



Agricultural Land Commission
133–4940 Canada Way
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Fax: 604 660-7033
www.alc.gov.bc.ca

November 30, 2016

ALC File: 55337

Brian Dagneault
Dagneault Planning Consultants Ltd
220-8171 Cook Road
Richmond, BC V6Y 3T8

Dear Mr. Dagneault:

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

Please find attached the Reasons for Decision of the South Coast Panel (Resolution #410/2016) as it relates to the above noted application. A sketch plan depicting the decision is also attached. As agent it is your responsibility to notify the applicant accordingly.

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 Kamelli Mark at (Kamelli.Mark@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read 'KMARK', written in a cursive, stylized font.

Kamelli Mark, Land Use Planner

Enclosures: Reasons for Decision (Resolution #410/2016)
Sketch plan

cc: City of Richmond (File: 08-4105-04-04/2016)

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AGRICULTURAL LAND COMMISSION FILE 55337

REASONS FOR DECISION OF THE SOUTH COAST PANEL

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

Applicants:

**Kuljit Singh Bapla
Gurjit Singh Bapla
(the “Applicants”)**

Agent:

**Brian Dagneault
(the “Agent”)**

Application before the South Coast Regional Panel:

**William Zylmans, Panel Chair
Gordon McCallum**



THE APPLICATION

[1] The legal description of the property involved in the application is:

Property 1

Parcel Identifier: 003-560-775

Lot 177, Section 13, Block 4, North Range 6 West, New Westminster District Plan 52094

Area: 0.2 ha

Civic Address: 7341 No. 5 Road, Richmond, BC

Property 2

Parcel Identifier: 003-558-185

Lot 141 Except: Part Subdivided by Plan 52094; Section 13, Block 4, North Range 6 West, New Westminster District Plan 32652

Area: 0.3 ha

Civic Address: 7351 No. 5 Road, Richmond, BC

(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 boundaries between Property 1 and Property 2 to create two 0.24 ha parcels with a straight property line (the “Proposal”). The Proposal along with supporting documentation is collectively the application (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*. 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

[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 Applicants in advance of this decision.



[8] At its meeting of September 12, 2016, the City of Richmond resolved to forward the application for subdivision to the ALC.

SITE VISIT

[9] 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

[10] 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/03h for the mapping units encompassing the Properties are 70% Class O3LW and 30% O2W.

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 Properties are O (organic), L (degree of decomposition – permeability), and W (excess water).

[11] The Panel reviewed the BCLI ratings and find that the Properties have prime agricultural capability and are appropriately designated within the ALR. The Properties are not currently being used for agriculture.

[12] The Panel notes that the Properties are currently being used solely for Residential purposes and that the Properties are located directly adjacent to other residential parcels of a similar size and shape to the Proposal.

[13] The Panel finds that the proposed boundary adjustment would not create any new parcels, that the loss of 0.06 ha from Property 2 is minimal, and that the Proposal would not negatively impact the current or future agricultural suitability of the Properties.

DECISION

[14] For the reasons given above, the Panel approves the Proposal to adjust the boundaries between Property 1 and Property 2 to create two 0.24 ha parcels.

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

- a. the preparation of a subdivision plan to delineate the area to be subdivided as per the Sketch Plan submitted with the Application;
- b. that the subdivision be in substantial compliance with the Sketch Plan submitted with the Application;
- c. submission of two (2) paper copies or one (1) electronic copy of the final survey plan to the Commission; and
- d. the subdivision plan being completed within three (3) years from the date of release of this decision.

[16] When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the subdivision plan.

[17] 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.

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

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



[20] This decision is recorded as Resolution #410/2016 and is released on November 30, 2016.

CERTIFICATION OF DECISION

A handwritten signature in black ink, appearing to read 'W. Zylmans', with a long horizontal flourish extending to the right.

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

END OF DOCUMENT

SKETCH SHOWING PROPOSED SUBDIVISION OF

1) LOT 141 EXCEPT: PART SUBDIVIDED BY PLAN 52094, PLAN 32652

2) LOT 177, PLAN 52094

SECTION 13 BLOCK 4 NORTH RANGE 6 WEST

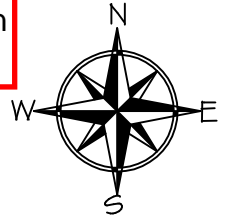
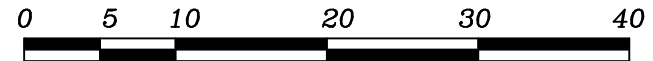
NEW WESTMINSTER DISTRICT

