



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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January 31, 2012

Reply to the attention of Eamonn Watson  
ALC File: 51805

Greenline Management Ltd.  
11579 – 196 B Street  
Pitt Meadows, BC  
V3Y 1P2

Dear Mr. Lee Mackenzie:

**Re: Agricultural Land Commission application to subdivide, 5231 232 Street, Langley**

Please find attached the Minutes of Resolution # **482/2011** 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:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over a long, thin, horizontal line that spans across the width of the signature area.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Township of Langley (AL100195)

EW/51805d1



## PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 27<sup>th</sup>, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

### COMMISSION MEMBERS PRESENT:

Jennifer Dyson	Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Richard Bullock	Commissioner

### COMMISSION STAFF PRESENT:

Brian Underhill	Executive Director
Eamonn Watson	Land Use Planner

### APPLICATION ID: # 51805

**PROPOSAL:** Subdivision of a 33.1 ha parcel into two (2) lots of 24.5 ha and 8.6 ha as dissected by the Nicomekl River and tributaries. The proposed Lot 2 (8.6 ha) would be sold to the applicant's daughter to develop a horse farm.  
(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

### PROPERTY INFORMATION:

**Owner:** Carin Investment Ltd., Inc. No. 0662176  
**Date of Acquisition:** May 16, 2008  
**Parcel ID:** 013-258-478  
**Title No.** CA785696  
**Legal Description:** South Half of the North East Quarter, Section 5, Township 11, Except: Part in Plan LMP21511; New Westminster District  
**Civic Address:** 5231 232 Street, Langley  
**Size:** 33.1 ha  
**Area in ALR:** 33.1 ha  
**Current Land Use:** Two residences, accessory/storage buildings, blueberry and hay production.  
**Farm Classification:** Yes  
(BC Assessment)

### SITE INSPECTION MEETING:

A site inspection meeting was conducted on October 4<sup>th</sup>, 2011 following which a report was prepared. The site inspection meeting report was approved by Commissioner Sylvia Pranger on October 25, 2011.

Section 14(2) of the *Agricultural Land Commission Act* provides that a member of the Commission who was not present at a meeting to determine an application or other matter may vote on the application or matter only if a summary of the meeting is given to the member before

the vote. The site inspection meeting report, approved by Commissioner Sylvia Pranger on October 25, 2011, constitutes a written record of the site inspection meeting and has been provided to all Commission members recorded above.

**COMMISSION CONSIDERATION:**

**Context**

Section 6 of the *Agricultural Land Commission Act* identifies the purposes of the Commission as: (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.

**Agricultural Capability**

Based on the information contained in Map 92G.008 (Scale 1:25,000) of the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system, the agricultural capability ratings are identified as being:

Unimproved Rating: 4:2ATW 3:3TDA 3:5W Improved Rating: (4:2T 3:3TD 3:3WD)

**Note: These ratings cover approximately 25% (or 8.3 ha) of the subject property.**

Unimproved Rating: 7:2ATW 3:3DTW Improved Rating: (7:2T 3:3DT)

**Note: These ratings cover approximately 25% (or 8.3 ha) of the subject property.**

Unimproved Rating: 4WD Improved Rating: (3DW)

**Note: These ratings cover approximately 25% (or 8.3 ha) of the subject property.**

Unimproved Rating: 7:3AT 3:4WA Improved Rating: (4:3T 3:2TA 3:2WA)

**Note: These ratings cover approximately 15% (or 4.9 ha) of the subject property.**

Unimproved Rating: 7:5T 3:4TDA Improved Rating: (7:5T 3:4TD)

**Note: These ratings cover approximately 10% (or 3.3 ha) of the subject property.**

**Class and Subclass Descriptions**

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.

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

### **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. Although the Nicomekl River and its tributaries present some challenges to the agricultural suitability of the subject property, the Commission does not believe there are external factors that render the land unsuitable for agricultural use.

### **Assessment of Potential 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 proposed subdivision would increase the residential use of the subject property. In addition, the Commission does not believe the proposed subdivision would fundamentally change the ability to use the subject property for agriculture. As a result, the Commission does not believe the proposed subdivision is consistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land and encourage farming.

Furthermore, the Commission considered the historic subdivision (Resolution # 1057/1993) which occurred in the mid 1990s, creating the current boundaries of the subject property and contributing to some of the access issues addressed in the application. Despite these challenges, the applicant purchased the subject property in 2008 with the ability to understand these challenges. Further subdivision in this area would negatively impact existing or potential agricultural use of surrounding lands.

### **DECISION:**

#### **IT WAS**

**MOVED BY:** Commissioner Jennifer Dyson  
**SECONDED BY:** Commissioner Jim Johnson

THAT the application to subdivide be refused for the following reasons:

- The land under application has agricultural capability and is appropriately designated as ALR;
- The land under application is suitable for agricultural use;
- The proposal will impact the agricultural use of surrounding lands; and,
- The proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land and encourage farming.

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 FINALLY 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 # 482/2011**