



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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January 22, 2010

Reply to the attention of Ron Wallace
ALC File: # 50368

W. Maxwell Newby
Box 390
9259 Main Street
Chilliwack, BC V2P 6K2

Dear Sir:

Re: Application to Subdivide in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **1985/2009** 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.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:


Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: District of Kent (ALC09-01)



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
	Michael Bose	Commissioner
	Ron Wallace	Staff
	Tony Pellett	Staff

ABSENT:	John Tomlinson	Commissioner
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For Consideration

Application:	# 50368
Applicant:	Roland Hatt
Agent:	W. Maxwell Newby
Proposal:	The proposal is for a boundary line adjustment between to existing properties of 7.82 ha and of 3.2 ha. The proposal will increase the Hardy Road property to approximately 10.7 ha and decrease the Hot Springs Road property to approximately 0.31 ha. The applicant has requested a realignment of the boundaries of the subject properties to make the Hardy Road property larger and more viable as a working farm.
Legal:	Lot 15 Section 1 Township 4 Range 29 W6M New Westminster District Plan 29468; and Parcel "C" (Reference Plan 10173) N ½ of the SW ¼ Section 1 Township 4 Range 29 W6M Except Part Subdivided by Plan 38656 New Westminster District
Location:	3591 Hot Springs Road, Agassiz (Lot 15) and 3654 Hardy Road, Agassiz (Parcel "C")

Site Inspection

A site inspection was conducted on October 12, 2009. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Roland Hatt Applicant

Commissioner Pranger met with the applicant, viewed the property and discussed the proposed boundary line adjustment.

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.
- 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 Commission believed the proposed boundary line adjustment would be a benefit to agriculture with the creation of a 10.7 ha property which is suitable for farm use. The creation of a 0.3 ha lot along Hot Springs Road is consistent with the lots to the north which are also 0.3 ha in size.

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 boundary line adjustment will provide a benefit to agriculture.
4. That the proposal is consistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Karlsen

SECONDED BY: Commissioner Bose

THAT the application be allowed subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

CARRIED

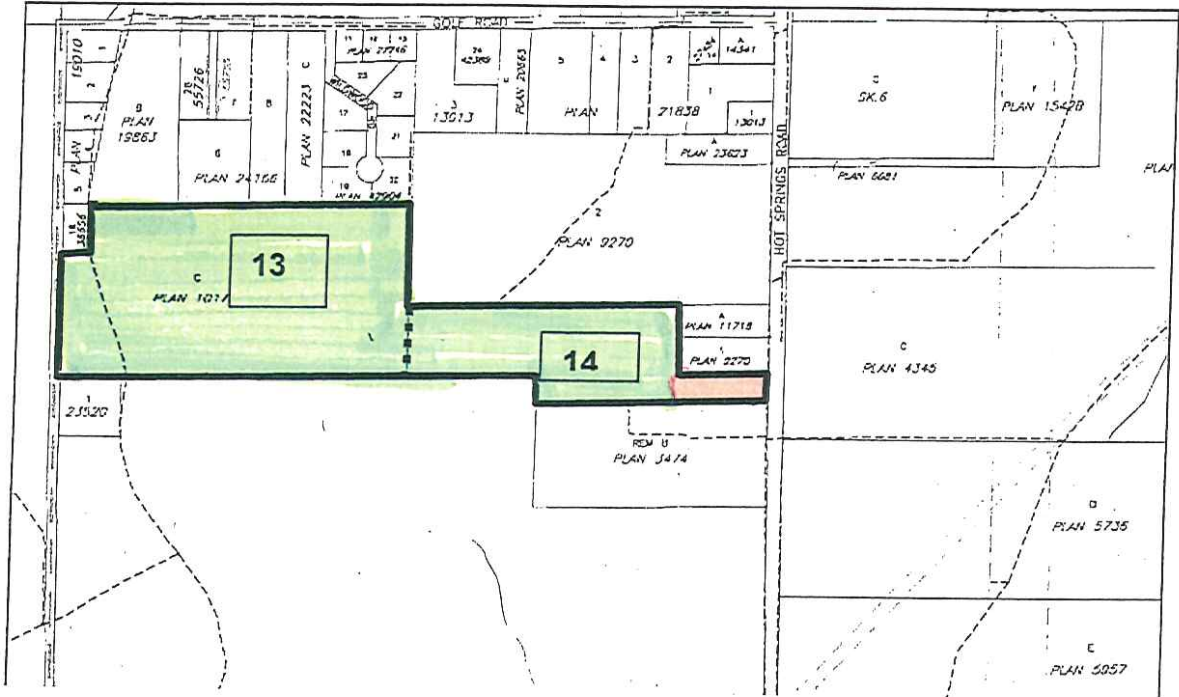
Resolution # 1985/2009

MAP SHOWING PROPOSED SUBDIVISION

2531 McRAE ROAD, AGASSIZ, BC
HATT FARMS LTD.

PAGE 7
DAIRY FARM

MAP NO. 3



Provincial Agricultural Land Commission
Application # 50368
Resolution #1985/2009

Subject property

Approved for subdivision in the ALR