#7341 No. 5 ROAD, (LOT 177)
RICHMOND, B.C.
P.I.D. 003-560-775

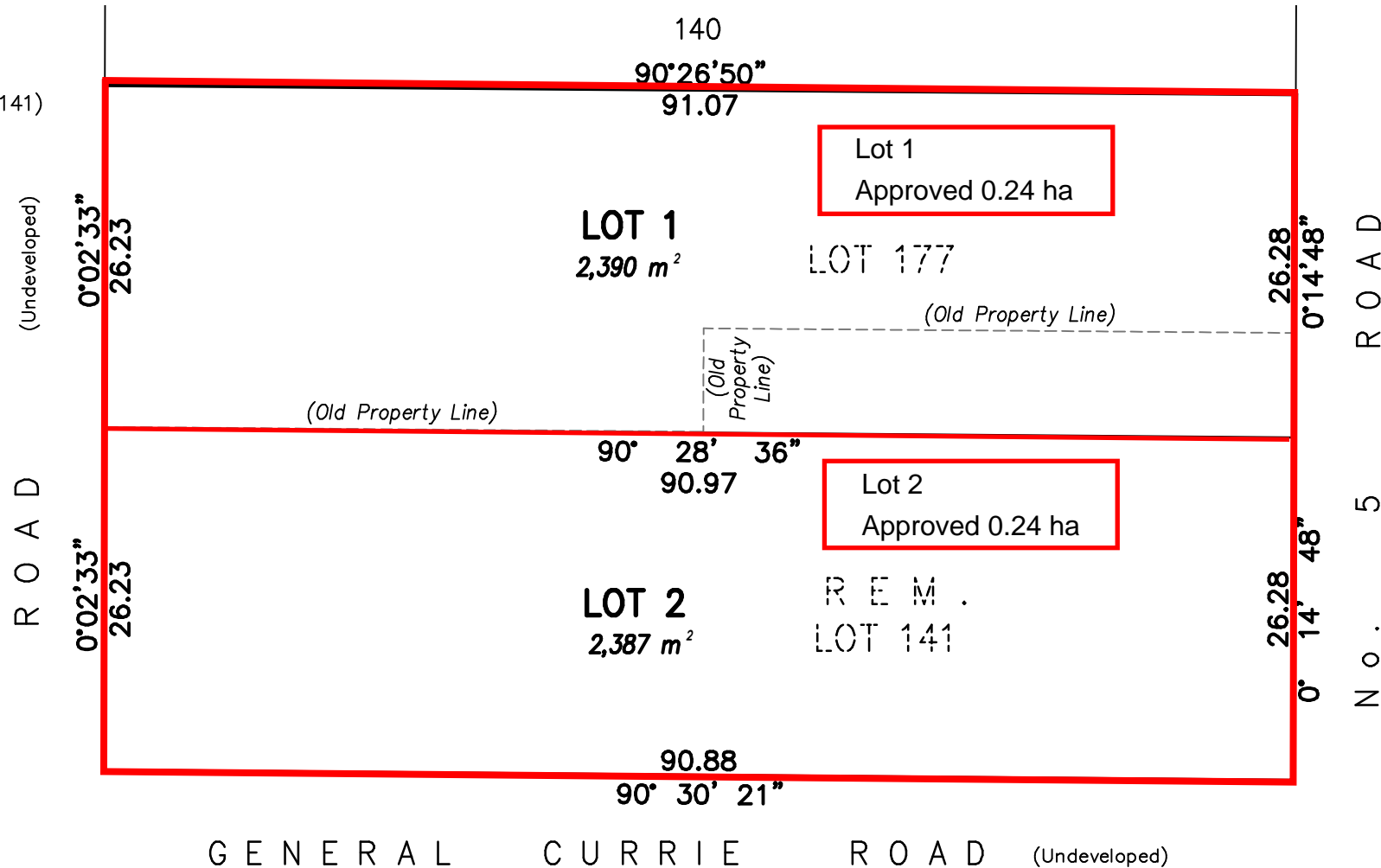
#7351 No. 5 ROAD, (REM. LOT 141)
RICHMOND, B.C.
P.I.D. 003-558-185

ALC #55337 (Bapla)
Conditionally Approved Subdivision
ALC Resolution #410/2016

SCALE: 1:500



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THEREOF UNLESS OTHERWISE INDICATED



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Job No. 6467
FB-306 P5-10; FB-305 P62-64
Drawn By: IO

DWG No. 6467-Sketch

Sketch prepared on
April 29th, 2016.