



**Agricultural Land Commission**  
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May 12, 2006

Reply to the attention of Gordon Bednard

H. G. Sanborn & Associates Ltd.,  
45974 Ivy Avenue  
Chilliwack, BC V2R 2C6

Attention: Grant Sanborn

Re: **Application # MM-36471**  
PID: 018-049-681  
Lot 1, Section 6, Township 5, Range 26, W6M, Yale Division of Yale District,  
Plan KAP48818

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to exclude the above described 25.8 ha property from the ALR in order to facilitate its conversion to light industrial development. The application was submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you and the applicants Mr Yi and Mr Song for taking the time to meet with its representatives on March 15, 2006 at the property, and again for your attendance at the meeting in Hope. The Commission found the meeting and site visit informative.

Following its review of the application file and the various reports submitted with the application, the information gathered by its staff, and its recollection of the site visit and meetings, the Commission recognizes this property as one of the largest ALR properties and one of the most agriculturally capable pieces of land in the District of Hope. As well, the Commission is convinced that alternate sites exist, outside the ALR, which would satisfy the need for industrial development land.

For these reasons, the Commission refused your application as proposed.

The decision noted above is recorded as Resolution # **217/2006**.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: District of Hope - Attn: Wayne Thiessen  
Ki Hwan & OK Jin Song - 5538 Venables Street, Vancouver, BC, V5B 4W5  
Jae and Helen Yi, PO Box 1912, Hope, BC V0X 1L0

GB/lv/36471d1

**MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION**

**Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on April 25, 2006 at Richmond, B.C.**

**PRESENT:** Carol Paulson Commissioner  
Walter Dyck Commissioner

**ABSENT:** Peter Dhillon

**STAFF:** Gordon Bednard, Regional Research Officer  
Tony Pellett, Planner

**For Consideration**

Gordon Bednard presented his staff report dated March 6, 2006 regarding application #MM-36471.

**Site Inspection**

A site inspection was conducted on March 15, 2006. Those in attendance were:

- Commissioners Paulson, & Dyck
- Agricultural Land Commission Staff: Gordon Bednard, Regional Research Officer and Tony Pellett, Planner
- Applicants Yi and Song, Grant Sanborn, Martin Klop

The Commissioners discussed the application with those present and viewed the subject property.

**Exclusion Meeting**

An exclusion meeting was conducted on March 15, 2005 at Hope Municipal Hall. Those in attendance were:

- Commissioners Paulson, & Dyck
- Agricultural Land Commission Staff: Gordon Bednard, Regional Research Officer and Tony Pellett, Planner
- Grant Sanborn representing the applicants
- Applicants Yi and Song
- 19 members of the public and local government representatives (sign-in list appended to the application file)
- The following persons spoke at the meeting:
  - Mr Smith of the Chamber of Commerce
  - Mr Ortiz as former mayor
  - Present Mayor Vicktor
  - Councillors French, Pledwell and Johnston
  - Members of the public at large Reeve, Fawcett and Elliot

The Commission also received a petition calling for the removal of the land signed by 69 persons.

**Commission Discussion**

The Commission reviewed the file material, especially the various reports submitted by the applicants and the City regarding the subject property. The Commission also recalled their visit to the property and the comments made at the meeting onsite and in Hope.

**IT WAS**

**MOVED BY:** Commissioner Carol Paulson

**SECONDED BY:** Commissioner Walter Dyck

THAT the staff report be received and the application be refused. The Commission recognizes this property as one of the largest and most agriculturally capable pieces of land in the District of Hope. As well, the Commission is convinced that alternate sites exist, outside the ALR, which would satisfy the need for industrial development land. The Commission suggests the District of Hope have its staff contact the Commission staff to discuss optional locations for industrial development.

CARRIED



**Staff Report**  
**Application # MM – 36471**  
**Applicant: Jae & Helen Yi**  
**Agent: H. G. Sanborn & Associates Ltd.**

**DATE PREPARED:** March 6, 2006

**TO:** Chair and Commissioners – South Coast Panel

**FROM:** Gordon Bednard, Regional Research Officer

**PROPOSAL:** To exclude the subject 25.8 ha property to facilitate its use for light industrial development. Strata industrial lots would be created and then sold to interested developers/industrial users for individual development.

This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

This property, along with land to the south and east, formed a block of land formerly owned by the Agricultural Land Commission and leased for agricultural use, while the Commission retained that function.

The subject lands are outside the urban growth boundary - municipal sewer and water would have to be extended to service the property.

There appears to be considerable local interest in this proposal with the Commission having received many letters. Most of the letters from the area surrounding the property have expressed concerns with the proposal and ask the Commission not to allow the exclusion. Most of the supportive letters are from other areas of the community and mainly from the business sector, including the Chamber of Commerce.

**Local Government:**

District of Hope

**Legal Description of Property:**

PID: 018-049-681

Lot 1, Section 6, Township 5, Range 26, W6M, Yale Division of Yale District, Plan KAP48818

**Purchase Date (m/d/y):**

11/01/1993

**Location of Property:**

62600 Flood-Hope Road, Hope

**Size of Property:**

25.8 ha (The entire property is in the ALR).

