



**Agricultural Land Commission**  
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Burnaby, British Columbia V5G 4K6  
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May 30, 2007

Reply to the attention of Jennifer Carson  
ALC File: YY-37389

Lynn & Patricia Wilbur  
Box 404 (3501 Paradise Valley Road)  
Garibaldi Highlands, BC  
V0N 1T0

Dear Mr. & Mrs. Wilbur:

**Re: Application to Subdivide land in the Agricultural Land Reserve and for Non-Farm Use in the Agricultural Land Reseserve**

Please find attached the Minutes of Resolution # 245/2007 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.

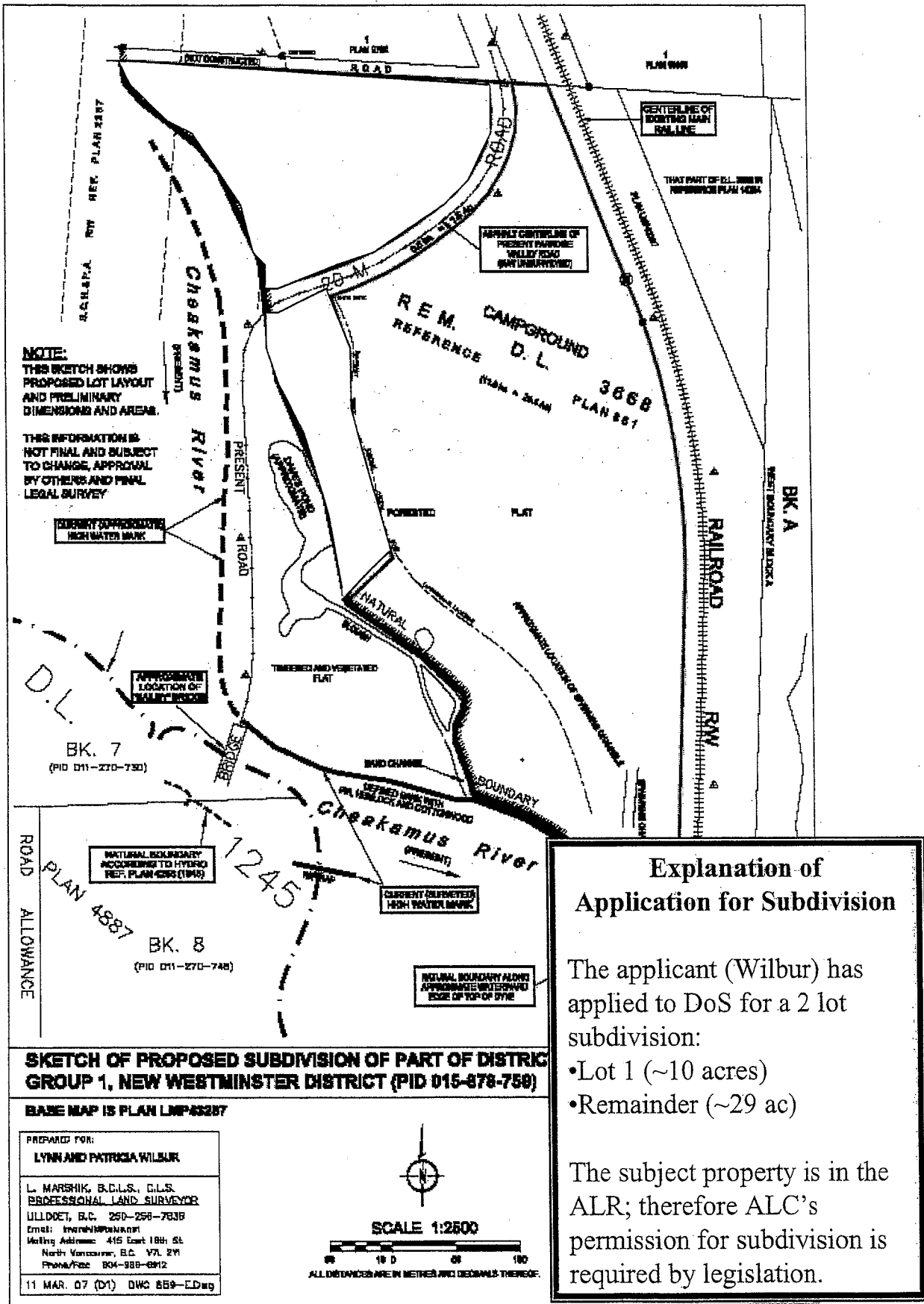
Erik Karlsen, Chair

cc: District of Squamish (6410-18-5)  
Peter Gordon, Cascadia Consulting, Box 1572 #200-37700 2<sup>nd</sup> Avenue, Squamish  
B.C. V8B 0B2

Enclosure: Minutes/Sketch Plan

JC/37389d1

# Attachment A – Explanation of Application for Subdivision

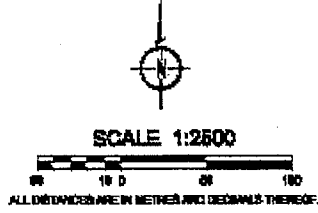


**NOTE:**  
 THIS SKETCH SHOWS  
 PROPOSED LOT LAYOUT  
 AND PRELIMINARY  
 DIMENSIONS AND AREA.  
 THIS INFORMATION IS  
 NOT FINAL AND SUBJECT  
 TO CHANGE, APPROVAL  
 BY OTHERS AND FINAL  
 LEGAL SURVEY

**SKETCH OF PROPOSED SUBDIVISION OF PART OF DISTRICT GROUP 1, NEW WESTMINSTER DISTRICT (PID 015-878-750)**

BASE MAP IS PLAN LMP43287

PREPARED FOR:  
**LYNN AND PATRICIA WILBUR**  
 L. MARSHIK, B.C.L.S., C.L.S.  
 PROFESSIONAL LAND SURVEYOR  
 ULLDDET, B.C. 250-258-7639  
 Email: lmarshik@shaw.ca  
 Mailing Address: 415 East 18th St  
 North Vancouver, B.C. V7L 2Y1  
 Phone/Fax: 604-988-8812  
 11 MAR. 07 (D1) DWS 859-EDmg



## Explanation of Application for Subdivision

The applicant (Wilbur) has applied to DoS for a 2 lot subdivision:

- Lot 1 (~10 acres)
- Remainder (~29 ac)

The subject property is in the ALR; therefore ALC's permission for subdivision is required by legislation.



