



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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January 14, 2008

Reply to the attention of Ron Wallace  
ALC File: MM-34898

Jim Toop  
43419 Yale Road West  
Chilliwack, BC V2R4J6

Dear Mr. Toop:

Re: **Application to Subdivide Land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 693/2007 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 a white background.

Erik Karlsen, Chair

cc: Victor & Karen Toop 43374 Yale Road West Chilliwack, BC V2R4J6  
City of Chilliwack (3370-20(ALR00094))

Enclosure: Minutes



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on December 13, 2007 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

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

### For Consideration

Application: # MM- 34898  
Applicant: Victor & Karen Toop  
Agent: Jim Toop  
Proposal: To reconsider homesite severance application in order to relax the condition that fencing and a vegetative barrier be placed around the new parcel. The applicants claim there is already a natural buffer between the homesite and the agricultural remainder.  
Legal: PID: 024-548-464  
Lot 1, District Lot 40 & 268, Section 22, Township 23, New Westminster District Group 2, Plan LMP42615  
Location: 43374 Yale Road West. Chilliwack.

### Site Inspection

A site inspection was conducted on December 20, 2007. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Ron Wallace Staff
- Tony Pellett Staff
- Jim Toop Applicant
- Grant Sanborn Agent

The Commissioners and staff met with Jim Toop and Grant Sanborn to discuss the fencing and vegetative buffer condition of this application. Both the homesite and agricultural remainder are owned by the Toop family. The Commission indicated that it would be prepared to relax the buffering requirement provided the homesite is re-consolidated with remainder once Victor and Karen Toop leave the property.

### 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**

The Commissioners felt it would be in the best interest of agriculture to re-consolidate the homesite with the larger parcel once the more senior Toops leave the property. As a result the Commission indicated that it would be prepared to relax the buffering requirement provided the homesite is re-consolidated with the remainder once Victor and Karen Toop leave the property. The applicant, Jim Toop, who operates the diary farm agreed to this condition.

### **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 agricultural capability of the soil of the subject property is

- Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
- 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

D	undesirable soil structure
T	topography
W	excess water

### **Assessment of Agricultural Suitability**

The property is ideally suited for its current use as a dairy farm.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the reconsideration request against the long term goal of preserving agricultural land. The Commission felt the homesite should be part of the whole agricultural property (one lot). The existence of a small residential lot in a farming area was felt not to be advantageous to agriculture.

### **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 it would be in the best interest of agriculture to re-consolidate the homesite with the larger parcel once the more senior Toops leave the property.
4. That subject to #3, the request to relax the condition that fencing and a vegetative barrier be placed around the new parcel is approved.

**IT WAS**

**MOVED BY:** Commissioner Tomlinson

**SECONDED BY:** Commissioner Bose

THAT the reconsideration request to relax the condition that fencing and a vegetative barrier be placed around the new parcel be approved subject to the homesite being re-consolidated with the remainder once the current residents of the homesite leave the property.

AND FINALLY THAT should the applicants not accept this decision then the Commission's previous decision by Resolution #381/2003 stands.

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 # 693/2007**