



Agricultural Land Commission
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January 16, 2007

Reply to the attention of Terra Kaethler
ALC File: #MM - 36981

Harry and Irmgard Peters
41430 Old Yale Road
Abbotsford, BC V3G 2S9

Dear Mr. and Mrs. Peters:

Re: **Application to Exclude land from the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 664/2006 outlining the Commission's decision as it relates to the above noted application.

By way of a copy of this letter, the Commission is advising the Registrar of Land Titles of its order and confirming that the ALR notation is to be removed from Certificate of Title # AB30102

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: City of Chilliwack (#ALR00150)
BC Land Title & Survey - New Westminster

TK/lv/Encl.: Minutes/Sketch Plan
36981d1

Provincial Agricultural Land Commission

Application # MM-36981

Resolution #664/2006

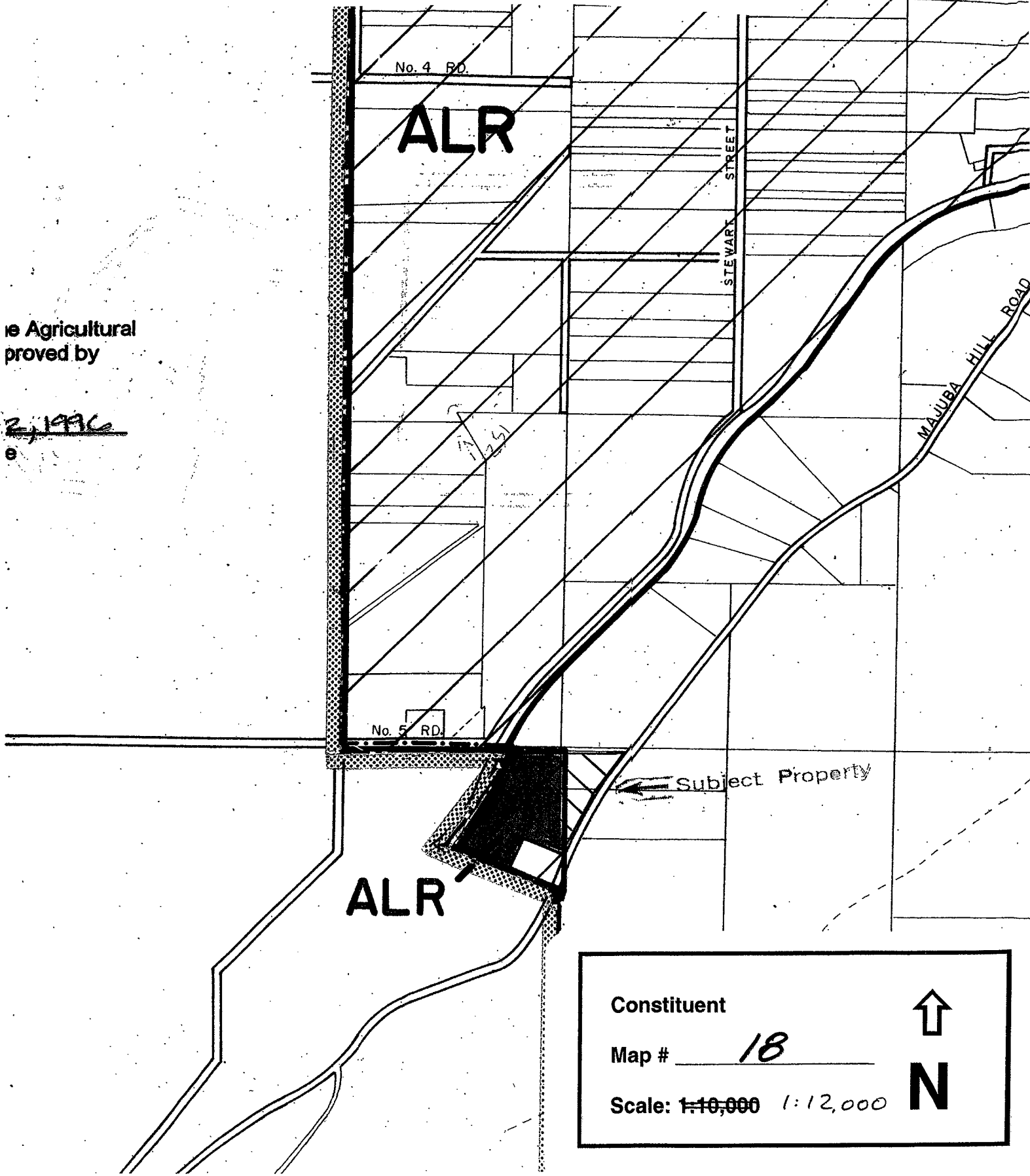


5.0 ha area approved for exclusion from the ALR

ie Agricultural
proved by

2, 1996

e



Constituent		↑
Map #	<u>18</u>	N
Scale:	1:10,000 1:12,000	



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on December 19, 2006 in Langley, B.C.

