



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

November 8, 2010

Reply to the attention of Jennifer Carson
ALC File: 51822

David Bennett
309-45769 Stevenson Road
Chilliwack, BC
V2R 5Z2

Dear Mr. Bennett:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **2730/2010** 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 the Commission proof that that an adequate vegetative buffer has been planted and a fence has been constructed on the residential lot to separate the residential parcel from the agricultural component of the farm parcel. Once the Commission has verified receipt of the buffering information and has indicated that it fulfills its condition, 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:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: City of Chilliwack (3370-20(ALR00221))

JC/
51822d1



A meeting was held by the Provincial Agricultural Land Commission on October 13, 2010 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Tony Pellett	Staff
	Jennifer Carson	Staff

For Consideration

Application: 51822
 Applicant: Toop Farms Ltd.
 Agent: Dave Bennett
 Proposal: Boundary Adjustment: to adjust the boundary between a 8.9 ha lot and a 2.0 ha lot to create a 10.6 ha lot and a 0.3 ha lot.
 Legal: PID: 009-316-116
 Lot "C" Except: Part Subdivided by Plan 43791; District Lot 87 Group 2 New Westminster District Plan 23894
 PID: 007-109-377
 Lot 18 District Lot 87 Group 2 New Westminster District Plan 43791
 Location: 42710 & 42780 Yale Road

Site Inspection

The Commissioners did not conduct a site visit as the information provided with the application was sufficient to understand the proposal.

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

T topography W excess water

Assessment of Agricultural Suitability

When reviewing the proposed boundary adjustment, the Commission believed that the proposed adjustment would have little overall change to the agricultural suitability of the agricultural portion of the property. However, from the aerial photograph taken during 2009 it appears that the fields proposed for consolidation are currently farmed as one unit and as such, consolidating the fields to ensure that this can continue in the future would be beneficial. Furthermore, the Commission noted that the proposed subdivision would eliminate the inefficient part of the triangle which would result in a better reconfiguration 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 believes the proposal would have a positive impact on the existing or potential agricultural use of the subject 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 a positive impact 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 Bose
SECONDED BY: Commissioner Tomlinson

THAT the application be allowed.

AND THAT the approval is subject to the following conditions:

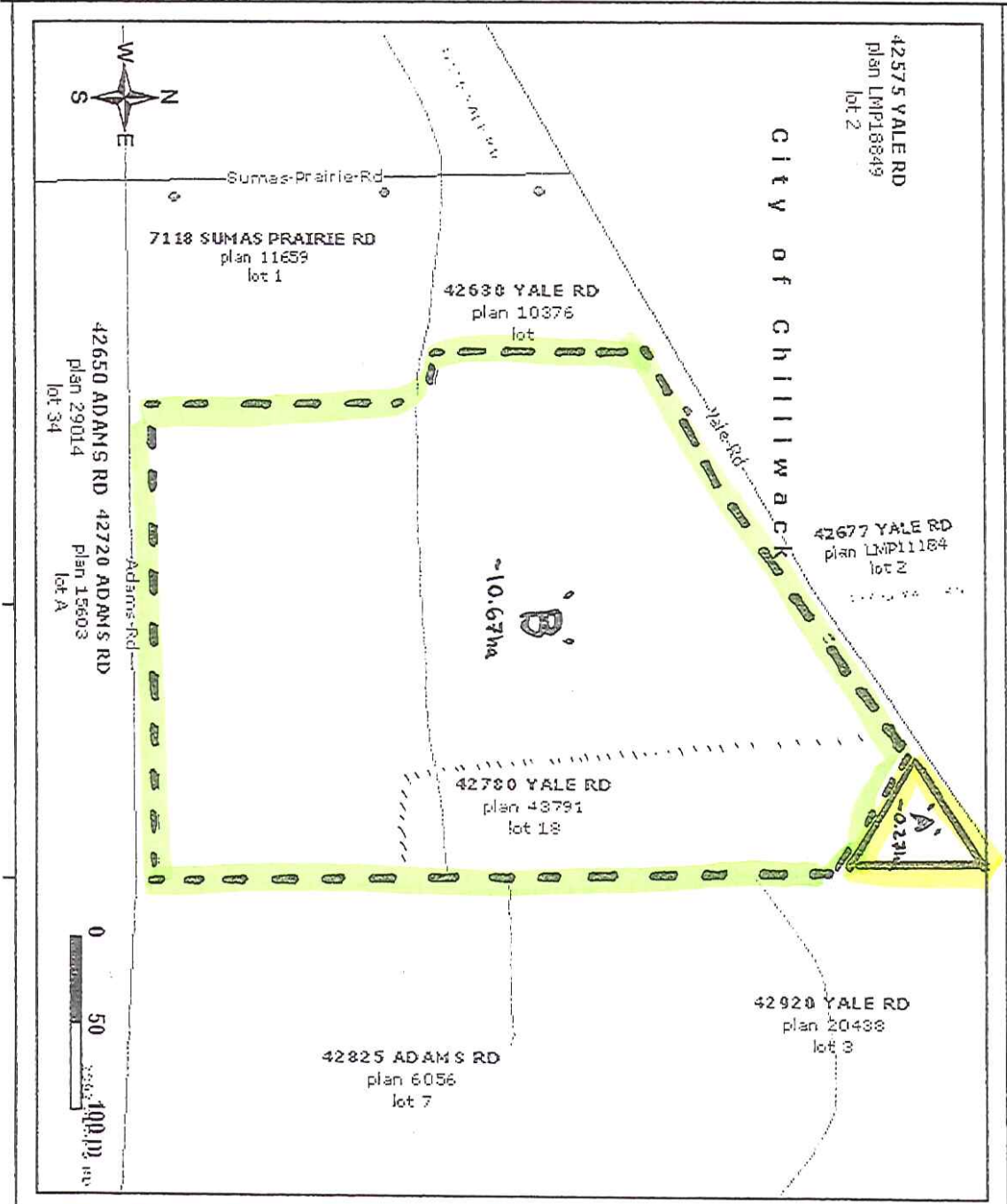
- the subdivision be in substantial compliance with the plan submitted with the application

- the construction of a fence and the planting of vegetative buffer on the remaining residential parcel for the purpose of ensuring that the remaining farm is not hindered by the residential parcel.
- 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 # 2730/2010

Proposal



ALC Application
51832

Resolution # 2750/
2010

Approved Boundary
Adjustment

- Parcel 1 ≈ 0.3ha
- Parcel 2 ≈ 10.7ha