



**Agricultural Land Commission**  
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January 13, 2010

Reply to the attention of Ron Wallace  
ALC File: MM-39018

Richard Jansen, Tyler J. Friesen and  
Dwayne H.K. Loeb  
42367 Keith Wilson Road  
Chilliwack, BC V2R4B3

Dear Sir/Madam:

**Re: Application to Develop a Non-Farm Use in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 1849/2009 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', written over a horizontal line.

Erik Karlsen, Chair

Enclosure: Minutes

cc: City of Chilliwack (3370-20 (ALR00206))



### 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. The Commission noted the portion of the property used for commercial transport storage had been previously used for farming. The Commission believes the proposed use has a negative impact of the agricultural potential of the property, and therefore does not support the use and requires the site to be rehabilitated for agriculture. The Commission notes that the land use contravenes City of Chilliwack bylaws and believes that the City is in a position to pursue the necessary action to rehabilitate the property and bring the land use into compliance with the bylaws. The Commission further believes that its Compliance and Enforcement staff should be advised to monitor the rehabilitation process.

### 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 proposed use has 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 Pranger  
**SECONDED BY:** Commissioner Bose

THAT the application be refused and that the matter of site rehabilitation be brought to the attention of Compliance and Enforcement staff.

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 # 1849/2009**