



Agricultural Land Commission
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December 12, 2016

ALC File: 55319

Marci Rangers
7782 Taulbut Street
Mission, BC, V2V 0C7

Dear Mrs. Rangers:

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

Please find attached the Reasons for Decision of the South Coast Panel (Resolution #429/2016) as it relates to the above noted application.

Reconsideration of a Decision as Directed by the ALC Chair

Please note that pursuant to [s. 33.1 of the *Agricultural Land Commission Act*](#), the Chair may direct the executive committee to reconsider any 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 s. 6, or does not adequately take into consideration s. 4.3.

You will be notified in writing if the Executive Committee is directed to reconsider your decision. The Commission advises you to take this 60 day period into consideration prior to proceeding with any actions upon this decision.

Reconsideration of a Decision by an Affected Person

We draw your attention 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.

For further clarity, s. 33.1 and s. 33(1) are separate and independent sections of the *Agricultural Land Commission Act*.

Further correspondence with respect to this application is to be directed to Jenna Bedore at (Jenna.Bedore@gov.bc.ca).

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Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read 'Jenna Bedore', with a stylized, cursive script.

Jenna Bedore, Land Use Planner

Enclosure: Reasons for Decision (Resolution #429/2016)

cc: Fraser Valley Regional District (File: 3015-20 2016-02.)

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AGRICULTURAL LAND COMMISSION FILE 55319

REASONS FOR DECISION OF THE SOUTH COAST PANEL

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

Applicant:

**Raymond Kirton
(the “Applicant”)**

Agent:

**Marci Rangers
(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 property involved in the application is:

Parcel Identifier: 005-632-196

Parcel "A", Section 26, Township 19, New Westminster District, Plan 57766
(the "Property")

[2] The Property is 16 ha in area (4.7 ha within the ALR).

[3] The Property has the civic address 13403 / 13411 Stave Lake Road, Mission BC.

[4] The Property is located partially within a designated agricultural land reserve ("ALR") as defined in s. 1 of the *Agricultural Land Commission Act* (the "ALCA").

[5] The Property is located within Zone 1 as defined in s. 4.2 of the *ALCA*.

[6] Pursuant to s. 21(2) of the *ALCA*, the Applicant is applying to subdivide the Property into two lots of 12 ha and 4 ha in order to allow his daughter and son-in law to build an house and operate a hobby farm on the 4 ha lot (the "Proposal"). The Proposal along with supporting documentation is collectively the application (the "Application").

RELEVANT STATUTORY PROVISIONS

[7] 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.

[8] The Panel considered the Application within the context of s. 6 of the *ALCA*. The purposes of the Agricultural Land Commission (the "Commission") set out in s. 6 are as follows:



- 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

[9] 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.

[10] At its meeting of June 28, 2016 the Fraser Valley Regional District resolved that the Application be forwarded to the Commission for consideration, and further that the Commission consider the staff report dated June 14, 2016 under file number 3015-20 2016-02.

[11] The Panel reviewed one previous application involving the Property:

Application ID: 6372
Legacy File: 06660
(Dewdney-Alouette Regional
District, 1978)

A portion of the Property was excluded from the ALR as part of a regional Block Application submitted by the Dewdney-Alouette Regional District. The application was approved by Cabinet Resolution # 10402/1978.

SITE VISIT

[12] 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

[13] 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 sheets 92G/01g and 92G/01f for the mapping units encompassing the ALR portion of the Property are Class 2, Class 3, Class 4, Class 5, and Class 7. More specifically, approximately 30% (6:2DT~4:3TD), 55% (6:O5W~4:4W), and 15% (7RT). 'O' indicates organic soils,

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.

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

Class 5 - land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

Class 7 - land has no capability for soil bound agriculture.

The limiting subclasses associated with this parcel of land are D (undesirable soil structure), W (excess water), R (bedrock near surface) and T (topographic limitations).

[14] The Panel reviewed the BCLI ratings and find that the majority of ALR portion of the Property has moderate agricultural capability, and could support a range of agriculture.

[15] The Application states that the purpose of the Proposal is to subdivide the Property in order to allow the Applicant's daughter and son-in law to build a house and operate a hobby farm on the 4 ha lot (~2.4 ha in ALR). The proposed lot configuration would subdivide the most arable area of the ALR portion of the Property and narrow the range of agricultural options available .The Panel finds that the Property has greater agricultural utility in its present size and configuration.

DECISION

[16] For the reasons given above, the Panel refuses the Proposal.

[17] These are the unanimous reasons of the South Coast Panel of the Agricultural Land Commission.

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

[19] This decision is recorded as Resolution #429/2016 and is released on December 12, 2016.

CERTIFICATION OF DECISION



William Zylmans, Panel Chair, on behalf of the South Coast Panel

END OF DOCUMENT