



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

Reply to the attention of Jennifer Carson
ALC File: MM-37508

Duncan Reid
35040 Anderson Road
Abbotsford, B.C.
V3G 1N4

Dear Mr. Reid:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 441/2007 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.

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:


Erik Karlsen, Chair

cc: City of Abbotsford (3040-20/A07-007)
James and Elizabeth Reid - 35049 Sims Road, Abbotsford, BC, V3G1N4;

Enclosure: Minutes/Sketch Plan

3
PLAN 2955

2
PLAN 2955

A
PLAN 25222
1
PLAN 2955

90°24'00" 90°24'00" ANDERSON ROAD 90°24'00"
56.388 109.728 244.815

017°54' 36.881
1
EX PLAN 36203
0.403 ha
90°24'00"
109.728
017°54' 36.881

REM A
REF PLAN 4146
15.8 ha

017°54' 396.954

018°00' 393.009

4

3

4 1 8 2

2

P L A N

1

89°51'00"
410.931 SIM ROAD

26 PLAN 604

25 PLAN 604

MAR 27 2007
R07-007

30TSFORD, B.C.

160

7



A meeting was held by the Provincial Agricultural Land Commission on August 23, 2007 in Burnaby, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Erik Karlsen	Commissioner
	Jennifer Carson	Staff

For Consideration

Application: # MM- 37508
Applicant: Duncan Reid
Proposal: Subdivision for a boundary realignment to increase viable farm land (blue berries) on the west side of property and to maintain current use. To realign non-viable farm land to residential portion (east side of the property).
Legal: 1. PID: 013-037-391
Parcel "One", Explanatory Plan 36203, of Parcel "A" (Reference Plan 4146), District Lot 379A, New Westminster District Group 2
2. PID: 013-037-404
Parcel A, (Explanatory Plan 4146), District Lot 379A, New Westminster District Group 2, Except Parcel "One", (Explanatory Plan 36203)
Location: 35049 Sim Road

Site Inspection

A site inspection was conducted on August 23, 2007. Those in attendance were:

- Gordon Bednard Staff
- Jennifer Carson Staff
- Duncan Reid Applicant and owner of smaller property
- James Reid Applicant and owner of larger property

Commission Staff met with Duncan and James Reid on the subject property to discuss the application. The property was originally a dairy farm. Their father decided to make a separate lot on the property predating the ALR, placing it in the corner of the farm. Since then, James Reid who has inherited the farm has used a portion of the smaller property (which Duncan Reid owns) to grow blueberries as it is very rich and fertile soil. The brothers have decided that if either of them were to sell their respective properties it may cause conflict for the other. As a result, they are proposing a boundary adjustment that is to shift the property to the east approximately 185 feet so as to attach the blueberry plant portion of the smaller property to the bigger property, in exchange for an area to the East that has a slough and thus has not been used for farming except for hay. The septic field will be staying with the house on the smaller property. If Duncan Reid were to sell his property approximately 1000 blueberry plants belonging to James Reid would have to be removed from this highly productive site.

Commissioners Eligible to Vote

Commissioners Bose, Pranger and Tomlinson were not present at the site inspection. It was confirmed that a summary of the site inspection was provided thus establishing the Commissioner's eligibility to vote on the application.

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

The proposal is to shift the smaller property over 185 feet which in turn would be adding Class 1 and Class 2 land to the larger property (which is currently in blueberries) in exchange for Class 4 land which has a limitation of excess water during the winter months and thus only hay is grown on that portion of the property.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commissioners believe that this proposal will have a net positive impact on agriculture as it is allowing the larger farm parcel to trade marginal land in return for agriculturally productive land.

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 have a net positive impact on agriculture.
4. That the proposal is consistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Bose
SECONDED BY: Commissioner Tomlinson

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 registration of a covenant for the purpose of alerting prospective buyers of the smaller property of its proximity to farming.
- 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 # 441/2007



Staff Report
Application # MM – 37508
Applicant: Duncan and James Reid
Agent: Duncan Reid

DATE RECEIVED: June 22, 2007

DATE PREPARED: August 17, 2007

TO: Chair and Commissioners – South Coast Panel

FROM: Jennifer Carson, Land Use Planner

PROPOSAL: Subdivision for a boundary realignment to increase viable farm land (blue berries) on the west side of property and to maintain current use. To realign non-viable farm land to residential portion (east side of the property). This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Commission Staff met with Duncan and James Reid on the subject property to discuss the application. The property was originally a dairy farm. Their father decided to make a separate lot on the property predating the ALR, placing it in the corner of the farm. Since then, James Reid who has inherited the farm has used a portion of the smaller property (which Duncan Reid owns) to grow blueberries as it is very rich and fertile soil. The brothers have decided that if either of them were to sell their respective properties it may cause conflict for the other. As a result, they are proposing a boundary adjustment, that is to shift the property to the east approximately 185 feet so as to attach the blueberry plant portion of the smaller property to the bigger property, in exchange for an area to the East that has a slough and thus has not been used for farming except for hay. The septic field will be staying with the house on the smaller property. If Duncan Reid were to sell his property approximately 1000 blueberry plants belonging to James Reid would have to be removed from this highly productive site.

Local Government:

City of Abbotsford

Legal Description of Property:

1. PID: 013-037-391
Parcel "One", Explanatory Plan 36203, of Parcel "A" (Reference Plan 4146), District Lot 379A, New Westminster District Group 2
2. PID: 013-037-404
Parcel A, (Explanatory Plan 4146), District Lot 379A, New Westminster District Group 2, Except Parcel "One", (Explanatory Plan 36203)

Location of Properties:

1. 35049 Sim Road, Abbotsford
2. 35040 Anderson Road, Abbotsford

Size of Properties:

1. 15.8 ha (The entire property is in the ALR).
2. 0.4 ha (The entire property is in the ALR).

Present use of the Properties:

Residential, blueberries, hayfield, machine shed, dairy barns, garden shed

Surrounding Land Uses:

WEST: Nursery Farm
SOUTH: Poultry Farm/Hayfield
EAST: Hayfield/blueberries
NORTH: Hayfield

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/1f
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

OCP: Not available
Designation: Agricultural

Zoning Bylaw and Designation:

Zoning: Not available
Designation: Agricultural Two Zone (A2)
Minimum Lot Size 16 ha, except *

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Council:

Council for the City of Abbotsford forwarded the application with a recommendation of support.

Agricultural Advisory Committee:

Recommend application approval.

STAFF COMMENTS:

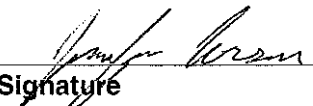
It is recommended that the Commissioners consider the following:

- The AAC and Council supported this application.
- The portion of the smaller property that is being traded to the larger property is of high agricultural capability in return for an area that frequently floods.
- No new lots are being traded or changing area.

ATTACHMENTS:

1. Map of Proposal
2. Base Map
3. Agricultural Capability Map
4. Aerial Photograph
5. Photographs taken August 15, 2007

END OF REPORT


Signature

Aug 17, 2007
Date