



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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September 8, 2005

Reply to the attention of Ron Wallace

Andrew & Sally Chalus
26093 – 64th Avenue
Aldergrove, BC V4W 1M3

Dear Sir/Madam:

Re: Application # O-36063
Lot 2, Section 13, Township 11, New Westminster District, Plan 1279

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to retain an existing second dwelling on the above noted property. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission writes to advise that it approved your application subject to:

- the removal of the second dwelling when no longer required by the current occupants or before the property is sold.
- compliance 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. The Commission suggests you contact the Township of Langley at your earliest convenience.

The decision noted above is recorded as Resolution **#465/2005**.

Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karsen, Chair

cc: Township of Langley – AC000031
BC Assessment, Langley

BG/dy/
36063d1



Staff Report
Application # O – 36063
Applicant: Andrew & Sally Chalus

DATE PREPARED: July 26, 2005

TO: Chair and Commissioners – South Coast Panel

FROM: Gordon Bednard, Regional Research Officer

PROPOSAL: To obtain permission to retain an existing second dwelling on the property. There are a large principal dwelling and an accessory dwelling on the property, both of which appear to have been constructed or located on the property after 1972. The owners, who live in the large dwelling, are asking that the secondary dwelling be allowed to remain in lieu of a temporary accessory mobile home. The daughter resides in the smaller dwelling.

This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

See previous application below.

Staff is uncertain how or why occupancy permits were issued for the new dwelling given that the Commission refused permission for a second dwelling on the property for the same owners in 1992.

Local Government:

The Corporation of the Township of Langley

Legal Description of Property:

PID: 010-140-719

Lot 2, Section 13, Township 11, New Westminster District, Plan 1279

Purchase Date:

04/01/1988

Location of Property:

26093 - 64th Avenue, Langley

Size of Property:

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

Present use of the Property:

residential (2 dwellings) with hybrid poplar tree farm (approx 0.6 ha)

Surrounding Land Uses:

- WEST:** larger rural lot, tree farm, in ALR
- SOUTH:** rural residences and mushroom operation
- EAST:** rural residential home and mobile, in ALR
- NORTH:** railway, cattle and turkey farm beyond, in ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/1d, 92G/2a
The majority of the property is identified as having Prime Dominant ratings: (class 2 and 3)

Official Community Plan and Designation:

Agriculture

Zoning Bylaw and Designation:

RU-1
1.7 ha MLS

PREVIOUS APPLICATIONS:

Application #25834-0
Applicant: Chalus, Andrew & Sally
Decision December 20, 1991
Date:
Proposal: Permission for new home with retention of existing dwelling.
Decision: Refused- rural residential conflict, anticipation of subdivision request, good agricultural capability land.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

No specific recommendation, however the proposal fits within the present zoning.

STAFF COMMENTS:

The Commission has already refused a second dwelling for this property, and this owner. It is a small property which is not intensively farmed and therefore unlikely to require full-time, live-on farm help. Staff therefore recommends refusal of the request for second permanent dwelling and would remind the applicant of the provisions for temporary accommodation under the regulations. If the Commission is inclined to allow the application, a covenant requiring the removal of the second dwelling prior to sale of the property should be registered against the property.

END OF REPORT

Signature _____ **Date**