



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

May 17, 2013

ALC File: 52989

Raymond and Gail Burns
5414 – 238 Street
Langley, BC
V2Z 2P2

Dear Sir and Madam:

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution # 114/2013 as it relates to the above noted application.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

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.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Further correspondence with respect to this application is to be directed to Eamonn Watson (Eamonn.Watson@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #114/2013

cc: Township of Langley (Folder: AL100237, Project: 11-04-0075)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on January 24, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application # 52989.

COMMISSION MEMBERS PRESENT:

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

COMMISSION STAFF PRESENT:

Eamonn Watson	Land Use Planner
Brian Underhill	Executive Director
Colin Fry	Executive Director

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

To subdivide the subject property into six (6) lots of approximately 0.4 ha. The proposed subdivision also includes road dedications running east-west along the northern boundary of the subject property and north-south between proposed lots 4/3 and 6/5.

PROPERTY INFORMATION:

Owner: Raymond Charles Burns and Gail Maureen Burns

Legal: PID: 006-241-981
Lot 43, Except: Part Subdivided by Plan 42066; Section 4, Township 11, New Westminster District, Plan 41746

Location: 5414 – 238th Street, Langley

Size: 2.9 ha

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

6 The following are the purposes of the commission:

- (a) to preserve agricultural land;

- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
 - (c) 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.
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COMMISSION CONSIDERATION

The Commission reviewed two previous applications involving the subject property:

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| Application #18968
(Ponderosa, 1985) | To exclude the property (Lot 43) from the ALR to facilitate a residential subdivision. The Commission refused the application by Resolution #569/1985 as it believed the property has a good potential for agriculture. The Commission also noted that exclusion would impact adjacent farm land. |
| Application #21145
(Wall, Nelson, Rempel and Ponderosa, 1987) | To subdivide four (4) adjoining properties (Lot 25, Lot 15, Lot 6 and Remainder of Lot 43) into 0.4 ha residential lots (approximately 32 lots in total). The Commission refused the application by Resolution #727/1987 as it believed the land has a good potential for agricultural purposes. In addition, the Commission stated that <i>“subdivision would virtually eliminate the options for agriculture over the long term and have a negative impact on surrounding ALR lands.”</i> |

After considering the information the Commission concluded as follows:

1. In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system. The improved agricultural capability ratings identified on BCLI map sheet 92G/2(a) for the subject property are Class 1 and 3.

Class 1 - land is capable of producing the very widest range of crops. Soil and climate conditions are optimum, resulting in easy management.

Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

The limiting subclasses associated with this parcel of land are A (soil moisture deficiency) and P (stoniness).

Conclusion:

The Commission believes the property is capability of supporting a range of agricultural operations. Subdivision would be contrary to the mandate of the Commission to preserve agricultural land and encourage farming.

2. The Commission also reviewed aerial photography of the subject property and adjacent properties, specifically those located within the ALR to the south. Properties to the south appear to be in agricultural production.

Conclusion:

Properties located in close proximity to the subject property appear to share similar agricultural capability classifications and some of these properties are in agricultural production. The Commission believes the subject property is similarly capable and suitable for agriculture as other nearby ALR parcels currently being used for agricultural production.

3. Non-ALR lands located to the east and west.

Conclusion:

The Commission does not believe that the location of the subject property in close proximity to non-ALR lands renders it unsuitable for agriculture.

IT WAS

MOVED BY: Commissioner Gillette
SECONDED BY: Commissioner Thibeault

THAT the proposal to subdivide the subject property into six (6) lots of approximately 0.4 ha be refused.

CARRIED

Resolution #114/2013