



**Agricultural Land Commission**  
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Burnaby, British Columbia V5G 4K6  
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August 8, 2007

Reply to the attention of Jennifer Carson  
ALC File: # YY - 37505

Keith Borg  
PO Box 366  
41280 Meadow Avenue  
Brackendale, BC V0N 1H0

Dear Mr. Borg:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 367/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: District of Squamish (#6410-18-07)

Enclosure: Minutes/Sketch Plan

JC/lv/37505d1



**A meeting was held by the Provincial Agricultural Land Commission on July 11, 2007 in Squamish, B.C.**

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

**For Consideration**

Application: # YY - 37505  
 Applicant: Hans Wefler  
 Agent: Keith Borg  
 Proposal: To exclude the 5.7 ha subject property to construct single family homes and or multi-family homes.  
 Legal: PID: 003-753-409  
 Lot 14, Except Part on Highway Plan 68 of Lot C, Section 11 and 12, Township 50 Amended Plan 10458 (See DE L4601)  
 Location: 40504 Government Road, north of Garibaldi Way and immediately south of Chief View Road and west of Highway 99

**Exclusion Meeting**

The applicant waived their requirement to an exclusion meeting based on Section 30(5) of the *Agricultural Land Commission Act*.

**Discussion**

The Commission viewed the property and noted that it was surrounded with urban development. As was mentioned in the Staff Report, in its 1997 resolution related to the Commission's review of the Official Community Plan for the District of Squamish, the Commission stated it would consent to the proposed non-agricultural policies for most of the Squamish ALR provided Council initiated a block application to exclude those lands from the ALR (leaving the two key agricultural blocks in the ALR). Council took no action on a block application, thus most of the Squamish OCP policies for ALR land are inconsistent with Commission recommendations. In 1997 the Commission agreed in principle that this property could be excluded from the ALR.

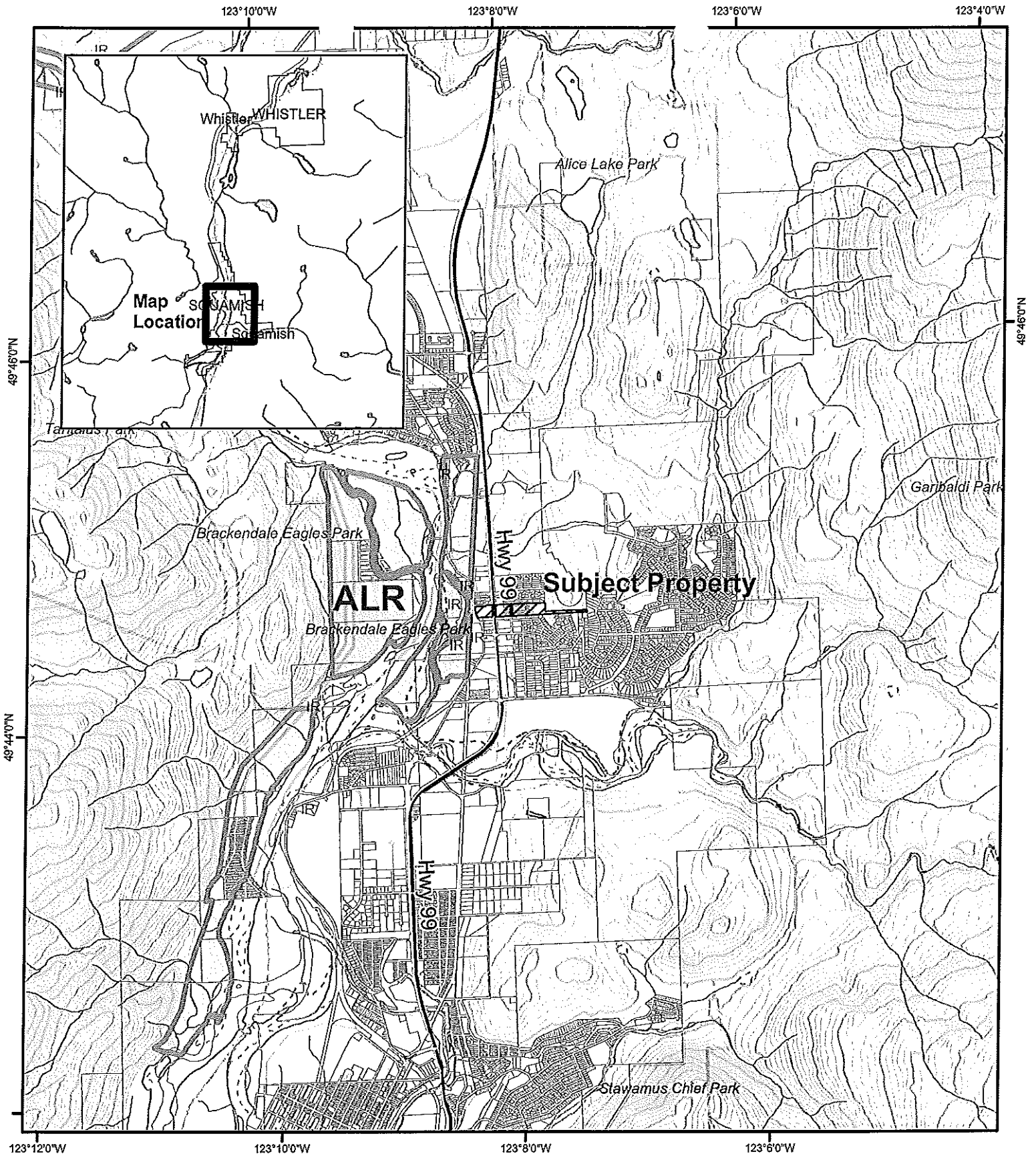
**IT WAS**

**MOVED BY:** Commissioner Bose  
**SECONDED BY:** Commissioner Tomlinson

THAT the application be allowed.

