



Agricultural Land Commission
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July 29, 2010

Reply to the attention of Ron Wallace
ALC File: 51766

Rudolf & Priska Hueiler
2830 - 154 Street
Surrey, BC
V4P 2L7

Dear Sir/Madam:

Re: Application to Subdivide in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **2586/2010** 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 'B Underhill', is written over the printed name.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Township of Langley (AL100192 Project: 07-03-0014)

RW/
51766d1



A meeting was held by the Provincial Agricultural Land Commission on July 7, 2010 in Langley, B.C.

PRESENT:	Richard Bullock	Chair
	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Tony Pellett	Staff

For Consideration

Application: 51766
Applicant: Rudolf & Priska Hueller
Proposal: To subdivide the 5.3 ha property into two parcels, one of 1.7 ha and one parcel of 3.6 ha.
Legal: Lot 2 Section 3 Township 7 New Westminster District Plan 8428
Location: 19765 – 8th Avenue, Langley

Site Inspection

A site inspection was conducted on July 7, 2010. Those in attendance were:

- Richard Bullock Chair
- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Tony Pellett Staff
- Rudolf & Priska Hueller Applicants

The owners explained that their proposal to subdivide the property is based on the zoning (which would allow subdivision if approved by the Commission). They have no particular use in mind for the southern part of the property. In response to a question, they advised that they have never been on the southern part of the property. They live in Surrey and manage the two rental homes on the property.

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 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.
- Class 7 – Land in this class has no capability for arable or sustained natural grazing

Subclasses

- A soil moisture deficiency
- 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. The Commission believed that not only is the proposed panhandle a waste of prime farmland, any subdivision of the front two thirds of the property would reduce agricultural options and create expectations on neighboring parcels. Moreover, while there is a steep slope separating the front two thirds from prime farmland on the treed rear one third of the property, any subdivision to create a 1.7 ha parcel above the steep slope should not be by panhandle and in any event the Commission has never encouraged such a subdivision.

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 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 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 # 2586/2010