



Agricultural Land Commission
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September 4, 2007

Reply to the attention of Jennifer Carson
ALC File: #MM - 37292

Ted Tisdale
Vedder Pacific Management Inc.
7018 Eden Drive
Chilliwack, B.C. V2R 1E6

Dear Mr. Tisdale:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 260/2007 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 Karlson, Chair

cc: City of Chilliwack (#3370-20(ALR00167))

Enclosure: Minutes

JC/37292d1



A meeting was held by the Provincial Agricultural Land Commission on May 22, 2007 in Chilliwack, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	Erik Karlsen	Commissioner
	Tony Pellett	Staff
	Jennifer Carson	Staff

For Consideration

Application: # MM - 37292
Applicant: Twilight Poultry Ltd
Agent: Vedder Pacific Management Inc
Proposal: To subdivide the subject property in order to complete a two-lot boundary adjustment to allow the separation of the poultry operation from the nursery operation. Subject properties have a cumulative area of 41.1 ha. Parcel at 10083 Chapman Road would increase in area from 0.2 ha to 37.1 ha and the parcel at 10179 Chapman Road decreasing in area from 40.9 to 4.1 ha.

Legal: 1. PID: 000-641-537
Lot 9, DL 466, New Westminster District Group 2, Plan 9385
2. PID: 024-729-471
Lot 4, DL 466, New Westminster District Group 2, Plan BCP7028

Location: 10083 and 10179 Chapman Road, Rosedale

Site Inspection

A site inspection was conducted on May 22, 2007. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- Erik Karlsen Commissioner
- Tony Pellett Staff
- Jennifer Carson Staff
- Mr. Decker Applicant
- Mr. Tisdale Agent

The Commissioners and Staff met with the applicant to discuss the boundary adjustment application. The applicant, Peter Decker told the Commission that he had bought the smaller lot as it was under .8 ha and therefore may be permitted to have more houses on the property through local government zoning. This was an unappealing possibility to Mr. Dekker as it would not be a compatible neighbour for the farming operations he has underway. Mr. Dekker also mentioned that they had tried to sell the larger property without success. Mr. Dekker attributed this lack of success to the property being too large for a poultry operation. The Commission saw that the poultry barn on the property is an attractive building with a well thought out design. Mr. Dekker mentioned that he was proposing that the parcel size which includes the poultry barn be 10 acres to allow for the appropriate buffering for reasons of bio-security and possibility for growth. The larger parcel proposed would take up the bare land which currently contains a tree farm. The applicant mentioned that he may or may not sell the poultry barn operation. Mr. Decker confirmed that the staff report dated April 26, 2007 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 soil of the subject property are:

- Class 1 – Land in this class either has no or only very slight limitations that restrict its use for the production of common agricultural crops.
- 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 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Subclasses

- 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 Commissioners noted that while the applicant is proposing to create two viable farms, the existence of the poultry barn does not justify the subdivision of the larger parcel. Further, while the Commission is generally in favour of the elimination of smaller residential lots, it cannot justify subdividing the larger parcel to do so. The Commission believes the proposal would have an adverse impact on existing or potential agricultural use of surrounding lands.

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 have an impact on agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Pranger

SECONDED BY: Commissioner Bose

THAT the application be refused.

CARRIED

Resolution # 260/2007



Staff Report
Application # MM – 37292
Applicant: Twilight Poultry Ltd
Agent: Vedder Pacific Management Inc

DATE RECEIVED: March 14, 2007

DATE PREPARED: April 26, 2007

TO: Chair and Commissioners – South Coast Panel

FROM: Jennifer Carson, Land Use Planner

PROPOSAL: To subdivide the subject property in order to complete a two-lot boundary adjustment to allow the separation of the poultry operation from the nursery operation. Subject properties have a cumulative area of 41.1 ha. The parcel at 10083 Chapman Road would increase in area from 0.2 ha to 37.1 ha and the parcel at 10179 Chapman Road decreasing in area from 40.9 to 4.1 ha. This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Local Government:

City of Chilliwack

Legal Description of Property:

1. PID: 000-641-537
Lot 9, District Lot 466, New Westminster District, Group 2, Plan 9385
2. PID: 024-729-471
Lot 4, District Lot 466, New Westminster District, Group 2, Plan BCP7028

Purchase Dates:

Purchased farm in 2002 and house in 2006.

Location of Propertie:

10083 and 10179 Chapman Road, Rosedale

Size of Property:

41.2 ha (The entire property is in the ALR).
The farm is on 40.9 ha and the house is on 0.2 ha.

Present use of the Property:

Residence, nursery, poultry farm, buildings from a discontinued dairy operation.

Surrounding Land Uses:

WEST: Agriculture
SOUTH: Agriculture
EAST: Agriculture
NORTH: Agriculture

Agricultural Capability:

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

Official Community Plan and Designation:

City of Chilliwack OCP Bylaw (1998)
Designation: None

Zoning Bylaw and Designation:

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

RELEVANT APPLICATIONS:

Application #33966-0

Applicant: Van Maren, Dirk
Decision Date: November 02, 2001
Proposal: To subdivide a retirement homesite of approximately 0.4 hectares from the property. It should be noted that the proposal fulfills all conditions of the Commissions Homesite Severance Policy, aside from the criteria of purchasing and living continuously..
Decision: Refused as proposed on the grounds that the proposed subdivision would create a residential intrusion into an important agricultural area. However, the Commission will allow the registration of a lifetime lease by explanatory plan for the homesite area.

Application #35709-0

Applicant: Van den Brink, Steven & Geurtje
Decision Date: February 16, 2005
Proposal: To subdivide a 0.4 ha parcel from the 4 ha property for a retirement home.
Decision: Refused as requested but would allow alternate alignment for Homesite Severance lot.

Application #36265-0

Applicant: Vermeer, John and Tania
Decision Date: October 18, 2005
Proposal: To adjust the boundaries between a 0.8 ha and a 4.8 ha lot to create a 2 ha and 3.6 ha lot. The owners of the smaller parcel wishes to expand their holdings, intending to raise and board horses and grow hay.
Decision: Allowed as requested

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Council:

Council for the City of Chilliwack forwarded the application with a recommendation of support as the proposed boundary adjustment would allow for the separation of the poultry operation from the nursery operation, allowing the applicants to focus their attention on improving the nursery operation. The application is not viewed as being detrimental to the agricultural potential of the lands.

Local Government Staff:

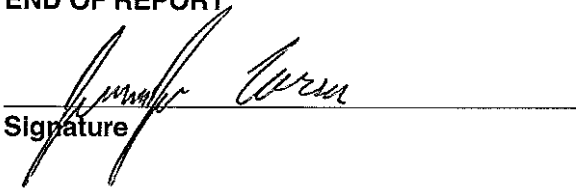
No objections to the application.

ATTACHMENTS:

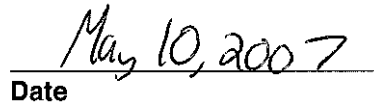
1. Local Government Staff Report
2. Sketch of Proposal
3. Base Map
4. Agricultural Capability Map
5. Aerial Photograph

END OF REPORT

Signature

A handwritten signature in black ink, appearing to read "D. Smith" followed by a flourish, written over a horizontal line.

Date

A handwritten date "May 10, 2007" in black ink, written over a horizontal line.