



Staff Report
Application # MM – 38678
Applicant: Klaus & Marianne Soth

DATE RECEIVED: November 26, 2008

DATE PREPARED: January 16, 2009

TO: Chair and Commissioners – South Coast Panel

FROM: Jennifer Carson, Land Use Planner

PROPOSAL: To subdivide a 1.0 ha parcel from the 9.9 ha subject property for the purposes of a homesite for the applicants. This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Local Government:

Fraser Valley Regional District

Legal Description of Property:

PID: 001-090-747

Legal Subdivision 16, Section 5, Township 22, Except Part Subdivided by Plan 41942, New Westminster District

Purchase Date:

February 1987

Location of Property:

651 Maple Falls Rd., Lindell Beach

Size of Property:

9.9 ha (The entire property is in the ALR).

Present use of the Property:

residential home, land is rented to neighboring hog farm for hay and grazing of cattle. Owners have some laying hens and geese as well as having a garden.

Surrounding Land Uses:

WEST: Hog farm
WEST: hay field and raspberry field
SOUTH: residence
EAST: Christmas Tree Farm

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/01
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

Official Settlement Plan for Electoral Area "E", Regional District of Fraser-Cheam Bylaw No. 400, 1982
Designation: Agricultural (AG)

Zoning Bylaw and Designation:

Zoning Bylaw for Electoral Area "E", 1976 of the Regional District of Fraser-Cheam
Designation: Rural Agricultural (R-Ag)

PREVIOUS APPLICATIONS:

Application #00905-0

Applicant: Greenada Farms Ltd

Decision

Date:

Proposal:

Decision:

More information to follow

RELEVANT APPLICATIONS:

Northern adjacent property

Application #25543-0

Applicant: Soth, Klaus & Marianne

Decision April 16, 1992

Date:

Proposal: To subdivide the 16.0 ha property into two (1) 8.0 ha parcels to allow daughter to have her own hog farm.

Decision: Refused as proposed, however the Commission indicated that it would be willing to allow a lifetime lease on the northerly 8.0 ha.

Application #36773-0

Applicant: Moraw, Franz & Caroline

Decision July 19, 2006

Date:

Proposal: To subdivide a 0.8 ha homesite from the 3.23 ha parcel and sell the remainder to the owners' son who will continue to farm the property.

Decision: Approved with the severance parcel being located south of the panhandle and the farm road to the remainder parcel, with the size of the severance parcel not to exceed 0.8 ha.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Board:

That the application be approved.

AAC:

Supports the application.

Electoral Area Service Committee:

Forward the application to the ALC for consideration.

Staff:

Supported.

STAFF COMMENTS:

It is recommended that the Commissioners consider the following:

- The applicants have owned the property since February 1987 and thus do not qualify for consideration under the Homesite Severance Policy.
- It appears that in a 1991 application on the northern adjacent property the Commission allowed Mr. and Mrs. Soth a lifetime lease on the northerly 8.0 ha,
- The agricultural capability of the subject property is improvable to Class 2 and 3 with limitations of topography, soil moisture deficiency and stoniness.
- It is the Commission's experience that smaller parcels are correlated with less (not more) agricultural activity, and increased subdivision and rural residential pressures.
- Subdivision would heighten landowner expectations in the surrounding area that similar requests would be routinely permitted. The effects of heightened expectations are speculation, increased farmland prices, and reduced agricultural investment and activity.
- A site visit will help to determine whether or not this proposal will have an impact on agriculture.

ATTACHMENTS:

1. ALC Context Maps (2 pages)
2. Aerial Photograph
3. Agricultural Capability Map
4. Sketch of proposal
5. Letters from applicants (3 pages)
6. Local Government Staff Report (9 pages)

END OF REPORT

Signature

Date