



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 24, 2006

Reply to the attention of Gordon Bednard

Lena Biberdorf
782-240th Street RR #9
Langley, BC V2Z 2X6

Dear Madam:

Re: Application # O-36275
PID: 006-489-630
Lot 1, Section 3, Township 10, New Westminster District, Plan 30188

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide a 0.4 ha (1.1 acre) lot around the existing homesite under the Commission's Homesite Severance Policy. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank Julian Kenny for taking the time to meet with its representatives on March 16, 2006 at the property. The Commission found the meeting and site visit informative.

The Commission writes to advise that it refused your application as presented. As you are not presently living in the home, and have not done so for some time, the provisions of the Homesite Severance Policy would not apply to your application.

However, based on the particular circumstances of this application and the agricultural development plans of your agent (and future owner of the Biberdorf property), the Commission would allow a boundary adjustment between the existing Kenny/Biberdorf properties. This adjustment would be such that a 4 ha vacant lot would be created in the northeast corner of the Biberdorf land, and the remainder of the property (including the existing Biberdorf home) would be consolidated with the existing Kenny property to the south. The Commission would have no objection to the larger parcel thus created containing two dwellings provided they are both used for either the owner, a family member, or farm help.

This decision is subject to:

- the subdivision/consolidation being in substantial compliance with the attached plan.
- 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 # **146/2006**.

Page 2 - #36275

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,

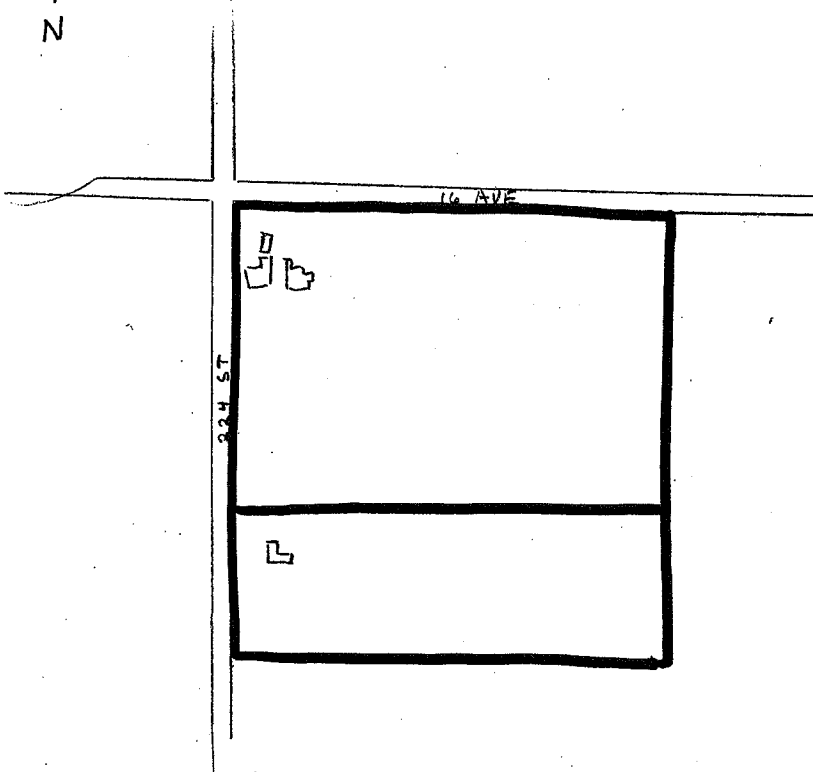
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karsen, Chair

cc: Township of Langley Attn: Bill Ulrich file# AL100099
Julian Kenny, c/o 1800-401 W. Georgia Street, Vancouver, BC - V6B 5A1

