



Agricultural Land Commission
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July 20, 2011

Reply to the attention of Eamonn Watson
ALC File: 52177

Greenline Management Ltd.
11579 - 196B Street
Pitt Meadows, BC
V3Y 1P2

Dear Mr. Lee Mackenzie:

Re: Application for a boundary line adjustment and subdivide in the Agricultural Land Reserve, 48 Avenue west of Murrayville

Please find attached the Minutes of Resolution # **224/2011** 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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Township of Langley (Folder: AL100204 / Project: 07-36-0131)

EW/52177d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 25th, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Roger Mayer	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Tony Pellett	Regional Planner
Eamonn Watson	Land Use Planner
Shaundehl Runka	Policy Planner
Brian Underhill	Executive Director
Colin Fry	Executive Director

APPLICATION ID: # 52177

PROPOSAL: A lot line adjustment between two subject properties of 14.9 and 3.1 ha (in the ALR and not in the ALR, respectively). Subsequent to the lot line adjustment, the applicant is proposing a subdivision that would create two parcels of approximately 11 and 7 ha. The subdivided parcels would run north-south and both have 48 Avenue frontage, improving the access to the southern (non-ALR) subject property.

(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

PROPERTY 1

Owner: Maysfield Properties Ltd
Date of Acquisition: December 29, 1972
Parcel ID: 011-369-531
Title No.: H135021E
Legal Description: Lot 1 Except: Firstly: Part Subdivided by Plan 31828, Secondly: Part Subdivided by Plan 35707; Section 36, Township 7, New Westminster District Plan 8991
Civic Address: 48 Avenue, west of Murrayville, Langley
Size: 14.9 ha

Area in ALR: 14.9 ha
Current Land Use: Vacant
Farm Classification: No
(BC Assessment)

PROPERTY 2

Owner: Maysfield Properties Ltd
Date of Acquisition: December 29, 1972
Parcel ID: 011-154-896
Title No.: J4006E
Legal Description: Lot 1, Section 36, Township 7, New Westminster District Plan 5553
Civic Address: 44 Avenue, west of 216 Street, Langley
Size: 3.1 ha
Area in ALR: 0 ha
Current Land Use: Vacant
Farm Classification: No
(BC Assessment)

COMMISSION CONSIDERATION:

Context

Section 6 of the *Agricultural Land Commission Act* identifies the purposes of the Commission as: (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.

Agricultural Capability

Based on the information contained in Map 92G.007 (Scale 1:20,000) of the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system, the agricultural capability ratings of the ALR land under application are identified as being:

Unimproved Rating: 7:2AWD 3:4WD Improved Rating: (7:2D 3:3DW)

Note: These ratings cover approximately 80% (or 11.8 ha) of the ALR land under application.

Unimproved Rating: 4AT Improved Rating: (3TAP)

Note: These ratings cover approximately 20% (or 3.0 ha) of the ALR land under application.

Note: The non-ALR land involved in this application is in a polygon with unimproved ratings ranging from Class 5 to 7 and improved ratings ranging from Class 3 to 7 with limiting Subclasses I, L, T and W. Approximately 25% of this area has unimproved Class O5 and improved Class O3 organic soils.

Class and Subclass Descriptions

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.
- Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.
- Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.
- Class 7 – Land in this class has no capability for arable or sustained natural grazing
-

Subclasses

- A soil moisture deficiency
P stoniness
D undesirable soil structure
T topography
W excess water

Organic Soils - Organic soils are grouped into seven classes, designated as O1 to O7. The organic soil class definitions are equivalent in terms of their relative capabilities and limitations for agricultural use to those defined for mineral soil.

Subclasses

- L degree of decomposition - permeability

Agricultural Suitability

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the ALR land to become unsuitable for agriculture. Although the ALR subject property is located adjacent to residential development, the Commission considered the greenhouse operation to the north of the ALR subject property (and the previous decision related to that property, Resolution #443/2003) when concluding that the agricultural suitability of the ALR subject property is not adversely affected by adjacent land uses.

Assessment of Potential Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission believes that the proposal, which includes subdividing the most agriculturally capable and suitable portion of land under application, would reduce the number of farm options for the ALR subject property, both now and in the future. As a result, the Commission decided that the proposal is inconsistent with the goals of preserving agriculture land and encouraging farming.

Other Factors

The Commission considered both the Agricultural Advisor Committee and Township of Langley Council comments. Although these comments did differ, they both advised that the agricultural merit of the application was to be considered paramount.

The issue addressed by the agent, received via email on May 18th, 2011, of the requirement for the boundary adjustment due to access problems was considered by the Commission. The property to the south is not of comparable agricultural capability, nor is it in the ALR, and as a result, the Commission does not believe the boundary adjustment has agricultural merit.

CONCLUSIONS:

IT WAS

MOVED BY: Commissioner Roger Mayer

SECONDED BY: Commissioner Jennifer Dyson

THAT the application be refused for the following reasons:

- The ALR subject property has agricultural capability;
- The ALR subject property is suitable for agriculture;
- The non-ALR subject property is not capable or suitable for agriculture;
- The proposal would negatively impact agriculture;
- That the use of land that is neither capable nor suitable for agricultural uses to justify subdivision of land that is capable and suitable for agricultural is inappropriate; and
- The proposal is inconsistent with the goal of preserving agricultural land.

AND THAT the applicant be advised that the Commission does not support the encumbrance of the ALR subject property to access the non-ALR subject property.

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 # 224/2011