



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

April 16, 2010

Reply to the attention of Ron Wallace
ALC File: 51489

Joseph and Sandra Mae Beausoleil
8520 Broadway Street
Chilliwack, BC
V2P 5V5

Dear Sir/Madam:

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

Please find attached the Minutes of Resolution # **2407/2010** outlining the Commission's decision as it relates to the above noted application.

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

Enclosure: Minutes

cc: City of Chilliwack (3370-20(ALR00216))

RW/
51489d1



A meeting was held by the Provincial Agricultural Land Commission on March 25, 2010 in Langley, B.C.

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

For Consideration

Application: 51489
Applicant: Joseph and Sandra Mae Beausoleil, Irene Merle Pomozon
Proposal: To locate a Temporary Accessory Dwelling on the subject property to help with the operation of a commercial dog kennel.
Legal: Lot 187, District Lot 343, Group 2 New Westminster District Plan 67988
Location: 8520 Broadway, Chilliwack

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

Staff and all Commissioners are familiar with the site from a previous on-site inspection in 2007, hence no further on-site visit is deemed necessary. Staff pointed out that the kennel is a permitted non-farm use under section 3 of the regulation, but that where a residence is already on a parcel, a further non-farm residence is not allowed without Commission approval of an application. Commissioners noted that the kennel is close to other accommodation and questioned the need for separate accommodation on site; if separate accommodation was considered essential to kennel operation the owner should have sought approval for the residence before locating the kennel in the ALR.

The Commission observed that adjoining the kennel a residence has already been sited in the form of a mobile home. The Commission indicated that if that mobile home is occupied by a member of the owners' immediate family, it does not require Commission approval; otherwise it will have to be relocated.

IT WAS

MOVED BY: Commissioner Bose
SECONDED BY: Commissioner Tomlinson

THAT the application be refused;

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.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.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

CARRIED
Resolution # 2407/2010