**Present use of the Property:**

residence, hayfields and pasture

**Surrounding Land Uses:**

**WEST:** Small farms and rural residences in ALR, various size lots  
**SOUTH:** Trans Canada Highway, forested hillslopes beyond, out of ALR  
**EAST:** Trailer park and a variety of Non-ALR land uses  
**NORTH:** Flood-Hope Road, Railway tracks and Airpark, in ALR

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92H/5a & 92H/6d  
The majority of the property is identified as having Prime Dominant ratings of Class 2 and 3

**Official Community Plan and Designation:**

Agriculture

**Zoning Bylaw and Designation:**

Agriculture AG-1

**PREVIOUS APPLICATIONS:**

**Application #25885-0**

**Applicant:** Ministry of Lands, Parks & Housing  
**Decision Date:** 1990  
**Proposal:** Relocation of Trans Canada Highway  
**Decision:** Allow

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**RELEVANT APPLICATIONS:**

**Application #20460-0**

**Applicant:** RD of Fraser-Cheam  
**Decision Date:** September 15, 1986  
**Proposal:** Requested exclusion of 68 ha, occupied by sewage treatment plant, mobile home parks, existing commercial area at west end of Flood, the new Hwy 1 r/w and a narrow strip of land south of the r/w.  
**Decision:** Exclusion recommended on the grounds that existing commercial uses and/or agricultural capability warrant the exclusion of the subject lands from the ALR.

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**Application #20460-1**

**Applicant:** RD of Fraser-Cheam  
**Decision Date:** July 29, 1987  
**Proposal:** Cabinet decision on 20460-0  
**Decision:** Allow as recommended by the Commission. Exclusion allowed by Cabinet (68.0 ha). This resolution number is used to enter statistical information relating to the area under application and subsequent decision by Cabinet.

## LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Forwarded with support from Council

## PLANNER COMMENT:

The following chronology is relevant to current planning and the present application:

- 1973 The Land Commission is established, with a mandate which includes a property management function. The Provincial Government has already acquired the subject property (which extends south to the mountain, across the path of a proposed future highway) and is leasing it to a farmer. Title to the subject property is registered to the Commission as part of its property management portfolio.
- 1974 The ALR is designated, with the subject property and the property immediately to the east in the ALR. Beyond that property, lands south of the CN Rail line are omitted from the ALR, allowing room for further urban (including commercial or industrial) development.
- 1984 Commission works closely with Fraser-Cheam RD on the Official Settlement Plan for the area outside the Town of Hope boundary. No resolution is necessary because the Plan is "consistent".
- 1986 Assisted by the newly published 1:25,000 scale *Land Capability for Agriculture* mapping, Commission initiates Block Application to exclude the new Highway 1, the land to the south of Highway 1, the mobile home park and some other lands not suitable for agriculture. Commission continues to lease that part of the subject property lying north of the highway for active agriculture.
- 1988 Commission loses its property management function. The commitment to lease for agriculture is lost in the transfer. Some lands are sold with no commitment to agriculture.
- 1992 The boundaries of Hope are expanded to encompass the entire area west to Hunter Creek. The Town of Hope becomes the District of Hope. The District thereafter administers the Regional District's "consistent" Official Settlement Plan as its Official Community Plan (OCP) for the areas newly incorporated into Hope, including the subject property.
- 1993 Ministry of Environment, Lands & Parks subdivides the subject property along Highway 1, slightly widening the highway right-of-way, retaining the land south of the highway and selling the farmland north of the highway (the subject parcel) to the lessee, Marius Klop of Laidlaw. Later in the year, Klop sells the subject parcel to the current owners.
- 1995 The Regional District of Fraser-Cheam is subsumed into the new Fraser Valley Regional District. Existing community and settlement plans are not affected.
- 1997 "Hope & District Economic Development Office" is established to
- a. address economic issues which affect the Hope and Fraser Canyon area and
  - b. provide economic development services to the Hope and Fraser Canyon area.
- It hires a "Community Economic Development Planning Coordinator", planner Jeff Long, who produces detailed (100+ page) *Planning Assessment of Proposed Industrial/Business Subdivision Park in the District of Hope*. Despite the title, the document examines ALR and non-ALR alternatives both within and outside the District boundary, concluding that
- there is only one non-ALR alternative – a 28 ha privately owned parcel on Highway 7 (opposite the mushroom compost production facility). [Actually the non-ALR area is only 26 ha. There is also 80 ha of Crown land adjoining to the north. The private and Crown lands are each relatively level but non-arable because of excessive stoniness.]
  - the only remaining workable alternative is the subject parcel, with some other lands are unsuited because of rockfall hazards. The report discounts agriculture as a potential economic contributor to Hope (but omits the subject parcel in that analysis).

