



Agricultural Land Commission
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June 23, 2008

Reply to the attention of Ron Wallace
ALC File: MM-37911

Gouwenberg Farms
5840 Kamp Road
Agassiz, BC V0M1A2

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 293/2008 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. It will also confirm for the Registrar the area excluded from the ALR.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'E. Karlsen', written over a horizontal line.

Erik Karlsen, Chair

cc: District of Kent (S07-010)

Enclosure: Minutes



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on April 11, 2008 in Chilliwack, B.C.

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

For Consideration

Application: # MM-37911
Applicant: Gouwenberg Farms
Proposal: To subdivide the 16.3 ha subject property in order to create a 1 ha parcel. The applicant would like to retire on the proposed homesite and sell the remaining farm to a family member.
Legal: PID: 013-217-712
L.S. 1, Section 21, Township 4, Range 28, W6M, New Westminster District, EXCEPT Part shown on Plan with Bylaw Filed 17134
Location: 5840 Kamp Road, Kent

Site Inspection

A site inspection was conducted on April 1,, 2008. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Ron Wallace Staff
- Tony Pellett Staff
- Henry Gouwenberg applicant

The Commissioners and Staff met with the applicant to discuss the proposed subdivision. It was noted that the area proposed for subdivision (1 ha) is not currently being farmed and is naturally separated from the remainder of the property by a year round flowing ditch. A house would be built on the proposed 1 ha lot for Henry Gouwenberg to retire.

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 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

- A soil moisture deficiency
- P stoniness
- T topography
- W excess water

Organic Soils - Organic soils are grouped into seven classes, designated as O1 to O7. The organic soil class definitions are equivalent in terms of their relative capabilities and limitations for agricultural use to those defined for mineral soil.

Subclasses

- L degree of decomposition - permeability
- 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. The applicant purchased the subject property in 1989 and is not eligible for consideration under the Commission's homesite severance policy. However the proposed new lot is presently unfarmed and likely to remain so as it is isolated from the remainder of the farm by a year round flowing ditch. In addition the proposed homesite is characterized by wet marshy conditions. The Commission felt the proposed subdivision would have no significant impact on the agricultural potential of the property and would not impact existing or potential agricultural use of surrounding lands.

Conclusions

1. That the proposed homesite is presently unfarmed and likely to remain so as it is isolated from the remainder of the farm by a year round flowing ditch.
2. That the proposed homesite is characterized by wet marshy conditions.
3. That the proposal will not have a significant impact on the agricultural potential of the property.

IT WAS

MOVED BY: Commissioner Bose

SECONDED BY: Commissioner Pranger

THAT the application be allowed subject to the following conditions:

- The subdivision for the proposed new lot to be along the top of the north bank of the ditch
- 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 # 293/2008