



**Agricultural Land Commission**  
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August 15, 2008

Reply to the attention of Ron Wallace  
ALC File: MM-38106

W. Maxwell R Newby  
Box - 390 9259 Main Street  
Chilliwack, BC V2P6K2

Dear Sir:

**Re: Application to Exclude Land from the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 428/2008 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client accordingly.

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: Gerald Weir RR1 - 10209 Caryk's Road Rosedale, BC V0X1X0  
Fraser Valley Regional District (3015-20-200703)

Enclosure: Minutes



**A meeting was held by the Provincial Agricultural Land Commission on June 19, 2008 in Chilliwack, 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- 38106  
 Applicant: Gerald Weir  
 Agent: W. Maxwell R Newby  
 Proposal: To exclude the ~8.7 ha ALR portion of the ~14.0 ha subject property for the purpose of rezoning the land to its highest and best use and then developing or selling the land.  
 Legal: PID: 013-105-787  
 Fractional L.S. 13, Section 5, Township 3, Range 28, W6M, Yale Division of Yale District, EXCEPT Part subdivided by Plan 5639  
 Location: Popkum Road North

**Site Inspection and Exclusion Meeting**

A site inspection was conducted on June 19, 2008. Those in attendance were:

- Sylvia Pranger                      Chair, South Coast Panel
- Michael Bose                        Commissioner
- John Tomlinson                     Commissioner
- Ron Wallace                         Staff
- Tony Pellett                         Staff
- Maxwell Newby                     Agent
- Gerald Weir                         Applicant

The Commissioners and staff met with the applicant and agent to discuss the application and view the subject property. It was noted that the proposed development would require road access through the adjacent property to the east.

**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 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

#### Subclasses

P      stoniness  
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. While the Commission recognized that the subject property has some limitations due to stoniness, topography and excess water it also believes the property has potential to be used for agricultural production. The Commission also believes the proposal would negatively impact existing or potential agricultural use of surrounding lands. In particular, the proposed development would require road access through the adjacent property to the east.

### **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 is not in the best interest of agriculture and could negatively impact existing or potential agricultural use of surrounding lands.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

**IT WAS**

**MOVED BY:**                      Commissioner Tomlinson

**SECONDED BY:** Commissioner Bose

THAT the application be refused.

**CARRIED**  
**Resolution # 428/2008**