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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**A meeting was held by the Provincial Agricultural Land Commission on May 22, 2007 in Chilliwack, B.C.**

<b>PRESENT:</b>	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	Erik Karlsen	Commissioner
	Tony Pellett	Staff
	Jennifer Carson	Staff

### **For Consideration**

Application: # YY- 37389  
Applicant: Lynn & Patricia Wilbur  
Proposal: To subdivide the subject property to create two (2) lots. Lot 1 is part of the property that is north of Paradise Valley Road, Lot 2 is a 1.0 ha portion located south of the Road. The non- farm use proposal is to facilitate a private residential treatment centre to be situated on the north of Paradise Valley Road.  
Legal: PID: 015-878-759  
That part of District Lot 3668, Reference Plan 881, New Westminster District, Group 1, Except Firstly: Part in Reference Plan 14354, Secondly: Part in Statutory R/W Plan LMP43287  
Location: 3501 Paradise Valley Road, Squamish

### **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 agricultural capability classifications of the soil of the subject property is 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  
P stoniness

**Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. With regards to the subdivision, the Commission noted that there is already a natural boundary of the road between the two proposed parcels. As for the non farm use portion of the application, the Commission was assured that the building footprint would not change, and therefore there would be minimal impact on the land base. The Commission believes the proposal would not adversely impact existing or potential agricultural use of surrounding lands.

**Conclusions**

That the proposal will not adversely impact agriculture.

