



Agricultural Land Commission
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December 15, 2009

Reply to the attention of Ron Wallace
ALC File: MM-38993

Artique Farms Ltd.
10197 Poole Road
Rosedale, BC V0X 1X0

Dear Sir:

Re: Application to Subdivide Land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **1388/2009** 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 (ALR00207)
Brad Waal @Waal & Co., Brad Waal, 9086 Young Road, Chilliwack, BC V2P4R5
Cascade Custom Pumping Ltd - 9874 Chapman Road, Rosedale, BC V0X1X0
LC Investments Ltd - 10179 Chapman Road, Rosedale, BC V0X 1X0



A meeting was held by the Provincial Agricultural Land Commission on November 2, 2009 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

PRESENT:	Erik Karlsen	Chair of the Commission
	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	Ron Wallace	Staff
	Tony Pellett	Staff

ABSENT:	John Tomlinson	Commissioner
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For Consideration

Application:	MM-38993
Applicant:	Artique Farms Ltd.
Agent:	Brad Waal
Proposal:	The owners wish to consolidate and subdivide the three subject properties, with the intent to separate the existing poultry farm from the remainder of the property at 10179 Chapman Road.
Legal:	1. Lot 4 District Lot 466 group 2 New Westminster District Plan BCP7028 2. Lot A Section 6 Township 30 and District Lot 476 Group 2 New Westminster District Plan BCP26516 3. Lot B Section 6 Township 30 New Westminster District Plan BCP26516
Location:	9874 and 10179 Chapman Road and 10197 Poole Road, Rosedale

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.
Class 4 – Land in this class has limitations that require special management practices or severely 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 Commissioners believed the existence of the poultry barn does not justify the subdivision of the larger property. The Commission acknowledges the benefit of eliminating a smaller residential lot in a farming area, however, it cannot justify subdividing the larger farm property to do so. The Commission believes the proposal would have an adverse impact on 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 have an 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 Bose
SECONDED BY: Commissioner Karlsen

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 # 1388/2009