



**Agricultural Land Commission**  
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March 22, 2007

Reply to the attention of Jennifer Carson  
ALC File: #O - 37056

Carol Locken  
6780 - 264th Street  
Aldergrove, BC V4W 1P8

Dear Ms. Locken:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 59/2007 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 'Erik Karlsen', is written over a horizontal line.

Erik Karlsen, Chair

cc: The Corporation of the Township of Langley (#AL100128)

Enclosure: Minutes

JC/lv  
37056d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

**A meeting was held by the Provincial Agricultural Land Commission on February 20, 2007 in Langley, B.C.**

<b>PRESENT:</b>	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Terra Kaethler	Staff
	Jennifer Carson	Staff

### **For Consideration**

Application: # O - 37056  
Applicant: Carol Locken  
Proposal: To subdivide the 5.05 ha property into two (2) parcels, one (1) approximately 2.83 ha and one (1) approximately 2.2 ha in size.  
Legal: PID: 004-562-330  
Lot 41, Section 18, Township 14, New Westminster District, Plan 3337  
Location: 6780 - 264th Street, Aldergrove

### **Site Inspection**

A site inspection was conducted on Monday, February 19, 2007. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Terra Kaethler Staff
- Brian Underhill Staff
- Jennifer Carson Staff
- Carol Locken Applicant

The applicant took the Commissioners and staff over to the portion of the property to be subdivided off. The stream has been designated as a fisheries stream which makes it difficult to farm on both sides of the stream, therefore creating a natural boundary on the property.

The applicant stated that she has had cattle for 16 years on the property and is interested in selling off the good agricultural land north of the stream and move to the southern proposed lot. Previously, the applicant's daughter was living in a mobile home on the southern portion of the property where the new homesite is being proposed. While the mobile home was no longer on the property, the concrete pad and a garage/storage building remained on this part of the property.

The applicant also mentioned that there have been numerous other subdivision applications in the area that have been allowed by the ALC.

Carol Locken confirmed that the staff report dated December 27, 2007 was received and identified that one of the opposition letters included was not pertinent to her property. This information was already noted by the Commission.

## **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.

The Act provides processes for landowners, local governments and First Nations to apply to the Commission to remove land from or to include land into the ALR or to subdivide or use land in the ALR for non-farm purposes.

## **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.

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

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

#### Subclasses

- A soil moisture deficiency
- T topography
- 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 Commission felt that a proposed subdivision creating an extra parcel within the ALR would not have a positive impact on agriculture as it decreases the variety of future agricultural possibilities on the property. However, the Commission also recognizes that the stream running through the property is a barrier to efficient farming on

both sides of the stream. The Commission may be in a position to reconsider the application if the applicant receives consent and participation of the property owner adjacent to the southern portion of the property to consolidate the portion of the property south of the stream with the southern neighbour's property. The Commission believes the existing proposal would adversely impact existing or potential agricultural use of the subject property and the surrounding lands. However, due to potential benefits to agriculture, the Commission is amenable to considering an alternate proposal involving consolidation with the adjacent property should the neighbor and the applicant agree to do so.

### **Other Factors**

The Commission noted that authorities which have jurisdiction regarding the stream courses may be concerned about the impact of placing a residence so close to a fisheries stream and recommends that the applicant look into the issue further should the alternate subdivision and consolidation be pursued.

### **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. However, if a larger lot is created with the portion of the subject property south of the stream, the Commission feels that it would be a benefit to agriculture.
4. As it currently stands, the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

### **IT WAS**

**MOVED BY:** Commissioner Bose  
**SECONDED BY:** Commissioner Pranger

THAT the application be refused as submitted.

### **CARRIED**

**Resolution # 59/2007**



**Staff Report**  
**Application # O – 37056**  
**Applicant: Carol Locken**

**DATE RECEIVED:** November 9, 2006

**DATE PREPARED:** December 27, 2006

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

**FROM:** Terra Kaethler, Land Use Planner

**PROPOSAL:** To subdivide the 5.05 ha property into two parcels, one approximately 2.83 ha and one approximately 2.2 ha in size.

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

**BACKGROUND INFORMATION:**

The applicant would like to subdivide the property to the minimum lot size so that her daughter, who lives in a trailer on the south side of the property can have a separate title.

Two letters of opposition were submitted in response to this application.

**Local Government:**

The Corporation of the Township of Langley

**Legal Description of Property:**

PID: 004-562-330

Lot 41, Section 18, Township 14, New Westminster District, Plan 3337

**Purchase Date:**

December 1991

**Location of Property:**

6780 - 264th Street, Aldergrove

**Size of Property:**

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

**Present use of the Property:**

Residence/hobby-farm, trailer, barn, cattle, garage

**Surrounding Land Uses:**

**WEST:** Residential/Hobby farm  
**SOUTH:** Residential  
**EAST:** Residential and bush  
**NORTH:** Residential and bush

**Agricultural Capability:**

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

**Official Community Plan and Designation:**

The Langley Rural Plan designates the property as "Small Farm / Country Estates"

**Zoning Bylaw and Designation:**

The zoning bylaw designates the property as Rural Zone RU-1  
Minimum Lot Size: 1.7 ha

**PREVIOUS APPLICATION:**

**Application #28871-0**

**Applicant:** LAND OWNERS -34

**Decision Date:** May 16, 1994

**Proposal:** To subdivide 34 1.7 ha lots from the 34 subject parcels that range in size from 3.75 ha to 7.86 ha. All of the properties, which total 195.5 ha, lie wholly in the ALR and have an average size of 5.75 ha.

**Decision:** That the application to subdivide 34 1.7 ha lots from the subject properties be refused as requested on the grounds that subdivision would reduce their agricultural potential, increase the rural residential population and heighten the expectations of surrounding property owners. The Commission was prepared to allow the subdivision of four of the most southerly properties on the grounds that they lie within an area designated by the Commission as suitable for subdivision into lots of 1.7 ha (as noted in correspondence dated December 4, 1992 in the Langley Rural Plan file #O-24610 and *per* Resolution # 675/2002).

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

The Council endorsed the application subject to compliance with the requirements of the Commission at the time of subdivision and the Township of Langley's Subdivision and Development Control Bylaw.

**STAFF COMMENTS:**

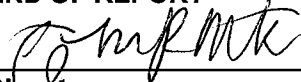
In 1992, the Commission supported Langley's development of a "Rural Plan", which at that time was the closest approach to an "agricultural area plan" yet attempted in B.C. Langley's draft map showed more land designated "Small Farms / Country Estates" than the Commission was prepared to support. The Commission so advised Langley in a preliminary letter but Council adopted the Plan before receiving the Commission's final letter. As a compromise, Langley publishes its Rural Plan with a map showing the areas it designated "Small Farms / Country Estates" and a second map showing the areas with which the Commission did not agree.

In the subject area, the Commission agreed with "Small Farms / Country Estates" south of West Creek but not to the north. That decision was later formalized by Resolution # 675/2002. Given unique topography and existing farm uses, the Commission later allowed limited subdivision west of 264 Street, but with no intention to allow further subdivision on the east side of the road.

**ATTACHMENTS:**

- Pages 2 and 6 of the Local Government Report
- Page 10 of the Local Government Report (a sketch of the proposed subdivision)
- Letter of opposition to the proposed subdivision submitted by the Fraser Valley Conservation Coalition
- ALC Context Map - Greater Vancouver Regional District Constituent Map 42 - 1:10,000 (Created by ALC Staff)
- Airphoto - 1:5,000 (Created by ALC Staff)

**END OF REPORT**

  
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**Signature**

*Feb. 5, 2007*  
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**Date**