PRESENT:	Erik Karlsen	Chair
	Sylvia Pranger	Vice Chair
	Lorne Seitz	Commissioner
	John Tomlinson	Commissioner
	Mike Bose	Commissioner
	Tony Pellett	Staff
	Terra Kaethler	Staff

For Consideration

Application: # MM - 36981
Applicant: Harry and Irmgard Peters
Proposal: To exclude 5 ha of the subject property to allow for future subdivision.
Legal: PID: 009-262-865
Lot A, Section 19 and 20, Township 22, New Westminster District, Plan 10193
Location: 41755 Majuba Hill Road

Site Inspection

A site inspection was conducted on December 19, 2006. Those in attendance were:

- Harry and Irmgard Peters
- Erik Karlsen, Sylvia Pranger, Lorne Seitz, John Tomlinson, Mike Bose - ALC members
- Tony Pellett and Terra Kaethler - ALC Staff

The Commission noted that the area of the property under application was located on a steep slope.

Discussion

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The portion of the property under application is identified as having 50% Class 5 (Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.), and 50% Class 7 (Land in this class has no capability for arable or sustained natural grazing) due to topography and shallow soil/bedrock.

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. As the property is an isolated parcel of ALR land and has limited capability for agriculture, the Commission determined that the proposal would not impact existing or potential agricultural use of surrounding lands.

Resolution # 664/2006
Application # MM-36981

IT WAS

MOVED BY: Commissioner Seitz

SECONDED BY: Commissioner Pranger

THAT the application be approved.

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 # 664/2006

Commissioner Tomlinson is recorded to be opposed to this approval.



Staff Report
Application # MM – 36981
Applicant: Harry and Irmgard Peters

DATE RECEIVED: September 22, 2006

DATE PREPARED: December 6, 2006

TO: Chair and Commissioners – South Coast Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: To exclude 5.0 ha of the 7.5 subject property to allow for future subdivision.

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

BACKGROUND INFORMATION:

The subject property forms an isolated ALR block on Majuba Hill, in an area which the Chilliwack OCP designates as Rural Residential with Commission consent. In 1984, the Commission began excluding land within this block. In 1991, the Commission's comments on the Chilliwack OCP suggested that consideration would be given to ALR exclusion of the entire block. Additional areas were excluded in 1995 and 1998, leaving only the subject property in the ALR.

Local Government:

City of Chilliwack

Legal Description of Property:

PID: 009-262-865

Lot A, Section 19 and 20, Township 22, New Westminster District, Plan 10193

Purchase Date :

March 03, 1999

Location of Property:

41755 Majuba Hill Road

Size of Property:

7.5 ha (The 5.0 ha under application for exclusion is within the ALR).

BACKGROUND INFORMATION (cont):

Present use of the Property:

Residence, poultry barn, manure storage, and two out buildings

Surrounding Land Uses:

WEST: Railway Tracks, Valley Floor and Hobby Farm, Vacant BC Hydro Property

SOUTH: Hobby Farm, Residence

EAST: Hobby Farm, Residence and Outbuildings

NORTH: Vacant Lot

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/1a

The property is identified as having Mixed Prime and Secondary ratings. The portion of the property that is under application is designated as having an improvable soil capability of 5:5T to 5:7T.

Official Community Plan and Designation:

City of Chilliwack Official Community Plan (1998)

Designation: N/A

Zoning Bylaw and Designation:

City of Chilliwack Zoning Bylaw No. 2800 (2001)

Designation: AL (Agricultural Lowland) Zone

Minimum Lot Size: 7.5 ha

RELEVANT APPLICATIONS:

Application #17454-0

Applicant: Wolfe, Peter

Decision Date: March 06, 1984

Proposal: To exclude the 9.58 ha subject property for subdivision.

Decision: Allowed.

Application #29714-0

Applicant: Wolfe, Helen

Decision Date: March 29, 1995

Proposal: To exclude the southern 5.1 ha of the 6.8 ha subject property from the ALR.

Decision: Allowed.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

City of Chilliwack Council: forwarded the application with a recommendation of support.

Local Planning Staff: recommended the application be forwarded with support on the grounds that the subject property contains an isolated section of the ALR, on which topography and soil conditions do not support intensive agriculture

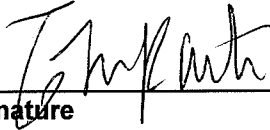
STAFF COMMENTS:

See background information comments. From a planning perspective, there is no reason to refuse this application.

ATTACHMENTS:

- ALR Base Map #92G/1
- ALR Constituent Map #18
- Aerial Photograph
- City of Chilliwack Staff Report

END OF REPORT



Signature

Dec. 08, 06

Date