



Agricultural Land Commission
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March 17, 2008

Reply to the attention of Ron Wallace
ALC File: MM-37814

Mark and Corinne Super
#456 - 45905 Yale Road
Chilliwack, BC V2P8E6

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 66/2008 outlining the Commission's decision as it relates to the above noted application.

It is recommended that a draft covenant be sent to the Commission's office for its review and approval.

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 a horizontal line.

Erik Karlsen, Chair

cc: City of Chilliwack (ALR00182)

Enclosure: Minutes



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on February 20, 2008 in Chilliwack, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Ron Wallace	Staff

For Consideration

Application: # MM- 37814
Applicant: Mark and Corinne Super
Proposal: To subdivide to complete a two-lot boundary adjustment. One lot located at 8508 Gibson Road increasing in area from 0.82 ha to 9.0 ha and the parcel at 8450 Gibson Road decreasing in area from 14.01 ha to 5.83 ha. (The subject properties have a cumulative area of 14.83 ha).
Legal: PID: 017-971-187
Lot B, Section 26, Township 26, New Westminster District, Plan LMP7105
Location: 8450 and 8508 Gibson Road, Chilliwack

Site Inspection

A site inspection was conducted on 20 February 2008. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Ron Wallace Staff
- Corinne Super Applicant

It was noted that the smaller parcel contains the applicants' house and that the larger parcel contains the equestrian facility. The proposed boundary line adjustment would contain both the house and the equestrian facility on one parcel. The area of the other proposed new parcel is being leased out to a local farmer.

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 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 Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. It was noted that the proposal was not to create a new lot but adjust the existing boundary line to contain the area of the equestrian facility. The remainder would be a 5.83 ha parcel with very good agricultural potential. To further enhance the agricultural benefit to this parcel the Commission believes a no build covenant should be registered on title restricting the construction of any dwellings.

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 approval should be subject to the registration of a no build covenant against the title of the proposed 5.83 ha property.

IT WAS

MOVED BY: Commissioner Bose
SECONDED BY: Commissioner Pranger

THAT the application be approved subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- The registration of a covenant in the Commission's favour against the title of the proposed 5.83 ha property restricting the building of any residential dwelling.
- 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 # 66/2008