



Agricultural Land Commission
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November 7, 2012

ALC File: # 52701

Harm and Magdalene Vanderlinde
37523 Maher Road
Abbotsford, BC
V3G 1W4

Re: Application to Conduct a Non-Farm Use on Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution # 335/2012 as it relates to the above noted application. The Commission draws your attention to sections 33(1) of the *Agricultural Land Commission Act*.

Section 33(1) of the *Agricultural Land Commission Act* provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

- 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.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Further correspondence with respect to this application should be directed to Eamonn Watson (Eamonn.Watson@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #335/2012

cc: City of Abbotsford (File: 3040-20/A11-015)

EW/52701d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 20, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #52701.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Ron Wallace	Land Use Planner
Eamonn Watson	Land Use Planner
Brian Underhill	Executive Director
Colin Fry	Executive Director

PROPOSAL

The applicants are seeking the Commission's approval to use an existing hayloft for events once or twice a week, seasonally. At these events the applicants plan to promote and educate guests about their hog production and pork products, as well as providing visitors the opportunity to taste and experience country life in Sumas Prairie. The applicants have hosted occasions in the barn for celebrations, fundraising, youth events and meetings with neighbours.

The hayloft in question is part of a hip roof barn, approximately 25 by 10 metres. The applicants do not intend to make any physical alterations to the barn, which is currently empty. In addition, there is sufficient room for parking with no need to use farmed land.

(Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
 - (a) to preserve agricultural land;
 - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
 - (c) 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.

COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. The improved agricultural capability ratings identified on BC Land Inventory (BCLI) map 92G/1b for the property are predominantly Class 1 and 2, with a some Class 3 and 4.

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.

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Conclusion: The land has good agricultural capability and no evidence has been provided to suggest the published BCLI ratings are substantively inaccurate.

1. Locating a commercial venture, an event hall, within the Agricultural Land Reserve (the "ALR").

Conclusion: Locating a commercial venture of this nature in an area that is both highly capable and suitable for agriculture, such as the Sumas Prairie, presents a number of potential impacts on surrounding agricultural land. Increased traffic, potential complaints, pressures on neighbouring farms, etc. could all unduly impact surrounding agricultural land and farm operations. Although the applicants do state that the proposed business has the support of area neighbours, the Commission believes that locating this business on agricultural land would be inappropriate.

2. The operation of an event hall as an agritourism venture to support the existing agricultural operation.

Conclusion: The Commission understood that the proposed event hall is intended to help promote and educate guests about the farm operation and products. However, given the nature of this type of consumer driven venture, both now and in the future, the Commission believes that an event hall would be more appropriately located on non-ALR lands.

IT WAS

MOVED BY: Commissioner Dyson
SECONDED BY: Commissioner Thibeault

THAT the request for non-farm use be refused.

CARRIED

Resolution #335/2012

Commissioner Collins was opposed to the decision.