



Agricultural Land Commission
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October 10, 2007

Reply to the attention of Jennifer Carson
ALC File: # MM - 37574

Justin Mulder
Corpus Management Group
#200 2296 McCallum Rd.
Abbotsford, B.C. V2S 3P4

Dear Mr. Mulder:

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

Please find attached the Minutes of Resolution # 496/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over the 'Per:' label.

Erik Karlsen, Chair

cc: City of Abbotsford (3040-20/A07-009)

Enclosure: Minutes

JC/lv
37574d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 25, in Abbotsford, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Tony Pellett	Staff
	Gordon Bednard	Staff
	Thomas Loo	Staff
	Ron McLeod	Staff
	Jennifer Carson	Staff

For Consideration

Application: # MM- 37574
Applicant: John Peter Glazema
Proposal: Non-farm use proposal for A5 rezoning of property as required by the city of Abbotsford. The subject property size is 11.4 ha with 9 ha of cropland (leased to a neighboring farmer) and a farm site built on approximately 2.4 ha
Legal: PID: 000-502-324
Lot 44 Except: Firstly; Part Subdivided by Plan 28393, Secondly: Part Subdivided by Plan LMP10031, Thirdly: Part on Plan 4663
Section 2, Township 20 New Westminster District Plan 4211
Location: 39451 No 3 Road, Abbotsford

Site Inspection

A site inspection was conducted on September 25, 2007. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Tony Pellett Staff
- Gordon Bednard Staff
- Thomas Loo Staff
- Ron McLeod Staff
- Jennifer Carson Staff
- Ivor Venema Applicant
- Justin Mulder Agent

The Commission met with the applicant and agent on the subject property and had a tour of the shop that is being run out of the existing barn. The Commission also walked around the grounds of the shop and saw that the remainder of the property not being taken up by the shop was being leased to the neighbouring property and being farmed. Historically the property was being used as a dairy farm. Since purchase of the property, Mr. Venema explained how a substantial amount of clean up of equipment was required in order to return a large portion of the property back into farming. Mr. Venema also explained how their business began and due to various external consequences, grew into what it is today. Mr. Venema explained that the City of Abbotsford had been out to the property on various occasions since they began operation and according to the applicant did not seem to have a problem with the business continuing. However, in January of 2007 the City of Abbotsford received a complaint from within the community about the operation of the shop not conforming to City zoning. Through discussion with the City, Mr. Venema decided to make an application to the Commission for non-farm use.

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 ratings for the agricultural capability of the soil of the subject property are:

- Class 1 – Land in this class either has no or only very slight limitations that restrict its use for the production of common agricultural crops.
- 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.

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 is in agreement with the AAC that recommended deferring the application until the completion of the Agricultural Plan for the City of Abbotsford. As a result, the Commission agreed that they would review the application once the Agricultural Plan has been completed to the satisfaction of the Commission.

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 impact agriculture.

IT WAS

MOVED BY: Commissioner Tomlinson
SECONDED BY: Commissioner Bose

THAT the application be refused as proposed.

However, the Commission is prepared to allow the temporary non farm use of the property as supplier for equipment and repairs for two years or until the Agricultural Plan for the City of Abbotsford has been completed to the satisfaction of the Commission. Upon receipt of this plan, the Commission will revisit this application.

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 # 496/2007



Staff Report
Application # MM – 37574
Applicant: John Peter Glazema
Agent: Justin Mulder

DATE RECEIVED: July 12, 2007

DATE PREPARED: September 5, 2007

TO: Chair and Commissioners – South Coast Panel

FROM: Jennifer Carson, Land Use Planner

PROPOSAL: Non-farm use proposal for A5 rezoning of property as required by the city of Abbotsford. The subject property size is 11.4 ha with 9 ha of cropland (leased to a neighboring farmer) and a farm site built on approximately 2.4 ha. This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Local Government:

City of Abbotsford

Legal Description of Property:

PID: 000-502-324

Lot 44 Except: Firstly; Part Subdivided by Plan 28393, Secondly: Part Subdivided by Plan LMP10031, Thirdly: Part on Plan 4663 Section 2, Township 20 New Westminster District Plan 4211

Purchase Date:

February 2000

Location of Property:

39451 No 3 Road, Abbotsford

Size of Property:

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

Present use of the Property:

Three residential homes, three (3) attached barns, one (1) Quonset, one (1) derelict cement silo. The majority of the barn space is used for equipment storage. Approximately 800 square feet of this space is used for offices and sales area and 4,000 square feet is used for equipment assembly and repair.

Surrounding Land Uses:

WEST: No. 3 Road interchange and Farmland
SOUTH: No. 3 Road and Farmland
EAST: Dike and Farmland
NORTH: Dike and Sumas Canal/farmland

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/1a & 92G/1b
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

OCP: Not available
Designation: Agricultural

Zoning Bylaw and Designation:

Designation: Agricultural Two Zone (A2)
Minimum Lot Size: 16 ha

PREVIOUS APPLICATIONS:

Application #19453-0

Applicant: Heetebrij, H&M
Decision Date: October 9, 1985
Proposal: To construct a third dwelling on the property. The larger home was to be used for farm help, and the smaller home used for the applicant's son.
Decision: Allowed.

RELEVANT APPLICATIONS:

Application #30957-0

Applicant: The Straw Farm Ltd
Decision Date: October 09, 1996
Proposal: To construct (after the fact) a fully enclosed mushroom growing medium preparation facility which will supply two mushroom farms.
Decision: Approval in principle subject to the following conditions:
1. The receipt of a site plan showing the location, size, footprint and storage and loading facilities of the existing mushroom composting barn on the property. In addition, information concerning the volume of compost which is to be produced on a monthly basis is also requested.
2. The registration of a Restrictive Covenant against the title of the subject property restricting the supply of the mushroom compost produced on the property to the two individual mushroom operations, known as T & T Mushroom Farm at 3675 - 232nd Street in Langley and Trinh's Mushroom Farm at 18566 - 80th Avenue in Surrey.

Application #34316-0

Applicant: Detchkoff, Gus & Gordon
Decision Date: June 28, 2002
Proposal: Gus and Gordon Detchkoff have applied for subdivision of the subject 6.5 ha property into two lots for their children. The applicants state that the usable portion of the property is limited and the land has limited agricultural capability due to limited sun exposure.
Decision: The Commission approved this application to subdivide the property into two lots using the least amount of good land on one of the lots.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Council:

Council of the City of Abbotsford forwarded the application deferring the recommendation until completion of an Agricultural Plan for the City of Abbotsford, and in the interim, no bylaw enforcement action be pursued against the applicant.

AAC:

Recommended deferral of the application, pending completion of the City Agricultural Plan.

STAFF COMMENTS:

It is recommended that the Commissioners consider the following:

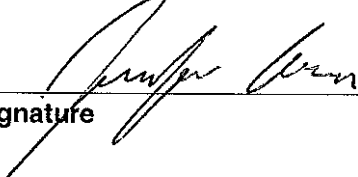
- The AAC has recommended deferring this application until the completion of the Agricultural Plan for the City of Abbotsford.
- The Agricultural Land Commission has no record of a non farm use application for the subject property to be used as an equipment repair shop.

ATTACHMENTS:

- ALC Context Map
- Agricultural Capability Map
- Aerial Photograph
- Letter from applicant (2 pages)

END OF REPORT

Signature



Date

Sept 5, 2007