- 1997 Hope engages Solicon Laboratories Limited to prepare a more detailed agricultural capability assessment for the subject parcel. That analysis confirms that most of the land has the published Class (2) improved rating, but it identifies a lower capability for the sloping land which forms a topographic break near Highway 1 and it identifies some small parts of the main farm area as improvable to Class (1).
- 2000 The [former] Panel meets Hope Mayor Gordon Poole, who alerts the Commission that Hope wants the subject parcel for an industrial park. The subject later arises at UBCM.
- 2001 Jeff Long amends and updates his report to 2001. He leaves Hope and becomes the agent for the owners of the subject parcel.

The [former] Panel meets with Hope Council to discuss the proposal and possible non-ALR alternatives. The Mayor expresses outrage that the Panel would raise non-ALR alternatives when, in his view, the subject parcel is clearly unsuited to agriculture because it is shaded by the mountain. He also disputes that the parcel has been farmed recently.

Commission staff later measure sun angles and determine that (apart from early morning shading of the southeast corner in early spring and late afternoon shading of the southwest corner in late summer) shading becomes a serious issue only in the autumn and winter.

The owners, through their agent Jeff Long, submit an exclusion application through Hope. Following public opposition, Hope Council declines to forward the application and advises the applicants that Council will not reconsider the matter until issues of servicing and land use have been reviewed in detail and a new Official Community Plan has been completed.

- 2003 After discussions through 2002, the Fraser Valley RD produces a draft Regional Growth Strategy (RGS) which illustrates an Urban Growth Boundary (UGB) for each of the six municipalities. The UGB for Hope extends into the ALR only at the airport. The Panel meets the six Councils to discuss the RGS. Mayor Poole does not attend the Panel meeting with Hope Council. The other Council members advise that although they are still convinced they need an industrial park and although the subject parcel would be the right size, there should be no need for large-scale conversion of ALR land to non-farm use.
- 2004 In review of the RGS, the Commission consents to an ALR / UGB overlap at the existing Interfor log sort operation and at Hope Airport. The RGS illustrates an ALR designation for the subject parcel. The RGS is adopted showing those designations.

In review of the first draft of the new Hope OCP, the Commission concurs with a policy that encourages industry (including a business park) along the Flood-Hope Road west of the Highway 1 access to the Silver Creek neighbourhood, but the Commission does not agree with a proposal to designate the subject parcel for LIGHT / SERVICE INDUSTRY. The Commission states that it believes "it should be possible for the vacant lands east of *Lot 1...Plan KAP48818* to accommodate a business park of sufficient size to meet the needs of the Hope area for the foreseeable future. Nevertheless, the Commission would be prepared to engage in a more intensive workshop session if

- Council has solid evidence to show that a business park is achievable, but only with the involvement of part or all of *Lot 1* and
- Council is prepared to engage with the Commission and the Agriculture Ministry in an exploration of ways to enhance agriculture in the rest of Hope's RURAL/AGRICULTURAL lands."

In review of the second draft of the new Hope OCP, the Commission concurs with the designation of the subject parcel as RURAL/AGRICULTURAL along with an Implementation provision identifying the entire area between the CNR line and the Trans-Canada Highway as a "Study Area" within which to review how to maximize the area's assets including its

- prime location,
- direct accesses to the Trans-Canada Highway,
- proximity to the large urban population in the Lower Mainland and
- agricultural capability.

2004 Hope adopts the OCP, with the "Study Area" identified on a map other than the land use cont. map (as suggested by the Commission).

2006 Hope's new Council forwards the current application without having attempted the Study.

In summary, planning staff holds that the application is premature prior to implementation of OCP provisions and any concomitant amendment of the Regional Growth Strategy:

- within Hope, there are adequate non-ALR areas to serve immediate and perhaps future business park or industrial needs;
- outside Hope's present boundary, there is at least one opportunity for a very substantial industrial park outside the ALR.

**STAFF COMMENTS:**

With the ALR representing only 7% of the area in the District (according to District figures) staff feels it unlikely that alternate lands could not be found which would be more appropriate for industrial development. The subject property has prime agricultural capability ratings (according to both District and Commission information) and represents one of the largest of the properties in the ALR within the District. As such, it possesses the ability to sustain agricultural operations. Staff has reviewed the "Planning Assessment of Proposed Industrial Subdivision Park" document which was attached to the application. This report points to the subject property as the most suitable industrial site in the area, and while this report discusses various other properties and their constraints, those constraints are the same as this property in many cases (i.e. flood potential) and a reluctance on the part of the owners to sell. The latter does not make these alternatives unsuitable, it may simply mean that the offer to purchase was not high enough to entice a sale.

Staff feels that many of the constraints listed against agriculture on this property (distance to market, and proximity to residential use, etc ) would be just as limiting to industrial use of the land. It is unfortunate that at the same time as decrying the lack of quality farmland and its economic benefits in the above report, the District is encouraging the loss of one of the few large, capable agricultural parcels within its jurisdiction.

For the above reasons, staff is recommending refusal of the application believing that the subject property, considering its size and capability, should be retained in the ALR for future agricultural use, and that alternate sites likely exist for industrial activities.

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**END OF REPORT**

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**Signature**

**Date**



RIVER

L 1490

L 53

ALR

Subject

CHAWUTHEN CREEK

REGISTRATION DISTRICT

CONST: 38

1:12,000

