



Agricultural Land Commission
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November 3, 2008

Reply to the attention of Ron Wallace
ALC File: MM-38292

Ronald Sawatzky
26380 - 116th Avenue
Maple Ridge, BC V2W1A5

Dear Sir:

Re: Application to Subdivide Land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 665/2008 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 horizontal line.

Erik Karlsen, Chair

Enclosure: Minutes

cc: Fraser Valley Regional District (3015-20-2008-01)

RW/
i/MM-38292d1



A meeting was held by the Provincial Agricultural Land Commission on September 29, 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- 38292
Applicant: Ronald Sawatzky
Proposal: To subdivide the subject property into three lots as follows:
Lot 1 = 16.9 ha
Lot 2 = 39.5 ha
Lot 3 = 4.8 ha
The property is divided by Frost Road in two locations creating 3 distinct areas.
Legal: PID: 013-494-201
South West 1/4, Section 10, Township 22, New Westminster District
Location: 43401 Frost Road, Chilliwack

Site Inspection

A site inspection was conducted on September 29, 2008. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Ron Wallace Staff
- Tony Pellett Staff
- Ronald Sawatzky Applicant
- Mrs. Sawatzky Applicant

The Commissioners and staff met with the applicants to discuss the proposed subdivision. The Commissioners indicated that it had reviewed Mr. Sawatzky's letter dated September 2, 2008 which outlined the merits of his application. It was also noted by the Commissioners that it had reviewed a proposed subdivision of the subject property into a total of six lots by the same owner in late 2007.

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 1 – Land in this class either has no or only very slight limitations that restrict its use for the production of common agricultural crops.
- 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.
- Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.
- Class 7 – Land in this class has no capability for arable or sustained natural grazing

Subclasses

- A soil moisture deficiency
- P stoniness
- T topography

Assessment of Agricultural Suitability

The Commission assessed whether 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.

The Commission noted, as it did during the previous application, that Frost Road divides the property in two locations that could be seen as creating natural boundaries for subdivision into three lots. However, as the 64.7 ha property has predominately prime agricultural capability ratings (i.e. Class 3 or better) the Commission believed the property would make a very good farm property at its current size.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission believed that Frost Road which divides the property in two locations does not create a significant barrier to farming the property as

a whole. In addition, the Commission believes the proposal if approved would lead to similar applications for subdivision in the local area.

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 impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Pranger

SECONDED BY: Commissioner Bose

THAT the application be refused.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.33 (1) *On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*
- (a) *evidence not available at the time of the original decision has become available,*
 - (b) *all or part of the original decision was based on evidence that was in error or was false.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

CARRIED

Resolution # 665/2008