



Agricultural Land Commission
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May 19, 2009

Reply to the attention of Ron Wallace
ALC File: MM-38766

Dave Batten
Davlyn Enterprises Inc.
35832 Treetop Drive
Abbotsford, BC V3G3C9

Dear Sir:

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

Please find attached the Minutes of Resolution # 169/2009 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: 

Erik Karlsen, Chair

Enclosure: Minutes

cc: City of Abbotsford (3040-20/A08-012)
Russell Goossen 1281 Bradner Road RR#6 Aldergrove, BC V0X1A0
BC Assessment, Abbotsford

RW/
i/MM-38766d1



A meeting was held by the Provincial Agricultural Land Commission on April 20, 2009 in Abbotsford, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Ron Wallace	Staff
	Tony Pellett	Staff

For Consideration

Application: # MM- 38766
Applicant: Russell Goossen

Agent: Davlyn Enterprises Inc. Dave Batten

Proposal: The applicant would like to leave the existing trailer on the property in addition to the main permanent dwelling. The applicant is legally blind and requires another person to live in the trailer in order to help maintain the property and to assist the applicant with his transportation needs.

Legal: PID: 009-552-278
Lot "E", Section 9, Township 13, New Westminster District, Plan 20805, EXCEPT Part subdivided by Plan 23316

Location: 1273 and 1281 Bradner Road, Abbotsford

Site Inspection

A site inspection was conducted on April 20, 2009. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Ron Wallace Staff
- Tony Pellett Staff

The Commissioners and staff viewed the subject property without the applicant being present. The Commission noted the location of the trailer on the southeast corner of the property adjacent to Bradner Road.

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 agricultural capability of the soil of the subject property is

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

Subclasses

M soil moisture deficiency
P stoniness

Assessment of Agricultural Suitability

The Commission assessed whether 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 believed that the proposal would not substantially impact agriculture and was supportable for the sole benefit of the applicant and as such would be non-transferable and ensured by way of a covenant registered on the title of the subject property.

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 significantly impact agriculture.

IT WAS

MOVED BY: Commissioner Pranger

SECONDED BY: Commissioner Bose

THAT the application be allowed subject to the following condition:

- The registration of a covenant in favour of the Commission to the effect that the existing trailer use is granted for the sole benefit of the applicant and is non-transferable. The trailer must be removed upon the applicant leaving the property.

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 # 169/2009