



Agricultural Land Commission
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January 17, 2012

Reply to the attention of Eamonn Watson
ALC File: 52403

David Youell
Suite 300 – 380 West 2nd Avenue
Vancouver, BC
V5Y 1C8

Dear Mr. David Youell:

**Re: Agricultural Land Commission application for non-farm use, Delta Fire and
Emergency Training facility, 4990 – 104 Street, Delta**

Please find attached the Minutes of Resolution # **497/2011** outlining the Commission's decision with respect to the above mentioned application. As agent, it is your responsibility to notify your client(s) accordingly.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact the Corporation of Delta.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Corporation of Delta (File # LU006169)
BC Assessment

EW/52403d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 27th, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

COMMISSION MEMBERS PRESENT:

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|----------------|--------------|
| Jennifer Dyson | Chair |
| Bert Miles | Commissioner |
| Jim Johnson | Commissioner |

COMMISSION STAFF PRESENT:

| | |
|-----------------|--------------------|
| Brian Underhill | Executive Director |
| Eamonn Watson | Land Use Planner |

APPLICATION ID: # 52403

PROPOSAL: To use the existing dwelling as a training facility for Delta and Emergency Services. A previous ALC decision (# 38220) was conditional on the existing dwelling being demolished.
(Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

Owner: CTV Limited, Inc. No. 72710A
Date of Acquisition: January 22, 2008
Parcel ID: 010-981-632
Title No. BB626449
Legal Description: Lot 3, Except: Firstly: Part on Plan 24717; Secondly: Part on SRW Plan 53167; Section 2, Township 4, Group 2, New Westminster District, Plan 3554.
Civic Address: 4990 – 104 Street, Delta
Size: 19.2 ha
Area in ALR: 19.2 ha
Current Land Use: Vacant farm house, transmitter building, seven radio transmitter towers and seven tuning huts.
Farm Classification: Yes
(BC Assessment)

SITE INSPECTION MEETING:

A site inspection was not conducted; the Commission reviewed the file material and the previous ALC application (# 38220) and deemed it had sufficient information to make a decision regarding the application.

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.006 (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: 3WT Improved Rating: (6:2T 4:1)

Note: These ratings cover approximately 70% (or 13.4 ha) of the subject property.

Unimproved Rating: 4W Improved Rating: (2W)

Note: These ratings cover approximately 10% (or 2.0 ha) of the subject property.

Unimproved Rating: 4W Improved Rating: (2WN)

Note: These ratings cover approximately 7.5% (or 1.4 ha) of the subject property.

Unimproved Rating: 4W Improved Rating: (5:2WN 3:3WN 2:2WT)

Note: These ratings cover approximately 7.5% (or 1.4 ha) of the subject property.

Unimproved Rating: 4W Improved Rating: (7:2WN 3:3WN)

Note: These ratings cover approximately 5% (or 1.0 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.

Subclasses

N salinity
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 does not believe there are external factors that render the land unsuitable for agricultural use.

Assessment of Potential Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. Although the proposal is not in support of the agricultural use of the subject property, the Commission does not believe the proposed use would impact existing or potential agricultural use of surrounding lands.

Furthermore, the use of the existing dwelling by the Delta Fire and Emergency Services as a training facility would have no further impact on the subject property. The Commission believes that with appropriate conditions, the proposed use would be in substantial compliance with the previous decision of the Commission (Resolution # 397/2008).

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| DECISION: |
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IT WAS

MOVED BY: Commissioner Jim Johnson

SECONDED BY: Commissioner Bert Miles

THAT the application be approved for the following reasons:

- With appropriate conditions the proposed non-farm use will not negatively impact agriculture; and,
- The proposed non-farm use utilizes an existing building in a manner that does not further impact the subject property.

AND THAT the approval is subject to the following conditions:

- No new building may be constructed and the footprint of the existing building may not be expanded;
- The use of the subject property must be in substantial compliance with the proposal submitted with the application;
- Only the existing dwelling may be used for training purposes, no additional storage or training areas on the subject property are permitted;
- The non-farm use is approved for five (5) years from the date of the decision letter;
- After such time, the dwelling should be removed or a new application must be made to the Commission to approve any further use of the subject property in this manner.

AND FINALLY THAT the approval for non-farm use is granted for the sole benefit of the applicant, CTV Ltd., and the Delta Fire and Emergency Services and is non-transferable.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED
Resolution # 497/2011