



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

September 25, 2006

Reply to the attention of Gordon Bednard

Gurjeet Singh Sohi
5415 - 104th Street
Delta, BC V4K 3N3

Dear Sir:

Re: **Application # O-36844**
North 1/2 of the North East 1/4, Section 3, Township 4, New Westminster District,
EXCEPT Part on Plan LMP45328

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to continue the use of a second dwelling in the northeast corner of the subject property for the use of your full-time farm employee. It is the understanding of the Commission that your family residence in the southeast portion of the property, will be removed and a new dwelling constructed in the southeast area of the property in the future. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on August 31, 2006 at the property. The Commission found the meeting and site visit informative. The Commissioners were especially impressed by the existing farm development and your plans for future plantings.

The Commission writes to advise that it approved your application subject to:

- the use being restricted to the existing second dwelling in the northeast corner of the property as shown on the attached plan.
- compliance 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. The Commission suggests you contact the Municipality of Delta at your earliest convenience.

The decision noted above is recorded as Resolution # **455/2006**.

Please quote your application number in any future correspondence.

Yours truly,

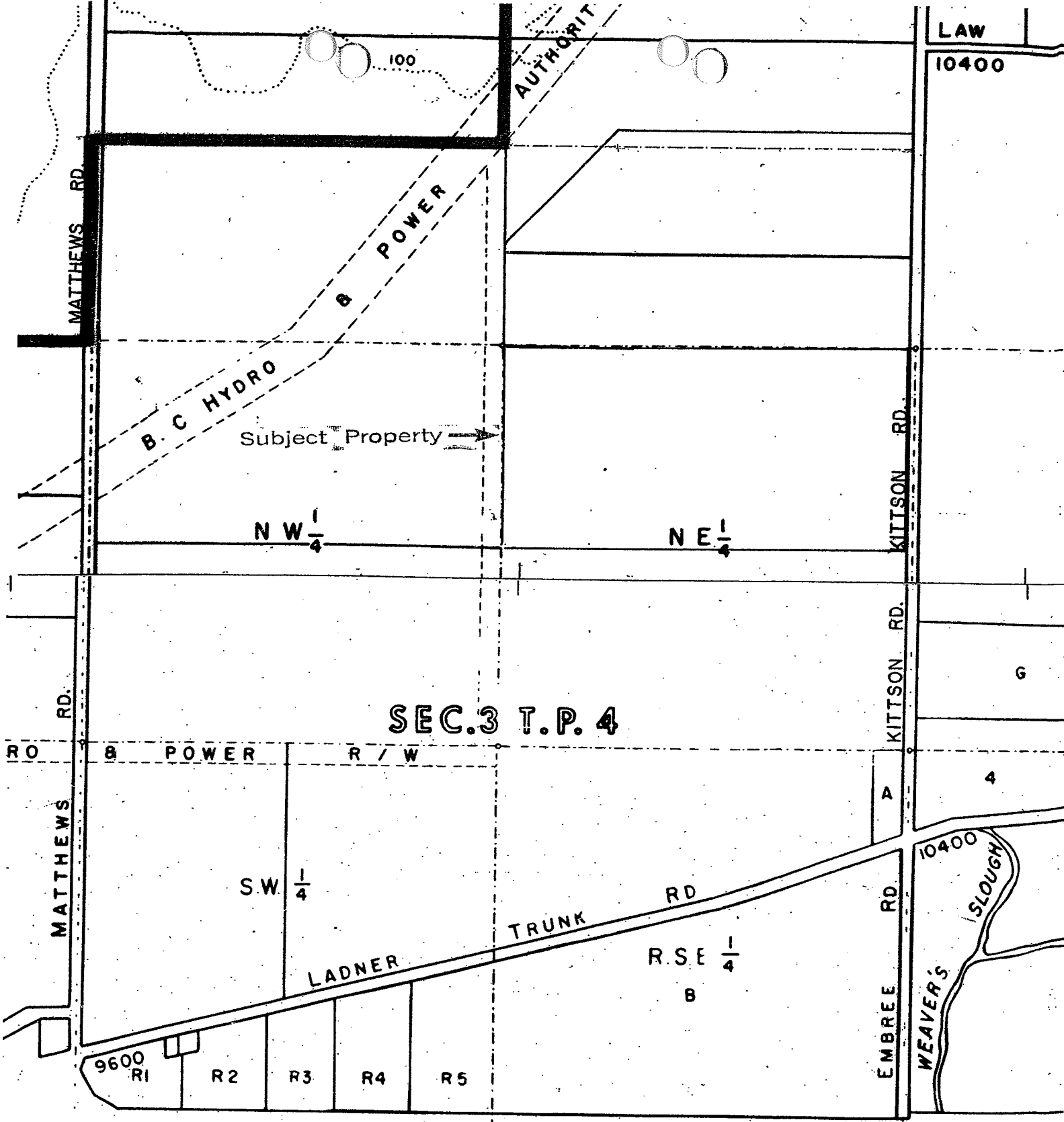
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

