



Agricultural Land Commission
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April 30, 2007

Reply to the attention of Jennifer Carson
ALC File: MM-37268

Camila Dahl
51705 Nevin Road
Rosedale, BC
V0X 1X0

Dear Ms. Camila Dahl:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 162/2007 outlining the Commission's decision as it relates to the above noted application.

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 (ALR00166)

Enclosure: Minutes

TP/37268d1

During the onsite inspection, Mr. Dahl pointed out instances where boulders have intruded into areas which were to have been cropped. The Commissioners asked whether non soil-bound agriculture had been considered. Mr. Dahl responded that although it would be possible to develop a poultry operation on the subject property, he did not intend to farm in that manner especially in view of potential objections from rural-residential neighbours. He also stated that as poultry operations do not require farm parcels as large as 13 ha, it should always be possible to develop separate poultry (or other non soil-bound) operations on each of the two new parcels resulting from the proposed boundary adjustment. In the meantime, he and his wife can continue improving the northerly parcel as a tree nursery and can assist her parents by improving the southerly parcel for longer term hay production.

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

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.

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 improved classifications of the agricultural capability of the soil of the subject property are

- 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

| | | | |
|---|--------------------------|---|-----------|
| A | soil moisture deficiency | P | stoniness |
| T | topography | | |

Assessment of Agricultural Suitability

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. Notwithstanding the presence of rural-residential neighbours some of whom may be unfavourably disposed to the development of poultry operations, the Commission does not believe there are external factors that render the area of the 12.6 ha parcel unsuitable for agricultural use. The 0.2 ha parcel is unsuited to agricultural use in its present configuration but could be rendered suitable by consolidation with one of the two adjacent farm parcels as proposed by the current application.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The 12.6 ha parcel was created through a boundary adjustment which created a 1.7 ha parcel in return for eliminating a property boundary approximately where the current application would re-establish a property boundary. The net effect would be to have created a 1.7 ha parcel in return for having eliminated a 0.2 ha parcel (probably excepted under subsection 23(1) of the *Agricultural Land Commission Act*) and reduced farm access to a narrow panhandle.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Pranger

SECONDED BY: Commissioner Tomlinson

THAT the application be refused as submitted on the grounds that it provides no benefit to agriculture.

CARRIED

Resolution # 162/2007



Staff Report
Application # MM – 37268
Applicant: Camila Dahl

DATE RECEIVED: March 05, 2007

DATE PREPARED: March 22, 2007

TO: Chair and Commissioners – South Coast Panel

FROM: Jennifer Carson, Land Use Planner

PROPOSAL: Subdivision for family member. Boundary adjustment from a 12.6 ha lot and a 0.3 ha lot to create a 8.9 ha lot and a 4 ha lot. This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Local Government:

City of Chilliwack

Legal Description of Properties:

1. PID: 024-547-271
Lot 2, Section 34 & 35 Township 2, and of Section 1, Township 3, Range 29, New Westminster District, Plan LMP42579
2. PID: 005-539-838
Lot B, Parcel 1, Section 1, Township 3, Range 29, W6M, Reference Plan 13080, New Westminster District, Plan 12670

Purchase Dates:

August 2006 for PID: 024-547-271
January 2007 for PID: 005-539-838

Location of Properties:

Located at 51728 and 51754 Yale Road, Rosedale

Size of Properties:

1. 12.6 ha (The entire property is in the ALR).
2. 0.3 ha (The entire property is in the ALR).

Total of two (2) properties is 12.9 ha

Present use of the Property:

8.0 ha planted in cedar, irrigation system, lawns, buildings and parking.

Surrounding Land Uses:

WEST: Pasture/Grass
SOUTH: Pasture/Grass
EAST: Pasture, Grass/trees
NORTH: Yale Road

Agricultural Capability:

Data Source: Agricultural Capability Map # 92H/4 f
The majority of the property is identified as having Prime Dominant ratings. (60% Class 1 and 40% Class 2).

Official Community Plan and Designation:

City of Chilliwack OCP: (1998)

Zoning Bylaw and Designation:

City of Chilliwack Zoning Bylaw No. 2800 (2001)
Designation: AL (Agricultural Lowland Zone)
Minimum Lot Size: 0.809 ha

PREVIOUS APPLICATIONS:

Application #24634-0

Applicant: Randle, John & Phyllis
Decision Date: November 29, 1990
Proposal: Subdivision of the 7 ha property into two (2) lots of 3.2 ha and 3.8 ha.
Decision: Refused on the grounds that the property has the capability to support agricultural uses and its present parcel size should be retained to enable a wide range of agricultural options.

RELEVANT APPLICATIONS:

Application #34183-0

Applicant: Keet, Adelphine
Decision Date: April 05, 2002
Proposal: Subdivision of some land off of the parent parcel to add to the three smaller residential parcels for back up septic area and to aid the applicant in establishing a field drain by way of an easement through one of these parcels.
Decision: Allowed as requested subject to the consolidation of the subdivided parcels with the smaller residential lots along with the registration of a 'no-build' covenant on the newly acquired area.

Application #20105-0

Applicant: Heaps, David & Ferne
Decision Date: January 16, 1987
Proposal: Proposed exclusion of the 4 ha property.
Decision: Refused because the land has the potential for agricultural purposes and should be preserved in the largest possible parcel size. Exclusion and subsequent subdivision would lead to increased fragmentation in the farm community and a reduction in the range of options available to the property in the long term.

Application #36366-0

Applicant: Neels, Willem & Dingena

Decision Date: December 07, 2005

Proposal: To adjust the boundaries between an existing 1 ha and 16 ha lot to create a 2 ha and 15 ha lot, all to be within the ALR.

Decision: Allowed as presented.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Council for the City of Chilliwack:

Forwarded the application with a recommendation of support.

Local Government Staff:

Recommended that the Council forward the application with a recommendation of support.

STAFF COMMENTS:

It is recommended that the Commission consider the following:

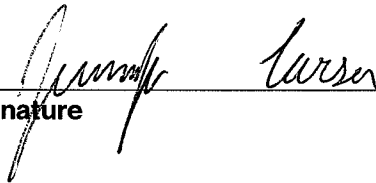
- A previous application for subdivision by different owners, was refused as subdivision would reduce the agricultural suitability of the property.
- One of the properties is presently being run as a tree farm which will be taken over by the parents of the applicant.
- The second property that is proposed to be expanded is potentially going to become a hay field leased to a dairy farm.
- The property is classified as having Class 1 and Class 2 land.
- The smaller lot was created in advance of the 1972. Therefore, the residential lot has been in existence for over 30 years.
- The small existing lot is effectively only suitable for residential use. However, using this smaller lot as justification to subdivide the larger agricultural unit will reduce its agricultural potential.

ATTACHMENTS:

1. Base Map
2. Agricultural Capability Map
3. Aerial Photograph
4. Local Government Staff Report
5. Letter from applicant
6. Sketch of Proposal

END OF REPORT

Signature



Date