**IT WAS**

**MOVED BY:** Commissioner Pranger

**SECONDED BY:** Commissioner Bose

THAT the application be allowed.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.
- approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.
- That the building footprint for the treatment centre remain the same as is outlined in the proposal.

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 # 245/2007**



**Staff Report**  
**Application # YY – 37389**  
**Applicant: Lynn & Patricia Wilbur**

**DATE RECEIVED:** April 26, 2007

**DATE PREPARED:** May 11, 2007

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

**FROM:** Jennifer Carson, Land Use Planner

**PROPOSAL:** To subdivide the subject property to create two (2) lots. Lot 1 is part of the property that is north of Paradise Valley Road, Lot 2 is a 1.0 ha portion located south of the Road. The non-farm use proposal is to facilitate a private residential treatment centre to be situated on the north of Paradise Valley Road. This application is made pursuant to section 20(3) and 21(2) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

Commission staff have been in communication with the applicants, the prospective buyers of the northern proposed parcel, the prospective buyers agent and the District of Squamish. Extensive neighborhood meetings have been initiated by the prospective buyer, examples of which are available in the attachments. It is important to note that the District of Squamish treated this application as two applications in the beginning should the Council wish to pass on one application and not the other to the Commission. However, both applications were passed onto the ALC.

**Local Government:**

District of Squamish

**Legal Description of Property:**

PID: 015-878-759

That part of District Lot 3668, Reference Plan 881, New Westminster District, Group 1, Except Firstly: Part in Reference Plan 14354, Secondly: Part in Statutory R/W Plan LMP43287

**Purchase Date:**

October 1999

**Location of Property:**

3501 Paradise Valley Road, Squamish

**Size of Property:**

15.6 ha (Approximately 15% of the property is in the ALR).

**Present use of the Property:**

North parcel has two residential buildings, South parcel is Paradise Valley Campground with three buildings, women's washroom/shower, men's washroom/shower and office.

**Surrounding Land Uses:**

**WEST:** Cheakamus River and Vacant Crown Land  
**SOUTH:** Cheakamus River and North Vancouver School District (Outdoor School)  
**EAST:** CN Rail Line, Federal Tenderfoot Creek Fish Hatchery, Vacant Crown Land  
**NORTH:** Rural Residential

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92G/14  
The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

OCP: Bylaw No. 1536 (1998)  
Designation: Limited Use (Schedule B), Flood Hazard Area (Schedule D), Agricultural Land Reserve (Schedule E)

**Zoning Bylaw and Designation:**

Zoning: Bylaw No. 1342 (1995)  
Designation: Split zoned Rural Residential 2 (north part) and Comprehensive Development Zone No. 22 for the south portion.  
Minimum Lot Size: N/A

**PREVIOUS APPLICATIONS:**

**Application #33516-0**

**Applicant:** Wilbur, Lynn & Patricia  
**Decision Date:** December 14, 2000  
**Proposal:** To develop a campground on the property.  
**Decision:** Allowed as requested.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Council:**

Forwarded the subdivision application to the ALC.

**Staff:**

That council forward the application to the ALC.

**STAFF COMMENTS:**

It is recommended that the Commission consider the following:

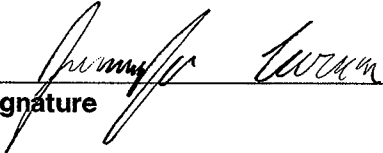
- That the Commissioners consider the photographs submitted by both the applicants and the prospective buyer available in the file.
- The Commission can also choose to consider the 2 proposals separately as the District of Squamish was advised by their Staff.
- The non-farm use portion of the application has provided a newsletter that followed their public information meeting in late April. A copy of the newsletter is attached to this report.

**ATTACHMENTS:**

1. Base Map
2. Agricultural Capability Map
3. Aerial Photograph
4. Paradise Valley Centre for Change Newsletter (2 pages)
5. Sketch of Proposed Subdivision
6. Local Government Report (9 pages)

**END OF REPORT**

Signature



Date

May 14, 2007