposes, etc. must originate from the local government – not individual property owners. Community need arguments from local governments are to be based on local and regional planning assessments and supported by rigorous technical analysis before being considered by the Commission.

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 adversely impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.
5. The community need argument is not applicable.

IT WAS

MOVED BY: Commissioner Tomlinson

SECONDED BY: Commissioner Bose

THAT the application be refused.

CARRIED

Resolution # 71/2007



Staff Report
Application # MM – 36982
Applicant: Glad Tidings Fellowship, Chilliwack
Agent: H G Sanborn & Associates Inc

DATE RECEIVED: September 22, 2006

DATE PREPARED: December 5, 2006

TO: Chair and Commissioners – South Coast Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: To exclude a 18.0 ha lot in order to accommodate the expansion of Glad Tidings church and Highroad Academy.

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

BACKGROUND INFORMATION:

Local Government:

City of Chilliwack

Legal Description of Property:

PID: 010-886-656

Lot 12 of Sec.32 Twp.26 and of D.L. 344 Gp.2 NWD, Plan 3191

Purchase Date :

February 4, 2002

Location of Property:

46791 Chilliwack Central Road

Size of Property:

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

Present use of the Property:

Residence, shed, old barn used for storage, leased to a local dairy farmer. According to the applicant, approximately 8 ha is farmable with crops such as silage corn or hay; approximately 8 ha is unusable.

Surrounding Land Uses:

WEST: Urban Area - Residential and Institutional Zonings
SOUTH: Small Lot Rural Residential
EAST: Agricultural Land - Partially used for growing trees
NORTH: Agricultural Land - Uncultivated

Agricultural Capability:

Data Source: Agricultural Capability Map # 92H/4e
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

City of Chilliwack Official Community Plan (1998)
Designation: N/A

Zoning Bylaw and Designation:

City of Chilliwack Zoning Bylaw No. 2800 (2001)
Designation: AL (Agricultural Lowland) Zone
Minimum Lot Size: 7.5 ha

PREVIOUS APPLICATIONS:

N/A

RELEVANT APPLICATIONS:

Applications #12892-0 to #12895-0
Applicant: Fedoruk, Gordon, McPhee, D.R., Kislinsky, M. & H., Fechner, E. & L.
Decision Date: October 23, 1981
Proposal: To exclude the subject properties for development.
Decision: Allow exclusions subject to a fence being built along the eastern perimeter of the property.

Application #08869-0
Applicant: Voth, Benjamin
Decision Date: August 23, 1979
Proposal: To exclude the subject properties to establish a church and educational facilities.
Decision: Allow exclusion subject to a fence being built along the eastern perimeter of the property, on the grounds that the property had limited agricultural suitability.

Application #24561-0
Applicant: Schmidt's Dairy Farm
Decision Date: September 18, 1990
Proposal: To exclude the subject property for residential development.
Decision: Application refused on the grounds that the land had good agricultural capability.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

City of Chilliwack Council: Forwarded the application with a recommendation of support.

Local Government Staff: Recommended that the application be forwarded with support. The subject property is part of the lands to be included in the City of Chilliwack "Phase 2 Block Exclusion Application for Future Residential Development", which is part of the City's long-term growth strategy.

STAFF COMMENTS:

The planning implications of this application are wide-ranging, thus Commission review of this application must include consideration of the long-term urban-agricultural boundary on the east side of the Chilliwack urban area between the Trans-Canada Highway and Yale Road. The existing Chilliwack Official Community Plan (OCP adopted 1999) shows an "Urban Containment Boundary" respecting the ALR (not yet showing the industrial lands excluded in 2004), although it does propose one institutional use in the ALR east of the existing urban area (a City-wide recreation park just north of the CNR). The Fraser Valley Regional Growth Strategy *Choices for Our Future* (adopted 2004) shows an "Urban Growth Boundary" reflecting where the City would eventually like to expand into the ALR – with the subject property being centrally located in the "west of Prest Road" area – the largest of the City's "local government proposals still under discussion between the local governments and the Provincial Agricultural Land Commission".

Notwithstanding the actual policies of the 1999 OCP, the City publicized its intention to expand westward to Evans Road and eastward to Prest Road (north of the Trans-Canada Highway) and to Chilliwack River Road (south of the Trans-Canada). As a result, a number of key agricultural parcels were acquired by persons or organizations with non-farm intentions. For example, in 2001, the property immediately to the north of the subject property was bought from Hoek Holsteins Ltd. by a company called Urban Land Investment Corporation. The following year, the Glad Tidings Fellowship bought the subject property.

In 2003, the City of Chilliwack submitted a block application to exclude land from the ALR in what it called "Phase One: Economic and Community Development" – advising that it expected to discuss further community need for residential and institutional development in "Phase Two" areas also identified for urban expansion by the Regional Growth Strategy. The Commission had previously identified three areas for such expansion, namely Ryder Lake, the "Webster Block" and the "Higginson Block", but has warned that the City would have to undertake a rigorous analysis of community need before the Commission would consider major residential or institutional expansion into the ALR. In 2004, the Commission refused to exclude 9.7 ha for major institutional use from one of the other areas identified for urban expansion, but this is the first such application respecting the "west of Prest Road" proposed urban expansion area.

In discussion with City and Regional District officials, Commission staff have pointed out that before the City attempts to demonstrate community need for the "west of Prest Road" area, it should review the soil conditions in that area. The existing urban edge approximates the boundary of firm, sandy soil. To the east are wetter, silty soils, but the most significant feature is a wide band of *Gibson Muck* soil, which can grow a variety of crops under careful management, but which does not support urban development (and is thus not proposed for non-farm use under the current application). Where a farm parcel contains *Gibson Muck*, farm buildings are generally located on firmer soils. If the Commission were to allow any eastward expansion of urban development toward the muck soils, it would be prudent to consider how future farm use of the muck soils would be supported by farm buildings. For example, the entire eastern part of the subject parcel is *Gibson Muck*, thus farm building sites are currently available only to the west.

STAFF COMMENTS (cont):

The application does not contain any rigorous analysis of community need or soil conditions, nor is there any attempt to address agricultural issues. The only rationale given by the City is that the applicant is proposing to develop an area which has been identified as part of "Phase Two: Future Residential Development".

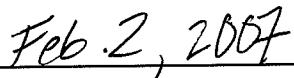
ATTACHMENTS:

- Base Map #92H/4
- Constituent Map #31
- Aerial Photo
- Sketch of Concept Plan
- City of Chilliwack Staff Report

END OF REPORT



Signature



Date