



**Agricultural Land Commission**  
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June 3, 2009

Reply to the attention of Ron Wallace  
ALC File: MM-38784

Lorne and Joanna Hansen  
451 Kennedy Road Box # 10 (Harrison Mills)  
Agassiz, BC V0M1L0

Dear Sir/Madam:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 177/2009 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

Enclosure: Minutes

cc: The Corporation of the District of Kent (S07-002)

RW/  
i/MM-38784d1



# MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

**A meeting was held by the Provincial Agricultural Land Commission on April 21, 2009 Harrison Mills, B.C.**

<b>PRESENT:</b>	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Ron Wallace	Staff
	Tony Pellett	Staff

## For Consideration

Application: # MM- 38784  
 Applicant: Lorne and Joanna Hansen

Proposal: The main purpose of the application is to subdivide a 1.09 ha lot off the 12.14 ha subject property. In addition, as illustrated on the attached map, the proposal is to consolidate two small parcels (Parcel 1Exp Plan 12969 = 0.016 ha and Pcl A Ref Plan 6639 = -.049 ha) with the larger property. The proposal also requests the dedication of an 8.053 m road along the west side of School Road. The road dedication eliminates current developed roadway trespass in some portions of the applicants' property and provides a link to the east end of the existing dyke.

Legal: PID: 009-708-987  
 Parcel "A" (Plan with Fee Deposited 54300F), Section 26, Township 3, Range 30, West of the 6th Meridian, New Westminster District, EXCEPT Firstly: Part on Plan 13840 Secondly: Part Highway SRW Plan 26833  
 PID: 000-455-547  
 Parcel One (Explanatory Plan 12969), Fractional North West Quarter Section 26, Township 3, Range 30, West of the 6th Meridian, New Westminster District

Location: 451 Kennedy Road, Harrison Mills

## Site Inspection

A site inspection was conducted on April 21, 2009. Those in attendance were:

- Sylvia Pranger                      Chair, South Coast Panel
- Michael Bose                        Commissioner
- John Tomlinson                      Commissioner
- Tony Pellett                         Staff
- Lorne Hansen                        Applicant
- Joanna Hansen                      Applicant

The Commissioners and staff met with the applicants to discuss the proposed subdivision. The applicants indicated that they do not want the new lot to be so large, but that was the parcel size that the District of Kent would agree to support. The applicants' preference was for a lot just large enough for the house, septic field (and replacement field if required).

## **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 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 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

### Subclasses

- D undesirable soil structure
- T topography
- W excess water

### **Assessment of Agricultural Suitability**

The Commission assessed whether 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. After viewing the subject lands and discussing the matter, the Commission did not believe that subdivision would be beneficial to the preserving the long term agricultural potential of the subject 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 impact the long term agricultural potential of the subject lands.
4. That 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 Tomlinson

THAT the application be refused.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.33 (1) *On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*
- (a) *evidence not available at the time of the original decision has become available,*
  - (b) *all or part of the original decision was based on evidence that was in error or was false.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

**CARRIED**  
**Resolution # 177/2009**