



**Agricultural Land Commission**  
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March 1, 2016

ALC File: 54185

Ryan Anderson  
OTG Developments Concepts  
46680 Yale Road  
Chilliwack, BC V2P 2R9

Dear Mr. Anderson:

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

Please find attached the Reasons for Decision of the Agricultural Land Commission (Resolution #73/2016) as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Your attention is drawn to s. 33(1) of the *Agricultural Land Commission Act* which provides a person affected the opportunity to submit a request for reconsideration.

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.

Please note that pursuant to s. 33.1 of the *Agricultural Land Commission Act*, the Chair may direct the executive committee to reconsider this panel decision if, within 60 days from the date of this decision, he considers that the decision "may not fulfill the purposes of the commission as set out in section 6". I can advise you that in this case, the Chair has already reviewed the decision and has instructed me to communicate to you that he does not intend to exercise that authority in this case.

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

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Colin J. Fry, Chief Tribunal Officer

Enclosure: Reasons for Decision (Resolution #73/2016)

cc: City of Chilliwack – Attention: Gillian Villeneuve (File: ALR00219)  
8550 Young Road, Chilliwack, BC V2P 8A4

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**AGRICULTURAL LAND COMMISSION FILE 54185**

**REASONS FOR DECISION  
OF THE SOUTH COAST PANEL**

**Application submitted pursuant to s. 21(2) of the *Agricultural Land Commission Act***

**Applicant:**

**Camila Cornell Dejann Dahl  
(the “Applicant”)**

**Agent:**

**Ryan Anderson  
OTG Development Concepts  
(the “Agent”)**

**Application before the South Coast Regional Panel:**

**William Zylmans, Panel Chair  
Gordon McCallum  
Satwinder Bains**



**THE APPLICATION**

[1] The legal description of the properties involved in the application are:

Property 1

Parcel Identifier: 005-539-838

Parcel "One" (Reference Plan 13080), Lot "B", Section 1, Township 3, Range 29,  
West of the Sixth Meridian, New Westminster District, Plan 12670

Area: 0.2 ha

Civic Address: 51754 Yale Road, Chilliwack

Property 2

Parcel Identifier: 024-547-271

Lot 2, Sections 34 and 35, Township 2 and of Section 1, Township 3, Range 29,  
New Westminster District, Plan LMP42579

Area: 12.6 ha

Civic Address: 51728 Yale Road, Chilliwack

(collectively referred to hereafter as the "Properties")

- [2] The Properties are located within a designated agricultural land reserve ("ALR") as defined in s. 1 of the *Agricultural Land Commission Act* (the "ALCA").
- [3] The Properties are located within Zone 1 as defined in s. 4.2 of the ALCA.
- [4] Pursuant to s. 21(2) of the ALCA, the Applicant is applying to adjust the legal lot boundaries of the Properties to create two (2) lots, one (1) lot approximately 7.3 ha in size and one (1) lots approximately 5.3 ha in size (the "Application").
- [5] On November 13, 2015, the Chair of the Agricultural Land Commission (the "Commission") referred the Application to the South Coast Regional Panel (the "Panel").



**RELEVANT STATUTORY PROVISIONS**

[6] The Application was made pursuant to s. 21(2) of the *ALCA*:

21(2) An owner of agricultural land may apply to the commission to subdivide agricultural land.

[7] The Panel considered the Application within the context of s. 6 of the *ALCA*:

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.

**EVIDENTIARY RECORD BEFORE THE PANEL**

[8] The Panel considered the following evidence:

1. The Application
2. Local government documents
3. Previous application history
4. Agricultural capability map, ALR context map, and satellite imagery

All documentation noted above was disclosed to the Agent in advance of this decision.

[9] The City of Chilliwack (the "City") resolved to forward the Application the Commission "with support".



[10] The Panel reviewed one (1) previous application involving the Property:

Application ID: 43834  
Legacy File: 37268  
(Dahl, 2007)

In 2007, the Commission reviewed an application to adjust the legal lot boundaries of the Properties to create two (2) lots, one (1) lot approximately 8.9 ha in size and one (1) lot approximately 4.0 ha in size. The Commission, by Resolution #162/2007, refused the subdivision application.

### **SITE VISIT**

[11] The Panel, in the circumstances of the Application, did not consider it necessary to conduct a site visit to the Property based on the evidentiary record associated with the Application.

### **FINDINGS**

[12] In assessing agricultural capability, the Panel referred in part to agricultural capability mapping and ratings. The ratings are identified 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 92H/4 for the mapping units encompassing the Properties are Class 3 and Class 4, more specifically the majority of the Properties have an improved agricultural capability rating of (6:3PAT 4:4TPA) and a small portion land at the south end has an improved agricultural capability rating of (O3WL).

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.

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.



The limiting subclasses associated with these parcels of land are A (aridity), L (degree of decomposition - permeability), P (stoniness), T (topography (slope)) and W (excess water). The BCLI map sheet also indicates that organic soils exist on a portion of the Properties.

In this regard, the Panel finds that the land making up the Properties is capable of supporting agriculture and is appropriately designated within the ALR.

[13] The Panel, in addition to the City's resolution forwarding the Application, recognizes that the City's Agricultural Advisory Committee supported the Application on the basis that a small parcel would be eliminated and two potential farm parcels would be created. However, the Panel does not view the Application in the same manner and considers that the proposal would be tantamount to subdividing the larger of the Properties. The Panel does not generally support the subdivision of properties in the ALR into smaller parcels as it often reduces the types of agriculture that can occur on the land.

## **DECISION**

[14] For the reasons given above, the Panel refuses the Application to adjust the legal lot boundaries of the Properties to create two (2) lots, one (1) lot approximately 7.3 ha in size and one (1) lot approximately 5.3 ha in size.

[15] Panel Chair **William Zylmans**, concurs with the decision.  
Commissioner **Gordon McCallum**, concurs with the decision.  
Commissioner **Satwinder Bains**, concurs with the decision.

[16] Decision recorded as Resolution #73/2016.

A decision of the Panel is a decision of the Commission pursuant to s. 11.1(5) of the ALCA.

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Upon instruction of the Panel, I have been authorized to release the Reasons for Decision by Resolution #73/2016. The decision is effective upon release.



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Colin J. Fry, Chief Tribunal Officer

**March 1, 2016**  
**Date Released**