



**Agricultural Land Commission**  
133–4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

June 14, 2016

ALC File: 54636

Allan Roseboom  
7357 Lickman Road  
Chilliwack, BC V2R 4A8

Dear Mr. Roseboom:

**Re: Application for Subdivision in the Agricultural Land Reserve (ALR)**

Please find attached the Reasons for Decision of the Agricultural Land Commission (Resolution #207/2016) as it relates to the above noted application. As agent, it is your responsibility to notify your client accordingly. A sketch plan depicting the decision has been attached.

Please send two (2) paper copies or one (1) electronic copy of the final survey plan to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

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 is to be directed to Liz Sutton at (Elizabeth.Sutton@gov.bc.ca).

Page 2 of 2

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Colin J. Fry, Director of Policy and Planning

Enclosures: Reasons for Decision (Resolution #207/2016)  
Sketch plan

cc: City of Chilliwack (File: ALR000269)

54636d1



## **AGRICULTURAL LAND COMMISSION FILE 54636**

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

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

**Applicant:** **Eco Valley Farms  
(the “Applicant”)**

**Agent:** **Allan Roseboom  
(the “Agent”)**

**Application before the South Coast Regional Panel:** **Bill Zylmans, Panel Chair  
Gord McCallum  
Satwinder Bains**



## **THE APPLICATION**

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

### **Property 1**

Parcel Identifier: 013-000-683

Parcel "One" (Reference Plan 14781) of Parcel "A" (Reference Plan 5052) District Lot 285, Group 2, NWD

Area: 0.8 ha

Civic Address: 7307 Lickman Road, Chilliwack

### **Property 2**

Parcel Identifier: 009-043-667

Parcel "A" (Reference Plan 5052), District Lot 285, Group 2 Except: Parcel "One" (Reference Plan 14761), NWD

Area: 16.9 ha

Civic Address: 7269 Lickman Road, Chilliwack

(collectively 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 Applicants are applying to adjust the boundary between the 0.8 ha and 16.9 ha Properties to create a 2.0 ha lot and a 15.7 ha lot (the "Proposal"). The Proposal along with supporting documentation is collectively the "Application".



**RELEVANT STATUTORY PROVISIONS**

[5] 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.

[6] 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**

[7] The Panel considered the following evidence:

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

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

**SITE VISIT**

[8] 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**

[9] 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 92G/01h for the mapping units encompassing the Property are approximately 85% (4:1 – 4:2W – 2:2T), 15% 2W.

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.

The limiting subclasses associated with this parcel of land are W (excess water) and T (topographic limitations).

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.

[10] Although the Panel does not generally support reducing lot sizes in the ALR, the Application is a unique circumstance related to a specific farm business, poultry production. The Applicant has recently acquired layer egg quota from the BC Egg Marketing Board. The intention of the boundary adjustment is to build a poultry operation on the proposed 2.0 ha lot while the 15.7 ha parcel would be retained for crops and raising cattle.

[11] The Panel finds that the Application is related to the development of a farm operation and as a result would encourage farming. Because each proposed lot would retain an existing residence, in this instance the Application would not present any additional non-agricultural impacts on surrounding agricultural land.

**DECISION**

[12] For the reasons given above, the Panel approves the Proposal to adjust the boundary between the Properties to create a 2.0 ha lot and 15.7 ha lot.

[13] The Proposal is approved subject to the following conditions:

- a. the preparation of a subdivision plan to delineate the area to be subdivided per the drawing submitted with the Application;
- b. the subdivision be in substantial compliance with the plan submitted with the Application; and
- c. the subdivision plan must be completed within three (3) years from the date of this decision.

[14] 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.

[15] Panel Chair Bill Zylmans, concurs with the decision.

Commissioner Gord McCallum, concurs with the decision.

Commissioner Satwinder Bains, concurs with the decision.

[16] Decision recorded as Resolution #207/2016.

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



\*\*\*\*\*

Upon instruction of the Panel, I have been authorized to release the Reasons for Decision by Resolution #207/2016. The decision is effective upon release.

A handwritten signature in black ink, appearing to be 'CJF', is written over a horizontal line.

**Colin J. Fry, Director of Policy and Planning**

**June 14, 2016**

**Date Released**