



**Agricultural Land Commission**  
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May 30, 2007

Reply to the attention of Jennifer Carson  
ALC File: O-37200

Douglas and Winona Kazakoff  
25309 - 72nd Avenue  
Langley, B.C.  
V4W 1H7

Dear Mr. Kazakoff:

**Re: Application for Non-Farm Use in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 252/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

  
Erik Karlsen, Chair

cc: The Corporation of the Township of Langley (AC000037)

Enclosure: Minutes

JC/37200d1



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

**A meeting was held by the Provincial Agricultural Land Commission on May 22, 2007 in Langley, B.C.**

<b>PRESENT:</b>	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	Erik Karlsen	Commissioner
	Tony Pellett	Staff
	Jennifer Carson	Staff

### **For Consideration**

Application: # O- 37200  
Applicant: Douglas and Winona Kazakoff  
Proposal: Non-farm use for a secondary residence for applicants' daughter and her family.  
Legal: PID: 025-210-777  
Lot 2, Section 14, Township 11, New Westminster District, Plan LMP51861  
Location: Located at 25309 - 72nd Avenue, Langley

### **Site Inspection**

A site inspection was conducted on May 22, 2007. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- Erik Karlsen Commissioner
- Tony Pellett Staff
- Jennifer Carson Staff
- Mr. Kazakoff Applicant

The Commissioners and Staff met with the applicant to discuss the second dwelling application. Mr. Kazakoff bought the property in 2004. The Kazakoffs renovated what used to be a garage and shop in order to convert it into a living space for their daughter and her family. This conversion was already completed when the Commissioners viewed the property. Mr. Kazakoff confirmed that the staff report dated March 20, 2007 was received and no errors were identified.

### **Context**

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. 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.

## **Discussion**

### **Assessment of Agricultural Capability**

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The improved agricultural capability classifications of the soil of the subject property are

- Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
- Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
- Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.
- Class 7 – Land in this class has no capability for arable or sustained natural grazing

#### Subclasses

- D      undesirable soil structure
- T      topography
- W      excess water

### **Assessment of Agricultural Suitability**

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission was not pleased that the applicant converted the house without receiving permission to do so first. However, as the footprint of the building is the same, and the applicants just changed the use of the building, the Commission felt that there was minimal adverse impact on agriculture. The Commissioners also believed that the use of the building as a dwelling does not affect the agricultural component of the property. One issue of concern discussed among the Commissioners was that other neighbours may be inclined to do the same with their property. The Commission believes the proposal would not adversely impact existing or potential agricultural use of surrounding lands.

## **Conclusions**

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will not have further adverse impacts on agriculture.

**IT WAS**

**MOVED BY:** Commissioner Bose

**SECONDED BY:** Commissioner Karlsen

THAT the application be allowed.

AND THAT the approval is subject to the following conditions:

- the building that has been converted from a garage/shop to a dwelling must maintain the same footprint.
- when no longer occupied by the daughter, the building must revert back to a storage building and garage.
- approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

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.

**CARRIED**

**Resolution # 252/2007**

Commissioner Pranger wished to be recorded as opposed to the decision.



**Staff Report**  
**Application # O – 37200**  
**Applicant: Douglas and Winona Kazakoff**

**DATE RECEIVED:** January 19, 2007

**DATE PREPARED:** March 20, 2007

**TO:** Chair and Commissioners – South Coast Panel

**FROM:** Jennifer Carson, Land Use Planner

**PROPOSAL:** Non-farm use for a secondary residence for applicants' daughter and her family. This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

**Local Government:**

The Corporation of the Township of Langley

**Legal Description of Property:**

PID: 025-210-777

Lot 2, Section 14, Township 11, New Westminster District, Plan LMP51861

**Purchase Date:**

February 1, 2004

**Location of Property:**

Located at 25309 - 72nd Avenue, Langley

**Size of Property:**

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

**Present use of the Property:**

Residence, barn, shop converted to second residence for daughter

**Surrounding Land Uses:**

**WEST:** Residential

**SOUTH:** Residential

**EAST:** Residential, hobby farm, chickens

**NORTH:** 252nd divide and Westcreek Hatchery

**Agricultural Capability:**

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

**Official Community Plan and Designation:**

OCP: None

**Zoning Bylaw and Designation:**

Zoning: Agricultural, residential  
Designation: RU-3  
Minimum Lot Size: 8.0 ha

**PREVIOUS APPLICATIONS:**

**Application #31465-0**

**Applicant:** Szoke, Bela  
**Decision Date:** September 23, 1997  
**Proposal:** The applicant requested permission, under the Homesite Severance Policy, to subdivide the 3.3 ha parcel into two parcels, a retirement lot of approx. 0.4 ha and a remainder parcel of approx. 2.9 ha.  
**Decision:** Refused as submitted. However, in consideration of the fact that the applicant satisfies the eligibility requirements of the Homesite Severance Policy, the Commission was prepared to allow the subdivision of the 0.9 ha northern portion of the property along 252 A Crescent so that the entire 2.4 ha south of the road remains available as one large agricultural unit into the future.

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**Application #26226-0**

**Applicant:** Szoke, Bela  
**Decision Date:** March 04, 1992  
**Proposal:** Initially, Mr. Szoke proposed to subdivide the northwesterly 0.8 ha from the southerly 2.1 ha as divided by 252A Crescent. Subsequently, he amended his application and requested a 0.5 ha homesite severance encompassing his existing home.  
**Decision:** Refused on the grounds that the subdivision of the homesite would leave an unsuitable agricultural remnant.

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**Application #31465-1**

**Applicant:** Szoke, Bela  
**Decision Date:** March 24, 1998  
**Proposal:** Reconsideration of homesite lot (0.4 ha) at original location with remainder of 2.9 ha.  
**Decision:** Allowed but minimize size of homesite lot.

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**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

No comments or recommendations.

**STAFF COMMENTS:**

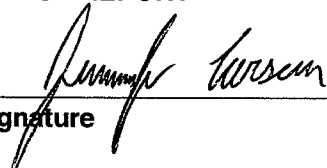
It is recommended that the Commission consider the following:

- The property is on prime agricultural land.
- The proposed dwelling is within a pre-existing structure and therefore total building footprint on the property would not be altered.
- In the local government report it was mentioned that the parcel size was incorrectly noted when compared to BCAA record which showed it at 2.86 ha.

**ATTACHMENTS:**

1. Base Map
2. Constituent Map
3. Agricultural Capability Map
4. Air Photo
5. Email from applicant
6. Sketch of proposal

**END OF REPORT**

  
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Signature

March 28, 2007  
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Date