GB/lv/Encl.
36275d1



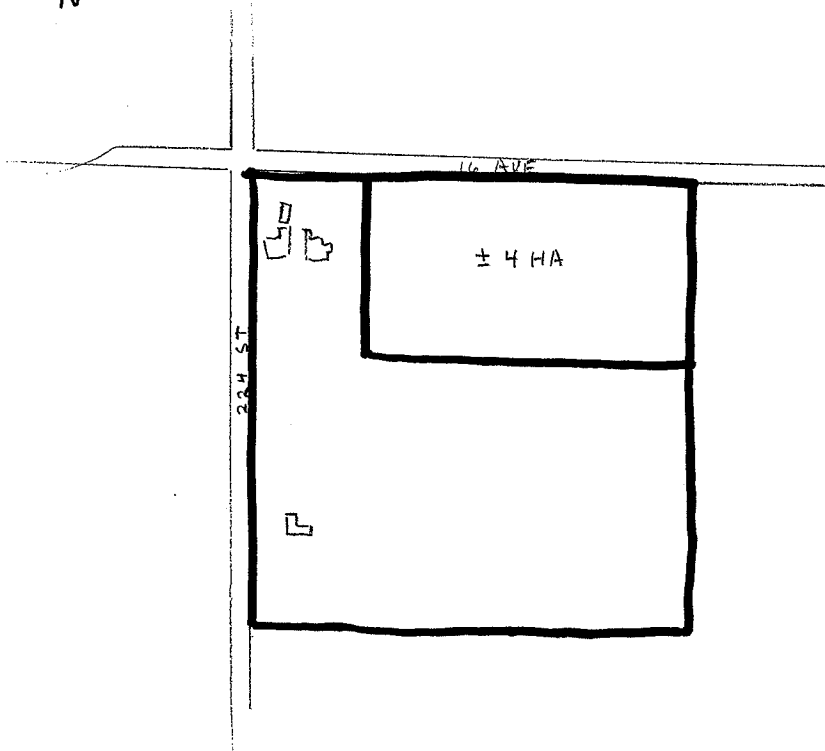
Provincial Agricultural Land Commission

Application: O-36275

Resolution # 146/2006

 Subject properties at present.

 Approved subdivision/consolidation.



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

**Minutes of a meeting held by the Provincial Agricultural Land Commission (the
"Commission") on March 16, 2006 at Aldergrove, B.C.**

PRESENT: Carol Paulson Commissioner
Walter Dyck Commissioner

ABSENT: Peter Dhillon Chair

STAFF: Gordon Bednard, Regional Research Officer

For Consideration

Gordon Bednard presented his staff report dated October 11, 2005 regarding application #O- 36275.

Site Inspection

A site inspection was conducted on March 16, 2006. Those in attendance were:

- Commissioners Paulson, & Dyck
- Agricultural Land Commission Staff: Gordon Bednard, Regional Research Officer
- Julian Kenney

The Commission viewed the property under application and met the applicant's agent, Julian Kenney, at his property next door. The Commission had also previously viewed the property during its October 2005 meeting.

Commission Discussion

The Commission considered that as the owner of the property, Lena Biberdorf, was no longer in residence on the land (had not been since October of 2005, and would not likely be in the future), she no longer fit the requirements for consideration under the Homesite Severance Policy. However, the Commission appreciated the agricultural development plans of Mr. Kenny with regard to his interest in the Biberdorf property (pending purchase) for the expansion of his organic beef operation. As well, the Commission understood the need for additional farm help for the expanded operation.

IT WAS

MOVED BY: Commissioner Walter Dyck

SECONDED BY: Commissioner Carol Paulson

THAT the staff report be received and the application for a homesite subdivision be refused as presented. However, based on the particular circumstances of this application and the agricultural development plans of the agent (and future owner of the Biberdorf property), the Commission would allow a boundary adjustment between the existing Kenny/Biberdorf properties. This adjustment would be such that a 4 ha lot would be created in the northeast corner of the Biberdorf land, with the remainder of the property (including the existing Biberdorf home) to be consolidated with the existing Kenny property to the south. The Commission would have no objection to the larger parcel thus created containing two dwellings provided they are both used for either the owner, a family member, or farm help.

This decision is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # O – 36275
Applicant: Lena Biberdorf
Agent: Julian Kenney

DATE PREPARED: October 11, 2005

TO: Chair and Commissioners – South Coast Panel

FROM: Gordon Bednard, Regional Research Officer

PROPOSAL: To subdivide a 1.1 acre (0.4 ha) lot around the existing homesite for the applicant to retire on, and sell the balance.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

There is an option to purchase registered against the existing property (July 29/05). The Commission may wish to ascertain if the applicant still resides in the house or if the property has already been sold.

Local Government:

The Corporation of the Township of Langley

Legal Description of Property:

PID: 006-489-630

Lot 1, Section 3, Township 10, New Westminster District, Plan 30188

Purchase Date (m/d/y):

12/01/1952

Location of Property:

782- 240 Street, Langley

Size of Property:

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

Present use of the Property:

residence, hayfield, barn and shed

Surrounding Land Uses:

- WEST:** large forested lots, in ALR
- SOUTH:** rural residential, forested lots, in ALR
- EAST:** large farm properties, active farming, in ALR
- NORTH:** rural residential, forested lands, hobby farms, all in ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/2a
The majority of the property is identified as having Prime Dominant ratings. Class 2,3 and 4

Official Community Plan and Designation:

Rural Plan

Zoning Bylaw and Designation:

Rural Zone - RU 2
8 ha MLS

PREVIOUS APPLICATIONS:

NONE

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Endorsed by Council

STAFF COMMENTS:

If the applicant resides in the home and qualifies under the HSS policy, staff would recommend allowance of the application with the standard HSS conditions and fencing and vegetative screening.

END OF REPORT

Signature

Date