



Agricultural Land Commission
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February 28th, 2017

ALC File: 55043

George Lockerby
1714 200th Street
Langley, BC V2Z 1W6

Dear Mr. Lockerby:

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

Please find attached the Reasons for Decision of the South Coast Panel (Resolution #42/2017) 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 Kelsey-Rae Russell at (KelseyRae.Russell@gov.bc.ca).

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Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read "K Russell". The signature is stylized and cursive.

Kelsey-Rae Russell, Land Use Planner

Enclosure: Reasons for Decision (Resolution #42/2017)

cc: Township of Langley (File: 07-14-0055/AL100301)

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AGRICULTURAL LAND COMMISSION FILE 55043

REASONS FOR DECISION OF THE SOUTH COAST PANEL

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

Applicant:

**George Lockerby
(the “Applicant”)**

Application before the South Coast Regional Panel:

**William Zylmans, Panel Chair
Satwinder Bains**



THE APPLICATION

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

Parcel Identifier: 009-325-981

Lot 3, Section 14, Township 7, New Westminster District, Plan 10435
(the "Property")

[2] The Property is 4 ha in area.

[3] The Property has the civic address 1714 200th Street, Langley BC.

[4] The Property is located 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 for a homesite severance subdivision to create two 2 ha lots for the purpose of creating a lot for the Applicant's immediate family member (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. Agricultural capability map, ALR context map and satellite imagery

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

[10] At its meeting of October 3rd, 2016, the Township of Langley Council resolved to advise the Commission that the proposed subdivision complies with the land use and minimum parcel size provisions of the Township's Zoning Bylaw and request consideration based on agricultural merits.

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 92G/02b for the mapping units encompassing the Property are Class 2, Class 3, and Class 7, more specifically, approximately 26% (5:2DT 3:3AP 2:3DW), 26% (6:3AP 2:2DT 2:3DW), 24% 3AP, 12% 7T and 12% 3WA.

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 7 - land has no capability for soil bound agriculture.

The limiting subclasses associated with this parcel of land are D (undesirable soil structure) T (topography), A (soil moisture deficiency), P (stoniness), and W (excess water).

In this regard, the Panel finds that the Property is capable of supporting agriculture and is appropriately designated within the ALR.

[13] The Applicant states that he has owned the Property since 1953, and as such, is applying for subdivision pursuant to the ALC Policy L-11: Homesite Severance of ALR Lands. The purpose of this policy is to provide a consistent approach to situations where property under application has been the principal residence of the applicant as owner-occupant since December 21, 1972 and the applicant wishes to dispose of the parcel but retain a homesite on the land. The primary concern of the Commission when considering a homesite severance is to ensure that the remaining parcel is of a size and configuration that will, in the Commission's opinion, constitute a viable agricultural parcel. In this case, the homesite severance proposed by the Applicant would result in a

two 2 ha lots. The Panel finds the Proposal creates two parcels of unacceptable size from an agricultural perspective and that the Property has greater agricultural utility in its current size and configuration.

DECISION

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

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

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

[17] This decision is recorded as Resolution #42/2017 and is released on February 28th, 2017.

CERTIFICATION OF DECISION

A handwritten signature in black ink, appearing to read 'W. Zylmans', written over a horizontal line.

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

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