



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

January 23, 2014

ALC File: 53161

Bill Vanderkooi
4590 Udy Road
Abbotsford, BC V3G 3A3

Dear Mr. Vanderkooi:

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

Please find attached the Minutes of Resolution # 405/2013 as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

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 black ink, consisting of a stylized 'B' and 'U' followed by a long horizontal line that tapers to the right.

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution # 405/2013

cc: City of Abbotsford (File # 3040-20/A13-001)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on July 17, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53161.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner

COMMISSION STAFF PRESENT:

Tony Pellett	Regional Planner
Brian Underhill	Executive Director
Colin Fry	Executive Director

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

To adjust the boundaries between a 17.6 ha subject property and a 0.8 ha subject property to create a 7.5 ha property and a 10.9 ha property.

PROPERTY INFORMATION:

Property 1

Owner: Bakerview EcoDairy Ltd.

Legal: PID: 010-604-251
Lot "D", Section 11, Township 16, New Westminster District, Plan 21905

Locations: 1240 Sumas Way, Abbotsford

Sizes: 0.8 ha

Property 2

Owner: Bakerview EcoDairy Ltd.

Legal: PID: 027-956-814
Lot A, Section 11, Township 16 and District Lot 355, Group 2, New Westminster District, Plan BCP41412

Locations: 1356 Sumas Way, Abbotsford

Sizes: 17.6 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

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/1c for the subject property are Class 1, Class 2 and Class 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 2 - land is capable of producing a wide range of crops. Minor restrictions of soil or climate may reduce capability but pose no major difficulties in 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 the subject properties are A (soil moisture deficiency), D (undesirable soil structure), T (topography) and W (excess water).

Conclusion:

The subject properties have prime agricultural capability and can support a wide range of agricultural crops. The Commission also considered the current agricultural use of the subject properties when concluding that the land has high agricultural capability and is suitable for agriculture.

2. The Commission discussed that the 0.8 ha parcel has existed since 1960, prior to the implementation of the Agricultural Land Reserve, and appears to have been used for agriculture in conjunction with the adjacent property since that time.

Conclusion:

The Commission does not believe that a small subject property that has existed since prior to the implementation of the Agricultural Land Reserve should be used as a justification to effectively subdivide a larger, highly productive, agricultural parcel. Furthermore, the

Commission believes that the two subject properties could continue to be farmed as a contiguous unit without approving a boundary adjustment of this nature.

3. The intensive agricultural development related to the EcoDairy facility and anaerobic digester on the 17.6 ha subject property.

Conclusion:

The Commission believes that the intensive agricultural development on the 17.6 ha subject property requires that the parent property remain as large as possible. The Commission does not believe that the proposed parcels would be consistent with the current agricultural development and infrastructure on the subject properties. As a result, the Commission believes the proposal is inconsistent with objectives of the *Agricultural Land Commission Act* to preserve agricultural land and encourage agriculture.

IT WAS

MOVED BY: Commissioner Bullock

SECONDED BY: Commissioner Dyson

THAT the proposal to adjust the boundaries between the two subject properties be refused.

CARRIED

Resolution # 405/2013