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 # 367/2007**



ALC Context Map

Map Scale: 1:50,000

0 26530 1,060 1,590 2,120 2,650  
 Meters

ALC File #: 02-07-37505

Mapsheet #: 92G/11

Map Produced: Jun 26, 2007

Regional District: Squamish-Lillooet



**Staff Report**  
**Application # YY – 37505**  
**Applicant: Hans Wefler**  
**Agent: Keith Borg**

**DATE RECEIVED:** May 25, 2007

**DATE PREPARED:** June 26, 2007

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

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

**PROPOSAL:** To exclude the 5.7 ha subject property to construct single family homes and or multi-family homes. This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

In 1974, when the ALR was designated for the Squamish-Lillooet Regional District, large tracts in the Squamish area were designated as ALR based on agricultural capability ratings, but with little analysis of agricultural suitability. In 1975, the District of Squamish submitted a block exclusion application for a little over 250 ha. Cabinet excluded a little over 150 ha, part of which was the east end of the subject property. Between then and 1990, the Commission excluded most of the land on the east side of Highway 99 in the Garibaldi Highlands area.

In 1996, the District of Squamish forwarded a draft Official Community Plan for Commission review. By Resolution #839/1997, the Commission gave detailed comments on each of the 14 discrete blocks of ALR land within municipal limits. The Commission also noted that the principal opportunity for agricultural production in the Squamish area is the Upper Squamish Valley, located between 10 and 15 km northwest of the District boundary.

The subject property constitutes about two-thirds of "block 14". In its deliberations on the draft OCP, the Commission commented that "block 14 is currently in agricultural use but is the last remnant of an area previously agreed for exclusion and may be eventually excluded on application by the owner". The Commission confirmed that it had no objection to the proposed OCP designation of this block as Residential Neighbourhoods.

In 1997, Commission staff observed that the subject property was in hobby-farm use, raising a few goats. More recently, Commission staff have observed that farm use has ceased.

In its 1997 resolution, the Commission stated it would consent to proposed non-agricultural policies for most of the Squamish ALR provided Council initiated a block application to exclude those lands from the ALR (leaving the two key agricultural blocks in the ALR). Council took no action on a block application, thus most of the Squamish OCP policies for ALR land are "inconsistent". At "block 14", however, the OCP policies are "consistent". Squamish is currently working on a new OCP in consultation with Commission staff, hence the lack of OCP consistency elsewhere in Squamish should not be a factor in the Commission's review of the exclusion application for the subject property.

**Local Government:**

District of Squamish

**Legal Description of Property:**

1. PID: 003-753-409  
Lot 14, Except Part on Highway Plan 68 of Lot C, Section 11 and 12, Township 50 Amended  
Plan 10458 (See DE L4601)

**Purchase Date:**

1998

**Location of Property:**

40504 Government Road, north of Garibaldi Way and immediately south of Chief View Road and west of Highway 99

**Size of Property:**

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

**Present use of the Property:**

Vacant land

**Surrounding Land Uses:**

**WEST:** Highway 99  
**SOUTH:** Single family and multi family homes  
**EAST:** Golf Course  
**NORTH:** Single family homes

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92G/11  
The majority of the property is identified as having Mixed ratings.

**Official Community Plan and Designation:**

District of Squamish Official Community Plan No. 536, 1998 - Agricultural Land Reserve.

**Zoning Bylaw and Designation:**

District of Squamish Zoning Bylaw 1342, 1995  
Zoned: Rural Residential 2  
Minimum lot size: 4.0 ha

**PREVIOUS APPLICATIONS:**

**Application #28743-0**

**Applicant:** Wafler, Hans  
**Decision Date:** None.  
**Proposal:** Exclusion  
**Decision:** Cancelled April 12, 2000.

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**RELEVANT APPLICATIONS:**

**Application #24363-0**

**Applicant:** Wendow Holdings Ltd.  
**Decision Date:** November 28, 1990  
**Proposal:** Exclusion  
**Decision:** Allowed subject to fencing the northern boundary.

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**Application #24362-0**

**Applicant:** Bilin, S,  
**Decision Date:** September 5, 1990  
**Proposal:** Exclusion of property.  
**Decision:** Allowed.

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**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Council:**

That the application be forwarded to the ALC.

**Local Government Staff:**

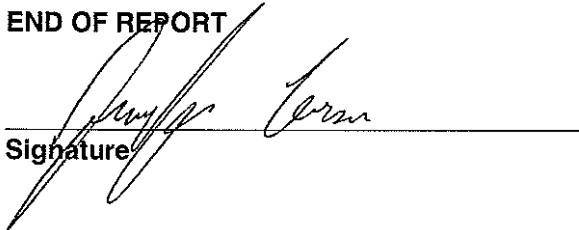
That Council forward the application to the ALC.

**ATTACHMENTS:**

1. Local Government Staff Report (5 pages)
2. Excerpt from adjacent property decision minutes
3. ALC Context Map
4. Aerial Photograph

**END OF REPORT**

Signature



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Date

June 26, 2007

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