pc: Corporation of Delta Attn: John Hopkins
Hank Malenstyn Farm Ltd, 5758 Kettle Crescent West, Surrey, BC V3S 8R6

GB/lv/Encl./36844d1



Provincial Agricultural Land Commission
 Application: O-36844
 Resolution # 455/2006

ALR

Constituent	
Map # <u>5 & 16</u>	
Scale: 1:10,000	

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Staff Report
Application # O – 36844
Applicant: Hank Malenstyn Farm Ltd
Agent: Gurjeet Sohi

DATE PREPARED: August 16, 2006

TO: Chair and Commissioners – South Coast Panel

FROM: Gordon Bednard, Regional Research Officer

PROPOSAL: Requesting permission for an additional farmhouse. Currently two farmhouses are located on the property. One of these would be replaced by a new, larger home for the Sohi brothers and their families. The remaining dwelling would continue to be used by their full-time employee.

This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Local Government:

The Corporation of Delta

Legal Description of Property:

PID: 013-228-765

North 1/2 of the North East 1/4, Section 3, Township 4, New Westminster District, EXCEPT Part on Plan LMP45328

Purchase Date (m/d/y):

11/28/2002 (right to purchase registered by Sohi brothers)

Location of Property:

5415 - 104 Street, Delta

Size of Property:

32.0 ha (The entire property is in the ALR).

Present use of the Property:

Blueberry Farm, 2 dwellings

Surrounding Land Uses:

WEST: Forage and pasture (without extensive livestock)
SOUTH: Cultivated for field vegetables and potatoes
EAST: Variety of farming operations
NORTH: Livestock and dairy operation

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/2d
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

Agriculture

Zoning Bylaw and Designation:

Zoning Bylaw No 2750
Designation: A1 - Agricultural
Minimum Lot Size: 8 ha

PREVIOUS APPLICATIONS:

NONE

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Not supported by Delta Council.

OTHER COMMENTS:

Agrologist: Concludes that, based on the size of the operation and the owner's expansion plans, a second dwelling is agriculturally justifiable.

STAFF COMMENTS:

While the Sohi brothers all work off the farm, the balance of their extended family is employed (at least part time) on the property. Their present non-family employee provides mechanical help and security for the farm, and is employed full-time.

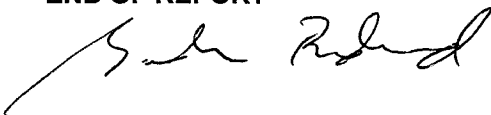
The dwelling that is contemplated by the owners is, by any measure, very large. It is intended to provide for the extended family, which is now living in one of the present 1500 square foot dwellings.

Staff recommends an onsite meeting with the applicants to discuss the proposal and the need for the additional dwelling. As well, the location of the second dwelling must be considered by the Commission to limit the non-farm intrusion it may cause by poor location on the land. A covenant on the property limiting the additional (smaller) dwelling to occupation by full-time employees may be considered by the Commission.

ATTACHMENTS:

ALR Map
Sohi letter of June 26/06
Delta letter of July 10/06
Airphoto

END OF REPORT



August 22/06