



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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September 18, 2008

Reply to the attention of Ron Wallace
ALC File: MM-38332

Neal and Natalie Te Brinke
PO Box 355 - 1278 Tranmer Road
Agassiz, BC V0M1A0

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the corrected Minutes of Resolution # 546/2008 outlining the Commission's decision as it relates to the above noted application. The Commission's previous letter and Minutes dated September 15, 2008 mistakenly omitted that Commission Pranger abstained from the decision.

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', written over a light blue horizontal line.

Erik Karlsen, Chair

cc: District of Kent
Surplesse Farm Ltd, Inc #235632 - 1211 Tranmer Road, Agassiz, BC, V0M1A0;

Enclosure: Minutes



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on August 13, 2008 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, 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- 38332
Applicant: Neal and Natalie Te Brinke
Agent: Supplesse Farm Ltd.
Proposal: To subdivide a 2 ha parcel off an existing 7.3 ha parcel in order to construct a new house. To compensate two adjacent properties, 4.05 ha, will be consolidated into one 8.1 ha parcel. This consolidation will remove a building encroachment problem and permit a better farm plan to be developed by the owner.

Legal: PID: 006-949-193
Parcel A, District Lot 38, Explanatory Plan 3949, Group 1, Yale Division of Yale District, EXCEPT Firstly: Part shown on Plan 14190, Secondly: Parcel One (Reference Plan 15033)
PID: 013-085-409
Parcel B, District Lot 38, Reference Plan 1641A, Group 1, Yale Division of Yale District
PID: 013-084-879
Parcel D, District Lot 38, Explanatory Plan 5339, Group 1, Yale Division of Yale District

Location: 1278 Tranmer Road, Agassiz

Site Inspection

A site inspection was conducted on April 11, 2008. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Ron Wallace Staff
- Tony Pellett Staff
- Neal teBrinke Owner
- Natalie teBrinke Owner

At the invitation of the owners the Commissioners and staff toured the farm and viewed their milking facility with a new automated capability imported from Europe.

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

It was noted that the Commission received the application from the District of Kent on July 23, 2008. As noted the Commission conducted an on-site of the property on April 11, 2008 regarding another matter and believed it did not need to view the property again before making a decision on this application.

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 Commission believed the proposed boundary line adjustment would benefit the farm operation as outlined in the application. As a part of this decision the Commission advises the District of Kent that it does not support additional road dedication as part of the boundary line adjustment.

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 proposed boundary line adjustment will benefit the subject farm.

IT WAS

MOVED BY: Commissioner Tomlinson

SECONDED BY: Commissioner Bose

THAT the application be allowed subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application, this is with no further road dedication.
- 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 # 546/2008

Commissioner Pranger abstained from the decision