



Agricultural Land Commission
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July 19, 2010

Reply to the attention of Ron Wallace
ALC File: 51611

Hugh Whitfield
21275 0 Ave
Langley, BC
V2Z 1S6

Dear Sir:

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

Please find attached the Minutes of Resolution # **2551/2010** outlining the Commission's decision as it relates to the above noted application.

Please submit a draft covenant to the Commission's office for review and comments.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'B Underhill', written over a white background.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Township of Langley (AC000047)
BC Assessment, Surrey

RW/
51611d1



A meeting was held by the Provincial Agricultural Land Commission on July 7, 2010 in Langley, B.C.

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

For Consideration

Application: 51611
 Applicant: Hugh Whitfield
 Agent: N/A
 Proposal: To retain the cottage (with a footprint under 700 ft²) on the subject property for use as a second dwelling for family members. There is a main residence and cottage on the property; there is no agriculture on the property.
 Legal: Lot 2 Section 1 Township 7 New Westminster District Plan 71572
 Location: 21275 0 Avenue, Langley

Site Inspection

A site inspection was conducted on July 7, 2010. Those in attendance were:

- Richard Bullock Chair
- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Tony Pellett Staff
- Hugh Whitfield Applicant

Applicant stated that when he bought the property the house was not quite completed. He initially lived in the “guest cottage” and retained it for his father’s use when visiting from Scotland. At that time he did not know of the requirement that the cottage be decommissioned upon occupancy of the principal dwelling. He is aware that he could import a manufactured home as a residence for his father (who may move to the site permanently) but is asking to retain the cottage instead. He is willing to do what is necessary to guarantee that the cottage will be decommissioned once it is no longer needed for his father. It was also noted the cottage footprint is smaller than that of most manufactured homes and that it is located on a slope which would have to be terraced for a manufactured home.

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

The Commission agreed to approve temporary retention of the cottage subject to registration of a covenant in favour of the Commission and the Township of Langley that the cottage will be decommissioned before sale of the property is completed or when the cottage is no longer required for the applicant's father, whichever happens first.

IT WAS

MOVED BY: Commissioner Pranger

SECONDED BY: Commissioner Bose

THAT the application to retain the cottage on the subject property for use as a second dwelling be approved subject to the following conditions:

- the registration of a covenant in favour of the Agricultural Land Commission and the Township of Langley that the cottage will be decommissioned before sale of the property is completed or when the cottage is no longer required for the applicant's father, whichever happens first.
- 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. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

CARRIED

Resolution # 2551/2010