



Agricultural Land Commission
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December 19, 2008

Reply to the attention of Ron Wallace
ALC File: O-38515

Len George
24540 - 16th Avenue
Langley, BC V2Z1J9

Dear Sir:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 793/2008 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) 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

Enclosure: Minutes

cc: The Township of Langley (AL100168)
Dawson-Brill Lumber Co. Ltd. 24540 - 16th Avenue Langley, BC V2Z1J9

RW/
i/O-38515d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 18, 2008 in Langley, B.C.

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

For Consideration

Application: # O- 38515
 Applicant: Dawson-Brill Lumber Co. Ltd.
 Agent: Len George
 Proposal: The applicant, Dawson-Brill Lumber Co. Ltd. has been operating as a non-farm use on the present site since 1963, since before the establishment of the ALR in 1972. Its owners would now like to formalize the agro-commercial use with an appropriate zone for the 1.61 ha (4.0 acres) agro-commercial portion of the lot. The proposal is to subdivide off this commercial use from the rest of the property creating a separate legal parcel for the commercial use and a 2.4 ha (6.0 acres) agricultural remnant.

Legal: PID: 009-197-460
 Lot 29, Section 10, Township 10, New Westminster District, Plan 24718

Location: 24540 - 16 Avenue, Langley

Site Inspection

A site inspection was conducted on November 18, 2008. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Ron Wallace Staff
- Tony Pellett Staff
- Len George Agent

The Commissioners and staff met with the applicant to view the property and discuss the proposed subdivision. It was noted the existing lumber business has been used continuously since 1963 within the ALR. The proposed subdivision would separate the lumber business from the rest of the property proposed for agricultural use.

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 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.

Subclasses

- | | |
|---|------------------------------|
| D | undesirable soil structure |
| T | topography |
| S | cumulative and minor adverse |
| W | excess water |

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.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commissioners believed that subdivision would not be in the best interest of agriculture. Another concern was that if this subdivision were permitted it would heighten the expectations of other property owners in the area to be able to do the same.

While the Commission recognizes that Dawson-Brill Lumber Co. Ltd. is a non-farm use established and carried out continuously since prior to December 21, 1972, it would not support any expansion of this use beyond its current footprint as noted in the application.

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 to subdivide will negatively 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.

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 # 793/2008