



Agricultural Land Commission
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June 12, 2009

Reply to the attention of Ron Wallace
ALC File: MM-38775

H.G. Sanborn & Associates Inc.
206-45750 Knight Road
Chilliwack, BC V2R0G1

Dear Sir:

Re: Application to Subdivide Land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 186/2009 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', written over a white background.

Erik Karlsen, Chair

Enclosure: Minutes

cc: City of Chilliwack (3370-20 (ALR00192))
Jan & Willempje Vandebek 11450 Kitchen Hall Road Chilliwack, BC V2P6H5
Norman and Isabelle Knott - 10071 Reeves Road, Chilliwack, BC, V2P6H4;
Adrian and Colleen Dejong - 11450 Kitchen Hall Road, Chilliwack, BC, V2P6H5;
Homeland Farms Ltd - 11895 Carey Road RR 33, Chilliwack, BC, V2P6H5;
William Carey - 11895 Carey Road RR 33, Chilliwack, BC, V2P6H5;

RW/
i/MM-38775d1



A meeting was held by the Provincial Agricultural Land Commission on April 23, 2009 in Surrey, B.C.

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

Application: # MM- 38775
Applicant: Jan & Willempje Vandebek

Agent: H.G. Sanborn & Associates Inc.
Proposal: To subdivide an 11 ha property on Kitchen-Hall Road into two lots; one approximately 1.4 ha and one approximately 9.5 ha. To help compensate for the proposed subdivision, the applicant proposes to consolidate two properties on Carey Road. The two Carey Road lots are located over a kilometer away, owned by other parties, and both lie partially beneath the bed of the Fraser River.

Legal: PID: 013-029-509
Parcel "B" (Reference, Plan 2218A) District Lot 416 Group 2, New Westminster District

Location: The subject property is located at 47829 Kitchen-Hall Road, Chilliwack
The properties proposed for consolidation are located at 11895 and 11955 Carey Road, Chilliwack.

Site Inspection

A site inspection was conducted on April 23, 2009. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Ron Wallace Staff
- Grant Sanborn Agent

The Commissioners and staff met with the proponent at the Carey Road lots proposed for consolidation. It was noted that the two Carey Road lots are located over a kilometer away from the Kitchen-Hall Road property proposed for subdivision. It was noted that the proposed subdivision of the Kitchen-Hall Road property would create a 1.4 ha rural residential lot for family members.

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.

Subclasses

- A soil moisture deficiency
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.

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 subdivision of the Kitchen Hall Road property to create a rural residential lot will result in the removal of very good agricultural land from agricultural production. The Commission believed the creation of such a lot would not be in the best interest of agriculture. It was also believed the proposed consolidation of the two lots on Carey Road would not off-set the creation of a rural residential lot on Kitchen-Hall Road.

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 Bose
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 # 186/2009