



Agricultural Land Commission
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March 22, 2007

Reply to the attention of Jennifer Carson
ALC File: #MM - 36920

Bell Creek Farms Ltd
10824 McDonald Road
Chilliwack, BC V2P 6H5

Dear Mr. Janmmat:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 82/2007 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over the 'Per:' label.

Erik Karlsen, Chair

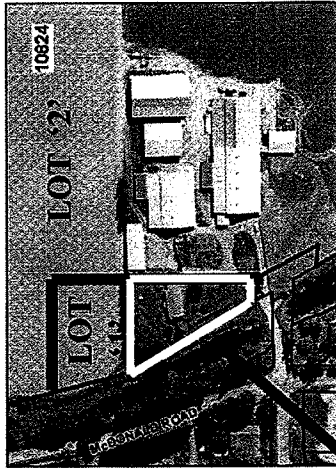
cc: City of Chilliwack (#ALR00151)

Enclosure: Minutes/Sketch Plan

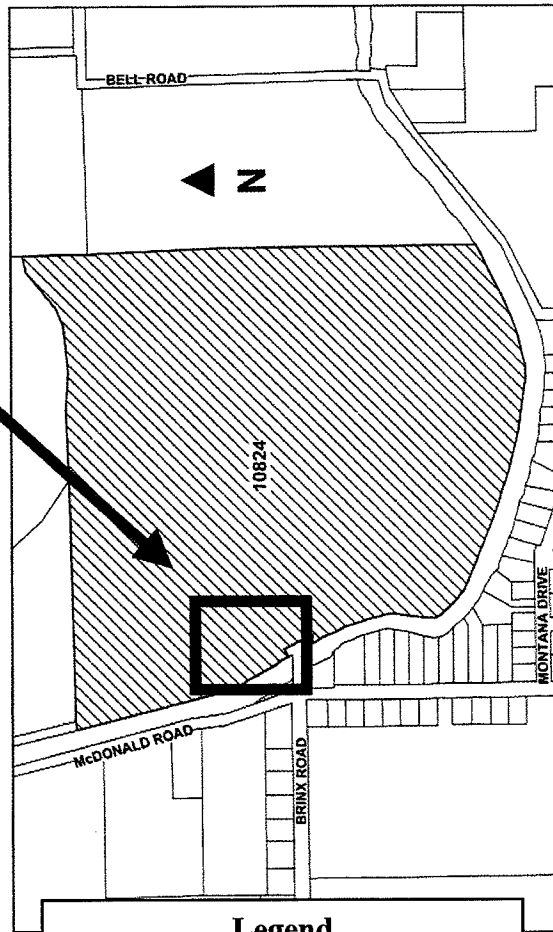
JC/lv
36920d1

**Sketch of Homesite Severance for ALC Application #O-36920 Allowed by the
Agricultural Land Commission (Resolution #82/2007)**



RECEIVED
PROV. AGRICULTURAL
LAND COMMISSION SEP 01 2006



Location
10824 McDonald Road



Legend

-  Existing Subject property
-  Proposed subdivision

ALC approved Homesite
Severance to equal 1 acre



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on February 21, 2007 in Chilliwack, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Terra Kaethler	Staff
	Tony Pellett	Staff
	Jennifer Carson	Staff

For Consideration

Application: # MM- 36920
Applicant: Bell Creek Farms Ltd
Proposal: To subdivide a 0.8 ha homesite lot from the 33.1 ha subject property under the Homesite Severance Policy.
Legal: PID: 025-114-719
Lot 10, District Lot 455, New Westminster District Group 2, Plan LMP50808
Location: 10824 McDonald Road

Site Inspection

A site inspection was conducted on Wednesday, February 21, 2007. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Terra Kaethler Staff
- Tony Pellett Staff

Mr. Janmmat met with the Commissioners and explained that due to physical constraints, he is unable to take care of the dairy farm. Mr. Janmmat has owned the property since 1962 and therefore can be considered for the Homesite Severance Policy. Mr. Janmmat and his wife would like to remain living on the property, however, would also like to sell the farm so that someone else can own and manage it. Upon discussion with the Commissioners, the applicant mentioned that he would be willing to reduce the size of his homesite parcel to the tree line which would result in a property of approximately 1 acre. The issues of driveways have been considered to the satisfaction of the Commission. Also, all of the farm buildings are being kept with the larger farm parcel.

Mr. Janmmat confirmed that the staff report dated February 6, 2007 was received and no errors were identified.

