



Agricultural Land Commission
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June 3, 2009

Reply to the attention of Ron Wallace
ALC File: MM-38783

Friesland Farms
1709 Cameron Road
Agassiz, BC V0M1A1

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 178/2009 outlining the Commission's decision as it relates to the above noted application.

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 Corporation of the District of Kent (SO7-012)

RW/
i/MM-38783d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on April 21, 2009 in Agassiz, B.C.

PRESENT:	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Tony Pellett	Staff

For Consideration

Application: # MM- 38783
 Applicant: Friesland Farms

Proposal: The proposal is to consolidate three smaller parcels into one 1.07 ha lot and to subdivide a 1.01 ha piece of land off an adjacent 9.8 ha parcel. The proposal also includes road dedication along the frontages of Well Road. See attached map for details.

Legal: PID: 011-257-857
 Lot 2 Except Firstly; Part SRW Plan 25182, District Lot 33 Group 1 Yale Division of Yale District and Section 27, Township 3, Range 29, West of the 6th Meridian New Westminster District Plan 6376
 PID: 017-539-668
 Parcel "C" (Reference Plan 4788) of the South East Quarter of Section 27, Township 3, Range 29, West of the 6th Meridian, New Westminster District
 PID: 017-539-692
 Parcel "3"(Reference Plan 653) of the South East Quarter of Section 27, Township 3, Range 29, West of the 6th Meridian, New Westminster District, EXCEPT Part Shown on Highway Plan 25182
 PID: 017-539-820
 Parcel "C" (Reference Plan 5615), of the South East Quarter of Section 27, Township 3, Range 29, West of the 6th Meridian, New Westminster District, EXCEPT Firstly: Parcel "One" (Reference Plan 6912) and Secondly: Part Shown on Highway Plan 25182
 Location: 2147 Wells Road, Kent

Site Inspection

A site inspection was conducted on April 21, 2009. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Tony Pellett Staff
- Albert Riemersma Applicant

Mr. Riemersma explained he wants to subdivide along the line of an existing drainage swale which is awkward and dangerous to cross with farm equipment. The Commission explained that it does not consider the old railway right-of-way to qualify as a "parcel" for boundary adjustment.

The Commission explored whether the proposal could be considered for amendment such that a boundary adjustment which created the proposed new lot and extended it east to the road, with the balance of the land consolidated was proposed. Mr. Riemersma rejected that suggestion.

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 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

T topography
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 Commission believed the proposal to create two approximately 1 ha parcels plus a remnant farm parcel was not in the best interest of agriculture. The Commission believes the proposal would impact existing or potential agricultural use of surrounding lands.

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 Tomlinson

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 # 178/2009