



Agricultural Land Commission
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November 22, 2010

Reply to the attention of Jennifer Carson
ALC File: 51878

Ton de Groot
Highfield Farms Inc.
6167 Tyson Road
RR # 7
Sardis, BC
V0X 1Y0

Dear Mr. de Groot:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **51878** outlining the Commission's decision as it relates to the above noted application.

Please note that staff from the Compliance and Enforcement of the Commission will be contacting you to discuss removal and reclamation of the existing RV storage yard.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: City of Chilliwack (3370-20 (ALR00220))
Thomas Loo, ALC (Compliance and Enforcement file #46964)

JC/
51878d1



A meeting was held by the Provincial Agricultural Land Commission on November 1, 2010 at the offices of the Ministry of Agriculture located at 1767 Angus Campbell Rd. Abbotsford, B.C.

PRESENT:	Sylvia Pranger	Vice-Chair, South Coast Panel
	John Tomlinson	Commissioner
	Mike Bose	Commissioner
	Richard Bullock	Commissioner
	Tony Pellett	Staff
	Jennifer Carson	Staff

For Consideration

Application: 51878
Applicant: Highfield Farms Inc.
Proposal: Non-farm Use: Applicant wishes to obtain approval for the existing RV storage yard on the subject property.
Legal: PID: 013-000-675
Parcel "G" (Explanatory Plan 10528) District Lot 281 Group 2 New Westminster District
Location: 6167 Tyson Rd, Chilliwack

Site Inspection

No site inspection was conducted as the Commission believed that it had an adequate understanding of the property and proposal through reviewing the file information and discussion with staff members Tony Pellett and Thomas Loo who are familiar with the property and pertinent issues.

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 improvable to:

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

A soil moisture deficiency
T topography

P stoniness
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 believes the proposal would impact existing or potential agricultural use of surrounding lands.

Assessment of Other Factors

The Commission is aware of the issues surrounding the water table and is sympathetic of the difficulties caused by this; however, the Commission believes that it is not in the best interest of agriculture to allow this non-farm use to continue on the subject property.

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 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, that the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter, and that if the applicant sells or transfers the property within one (1) year of the decision the new owner is not eligible to submit a request for reconsideration.

CARRIED
Resolution # 2746/2010