



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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January 2, 2014

ALC File: 53214
Your File: 1840

Douglas B. Chiasson
204 - 40147 Glenalder Place
Squamish, BC V8B 0G2

Dear Mr. Chiasson:

Re: Application to Exclude Land from the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #296/2013 as it relates to the above noted application. As agent, it is your responsibility to notify your client accordingly.

By way of a copy of this letter, the Commission is advising the Registrar of Land Titles of its order and confirming that the ALR notation is to be removed from Certificate of Title No. CA2700121. As a courtesy, the Commission also points out to the Registrar the minor error in the legal description as noted in the Minutes.

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:

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #296/2013

cc: Squamish-Lillooet Regional District
Box 219, 1350 Aster Street, Pemberton, BC V0N 2L0
Attention: Mr. Ian Holl, Planner

New Westminster Land Title Office
Suite 300 - 88 Sixth Street, New Westminster, BC V3L 5B3
Attention: Mr. Larry Blaschuk, Registrar of Land Titles



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 3, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53214.

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
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Tony Pellett	Regional Planner
Eamonn Watson	Land Use Planner

PROPOSAL (Submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*)

To exclude the 1.9 ha Agricultural Land Reserve (ALR) portion of the property from the ALR.

PROPERTY INFORMATION: As per information provided with the original application

Legal: PID: 024-682-241
Lot 1, District Lots 3928 and 7203, Group 1, New Westminster District, Plan LMP44477

Note: As explained in the application, a part of the above described property was actually owned by Squamish First Nation. This surveying inconsistency was resolved by way of a re-survey resulting in a new plan being registered and Certificate of Title being created on September 17, 2013.

PROPERTY INFORMATION: As currently registered

Owner: Troy Vincent Hogg

Legal: PID: 029-157-901
Lot A, District Lots 3928 and 7720 (*sic*), Group 1, New Westminster District, Plan EPP20342

Note: Plan EPP20342 – Reference Plan of Lot 1, District Lots 3928 and 7203, Group 1, New Westminster District, Plan LMP44477. See below for correct legal description.

Legal: PID: 029-157-901
Lot A, District Lots 3928 and 7203, Group 1, New Westminster District, Plan EPP20342

Location: Upper Squamish Valley Road, Squamish-Lillooet Regional District

Size: 1.9 ha

EXCLUSION MEETING

An exclusion meeting was held on October 3, 2013 at the offices of the Commission. Those in attendance included the Commissioners and staff noted above and the applicant's agent Mr. Douglas B. Chiasson. Mr. Chiasson provided an overview of the application, including recent changes to the subject property boundaries as a result of land being deeded back to the Province as Squamish First Nation land. In addition, Mr. Chiasson discussed water infiltration issues on the subject property. The proposed exclusion is in aid of subdividing the subject property.

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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The Commission reviewed one previous application involving the subject property and two relevant applications involving nearby properties to the north:

Application #32329 Boundary line adjustment subdivision between two (2) properties in order
(Whittaker, 1998) to create two lots with road access. The Commission approved the
application (Resolution #57/1999).

Note – This approval facilitated the creation of Lot 1, District Lots 3928 and 7203, Group 1, New Westminster District, Plan LMP44477 which was the legal description of the property before the recent re-survey to sever the Squamish First Nation land from the balance of the property.

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 identified using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system. The unimproved agricultural capability ratings identified on Canadian Land Inventory (CLI) map sheet 92G/14 for the subject property are Class 2 and 3.

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 this parcel of land are M (moisture deficiency) and W (excess water).

Conclusion:

Although the land in questions has good agricultural capability ratings according to the CLI information, it is severely limited by excess water. The Squamish River is not controlled in this area and flooding impedes farming on the subject property.

2. The Squamish-Lillooet Regional District forwarded to the exclusion application to the Commission; however, neither the Regional Board nor Regional District staff supported the application. The non-support appeared to be based primarily on the above noted CLI information.

Conclusion:

The Commission agrees with this position in general. However, in this instance the subject property is located on the boundary of the Agricultural Land Reserve. The subject property is relatively small with only 1.9 ha in the ALR and is affected seasonally by flooding. Given these challenges, it would be very difficult to pursue agriculture on the subject property.

IT WAS

MOVED BY: Commissioner Johnson

SECONDED BY: Commissioner Collins

THAT the request to exclude the 1.9 ha portion of the subject property from the ALR be approved.

AND FINALLY THAT 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 #296/2013