



**Agricultural Land Commission**  
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February 24, 2009

Reply to the attention of Ron Wallace  
ALC File: MM-38612

Dennis Allan & Marlene May Moore  
48925 McGuire Road  
Chilliwack, BC V2R1B1

Dear Sir/Madam:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 31/2009 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

Enclosure: Minutes

cc: City of Chilliwack (3370-20-ALR00204)

RW/  
i/MM-38612d1



**A meeting was held by the Provincial Agricultural Land Commission on January 27, 2009 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-38612  
Applicant: Dennis Allan & Marlene May Moore  
Proposal: To subdivide the 16 ha property into two 8 ha lots in order to give the applicant's daughter and her family title to half of the property. The daughter currently resides on the property.  
Legal: PID: 013-523-112  
West 1/2 of the South 1/2 of the South West 1/4, Section 23, Township 26, New Westminster District  
Location: 48925 McGuire Road, Chilliwack

**Site Inspection**

A site inspection was conducted on January 27, 2009. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Ron Wallace Staff
- Tony Pellett Staff
- Marlene Moore Applicant

The Commissioners and staff met with the applicant to discuss the proposal to subdivide the 16 ha property into two 8 ha lots. During the on-site the Commissioners observed the presence of 4 or 5 recreational vehicles (or travel trailers) on the property.

**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

D        undesirable soil structure  
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. In the Commission's view, reduction of parcel size generally reduces the available options for agricultural use. The Commission believed that the subject parcel had more agricultural potential as a single unit and that subdivision would negatively impact the agricultural opportunities available to the subject property in the long-term.

Further the Commission observed the presence of 4 or 5 recreational vehicles (or travel trailers) on the property. The Commission believed that this activity should be brought to the attention of Compliance and Enforcement staff for follow up.

## **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 have a negative impact on 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 Tomlinson

**SECONDED BY:** Commissioner Pranger

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 # 31/2009**