



Agricultural Land Commission
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October 27, 2014

ALC File: 53677

Imre and Sharon Sorban & Dorothy Ross
P.O. Box 440
Brackendale, BC V0N 1H0

Dear Mr. and Mrs. Sorban and Mrs. Ross:

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #285/2014 as it relates to the above noted application.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

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.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Further correspondence with respect to this application is to be directed to Eamonn Watson (Eamonn.Watson@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, consisting of a stylized 'C' followed by a long horizontal line that ends in a small hook.

Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution #285/2014

cc: Squamish-Lillooet Regional District (LG File #DL 1513 – 748-10830.000)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on August 6, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53677.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

COMMISSION STAFF PRESENT:

Tony Pellett	Planner
Jennifer Carson	Planner
Eamonn Watson	Planner

PROPOSAL (Submitted pursuant to s. 21(2) of the *Agricultural Land Commission Act*)

To subdivide the 24.3 ha subject property into three (3) parcels of 10.8 ha, 6.4 ha and 5.0 ha; 2.4 ha would be required for new road dedication for accessing the parcels.

PROPERTY INFORMATION:

Owners: Dorothy Mae Ross (As to an undivided ¼ interest)
Dorothy May Ross (As to an undivided ¼ interest)
Imre Sorban (As to an undivided ¼ interest)
Sharon Lynn Ross (As to an undivided ¼ interest)

Legal: PID: 015-947-149
Block A (Reference Plan 8186), District Lot 1513, Group 1, New Westminster District

Location: Upper Squamish Valley

Size: 24.3 ha (24.1 ha in the Agricultural Land Reserve)

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

6 The following are the purposes of the commission:

(a) to preserve agricultural land;

- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
- (c) 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.

COMMISSION CONSIDERATION

The Commission reviewed two previous applications involving the subject property:

Application ID
11878
(Ross and Sorban,
1977)

In 1977, the Commission considered an application to subdivide the 24.3 ha parcel into two lots (17.8 ha and 5.5 ha) as divided by the existing road. The Commission, by Resolution #6868/1977, refused the proposal due to the high agricultural capability of the property and the belief of the Commission that the future agricultural options for the property would be lost if subdivision was allowed.

Also in 1977, the Commission considered a request for reconsideration of the above noted resolution. By Resolution #7543/1977, the Commission reconfirmed the original decision to refuse the proposed subdivision.

Application ID
11880
(Ross and Sorban,
1978)

In 1979, the Commission considered a new application with the same proposal as noted above. The Commission, by Resolution 10617/1979, refused the proposal on the grounds that the property has high agricultural capability for agriculture and subdivision would limit the potential agricultural option for the property.

After considering the information the Commission concluded as follows:

1. Both of the previous applications refused subdivision of the subject property. As part of the Commission's consideration of the both previous applications, it noted the high agricultural capability of the subject property and was unwilling to reduce the size of the subject property due to the resulting reduction of options for future agricultural use.

Conclusion:

The circumstances of the subject property have not changed significantly since these previous applications, and as such the rationale for refusing the previous applications remains relevant.

2. 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.

The agricultural capability ratings identified on CLI map sheet 92F/14 for the subject property are Class 2 and 4 (7:2W-3:4M) and are improvable to Class 1 and 2 (7:1 – 3:2M).

Class 1 - land is capable of producing the very widest range of crops. Soil and climate conditions are optimum, resulting in easy management.

Class 2 - land is capable of producing a wide range of crops. Minor restrictions of soil or climate may reduce capability but pose no major difficulties in management.

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

Although the Commission noted that the development of dykes to achieve the improved agricultural capability ratings may not be likely in this particular area, the existing agricultural capability (Class 2 and Class 4) of the subject property, without improvements, remains high.

Conclusion:

The subject property has good agricultural capability and in its present size, could support a wide range of crops.

3. The Commission noted that a road bisects the subject property. However, traffic on the road is not substantial and likely does not hinder the use of the subject property for agriculture.

Conclusion:

The Commission did not consider the existing road to be a significant impediment to using the subject property as a single agricultural unit.

IT WAS

MOVED BY: Commissioner Miles
SECONDED BY: Commissioner Gillette

THAT the proposal to subdivide the subject property into two (2) parcels be refused.

CARRIED

Resolution #285/2014