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 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Subclasses

M soil moisture deficiency

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. As the farm buildings and maximum amount of land is being kept with the larger parcel, it is felt by the Commission, that this application is minimizing its negative impact on agriculture.

Assessment of Other Factors

Mr. and Mrs. Janmmat have owned and lived on the property since 1962 making them eligible for consideration under the Homesite Severance Policy.

Conclusions

The Commission is satisfied that the alternative proposal of a 1 acre homesite severance is a good decision.

IT WAS

MOVED BY: Commissioner Tomlinson

SECONDED BY: Commissioner Pranger

THAT the application be refused as proposed. However, the Commission would allow a 1 acre parcel to be created as discussed with the applicant.

AND THAT the approval of the alternative proposal is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- compliance with the Homesite Severance Policy
- the subdivision must be completed within three (3) years from the date of this decision.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED
Resolution # 82/2007



Staff Report
Application # MM – 36920
Applicant: Bell Creek Farms Ltd
Location: Chilliwack

DATE RECEIVED: September 1, 2006

DATE PREPARED: February 6, 2007

TO: Chair and Commissioners – South Coast Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: To subdivide a 0.8 ha homesite lot from the 33.1 ha subject property under the *Homesite Severance Policy*.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

As per the City of Chilliwack Staff Report, the subject property was created in 2001 through a boundary line adjustment. The applicants consolidated seven lots and created the subject property as well as six lots fronting on Bell Road. The applicants also own two adjacent properties; a 22.8 ha lot on McDonald Rd, and a 11 ha. lot on Bell Rd.

This application went before the Commission in December, but it was determined that a site visit would be necessary before reaching a decision.

Local Government:

City of Chilliwack

Legal Description of Property:

PID: 025-114-719

Lot 10, District Lot 455, New Westminster District Group 2, Plan LMP50808

Purchase Date:

November 1, 1963

Location of Property:

10824 McDonald Road

Size of Property:

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

BACKGROUND INFORMATION (continued):

Present use of the Property:

Residence, dairy farm, barns

Surrounding Land Uses:

WEST: McDonald Road
SOUTH: Agriculture
EAST: Farm buildings
NORTH: Agriculture

Agricultural Capability:

Data Source: Agricultural Capability Map # 92H/4
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

N/A
Designation: AG- Agricultural

Zoning Bylaw and Designation:

N/A
Designation: AL - Agriculture Lowland
Minimum Lot Size: 7.5 ha

RELEVANT APPLICATIONS:

Application #30588-0

Applicant: Walter & Blanche Beutler
Decision Date: June 26, 1996
Proposal: To subdivide a 0.8 ha retirement lot from the 10 ha subject property under the *Homesite Severance Policy*.
Decision: Refused. However, the Commission was willing to permit the subdivision of a 0.4 ha homesite lot subject in the southeastern corner of the property subject to construction of a fenced and vegetative buffer and compliance with all conditions of the *Homesite Severance Policy*.

Application #33278-0

Applicant: Nicholas & Era Balalshin
Decision Date: August 2, 2000
Proposal: To adjust lot boundaries between an 8 hectare agricultural parcel and a 1.2 hectare rural residential parcel. The proposed adjustment would create an approximately 0.4 hectare 'homesite' parcel and an approximately 8.8 hectare agricultural parcel.
Decision: Allowed on the grounds that it increased the size of the larger "agricultural" property.

Application #34850-0

Applicant: June Gore

Decision Date: June 24, 2003

Proposal: To subdivide a 0.8 ha homesite lot from the 2.8 ha property.

Decision: Refused. However, the Commission would be willing to permit the subdivision of a 0.4 ha homesite lot subject to the construction of a fenced and vegetative buffer and compliance with all conditions of the *Homesite Severance Policy*.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

City of Chilliwack: Forwarded with a recommendation of support

STAFF COMMENTS:

- The applicant appears to qualify under the *Homesite Severance Policy* as he has lived on and farmed the property since 1964.
- The Commission has historically refused homesite severance lots of 0.8 ha but has allowed the subdivision of a smaller lot (i.e. 0.4 ha) in this area.
- A site visit will determine if the size and location of the proposed subdivision is appropriate, or if an alternative option is available.
- As the applicants own the two properties adjacent to the subject property, an alternative option may be to undertake a boundary adjustment to create a homesite lot, without an increase in the number of parcels.

ATTACHMENTS:

- ALR Base Map #92 H/4
- Location map (provided by City of Chilliwack)
- Proposed subdivision (provided by City of Chilliwack)
- City of Chilliwack Staff Report
- Air photo (provided by City of Chilliwack)

END OF REPORT



Signature

2/6/07

Date