



Agricultural Land Commission
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July 12, 2011

Reply to the attention of Eamonn Watson
ALC File: 52265

N & J Developments Ltd.
25469 84th Avenue
Langley, BC
V1M 3N2

Dear Mr. Norm Tapp:

Re: Application to subdivide Agricultural Land Reserve land, 6444 – 240 Street, ALC application # 52265

Please find attached the Minutes of Resolution # **226/2011** 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:

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Township of Langley (AL100206)

EW/52265d1



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
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: # 52265

PROPOSAL: The applicant is proposing to subdivide the 11.8 ha subject property into approximately 24 single-family residential lots ranging in size from 0.36 to 0.84 ha.
(Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

Owner: Brian Harbidge
Date of Acquisition: June 29, 2000
Parcel ID: 002-497-883
Title No. BP153902
Legal Description: The South Quarter of the South West Quarter Except: Part Subdivided by Plan 70608; Section 15, Township 11, New Westminster District
Civic Address: 6444 – 240 Street, Langley
Size: 11.8 ha
Area in ALR: 11.8 ha
Current Land Use: Hay production, unused chicken barns.
Farm Classification: Yes
(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.018 (Scale 1:25,000) of the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system, the agricultural capability ratings are identified as being:

Unimproved Rating: 2A Improved Rating: (1)

Note: These ratings cover approximately 90% (or 10.6 ha) of the subject property.

Unimproved Rating: 7:3A 3:4A Improved Rating: (7:1 3:3AP)

Note: These ratings cover approximately 5% (or 0.6 ha) of the subject property.

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

Note: These ratings cover approximately 5% (or 0.6 ha) of the subject property.

Class and Subclass Descriptions

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.

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

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 discussed the non-ALR land north and south of the subject property. The lot

configuration of these lands predates the enactment of the ALR and, as a result of the small lot sizes, were excluded through a planning exercise that included in the Commission (Resolution # 12222/79) in 1979. The Commission believed that the past block exclusion considered the agricultural suitability of the subject property, concluding that the subject property was still appropriately designated as Agricultural Land Reserve land and suitable for agriculture.

The Commission noted that a ravine and natural vegetation south of the subject property created both a physical and visual barrier, buffering the subject property. Although no such barrier exists to the north, the Commission did not believe this rendered the subject property unsuitable for agriculture.

Furthermore, the Commission considered the current use of the subject property for hay production and the recent past use as a chicken farm. Although the subject property may not be used as a chicken farm in the future, the Commission believes that the subject property is suitable for agriculture.

Assessment of Potential Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. Since the subject property is both of high agricultural capability and deemed to be suitable for agriculture, the Commission believes the proposal is inconsistent with the long term goal of preserving agricultural land.

CONCLUSIONS:

IT WAS

MOVED BY: Commissioner Gordon Gillette

SECONDED BY: Commissioner Jennifer Dyson

THAT the application be refused for the following reasons:

- The subject property has high agricultural capability;
- The subject property is suitable for agriculture;
- The proposal would negatively impact agriculture; and,
- The proposal is inconsistent with the goal of preserving agricultural land.

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 # 226/2011