



**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

September 26, 2006

Reply to the attention of Gordon Bednard

Gordon & Patricia Kohut  
4473 Limbert Road  
Agassiz, BC V0M 1A2

Dear Sir/Madam:

Re: **Application # MM-36814**  
Lot 2, District Lot 31, Yale Division of Yale District, Plan 3939

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to use a 0.4 ha area of the subject property for stockpiling and screening gravel from off the property. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you and Bruce Vandale for taking the time to meet with its representatives on August 30, 2006. The Commission found the meeting and site visit informative.

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

- a) the use being restricted to the existing 0.4 ha footprint identified on the attached plan;
- b) allowance is for a maximum of four years after which the area must be rehabilitated to an agricultural standard;
- c) no material processing beyond screening;
- d) 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 District of Kent at your earliest convenience.

The decision noted above is recorded as Resolution # 458/2006.

Please quote your application number in any future correspondence.

Yours truly,

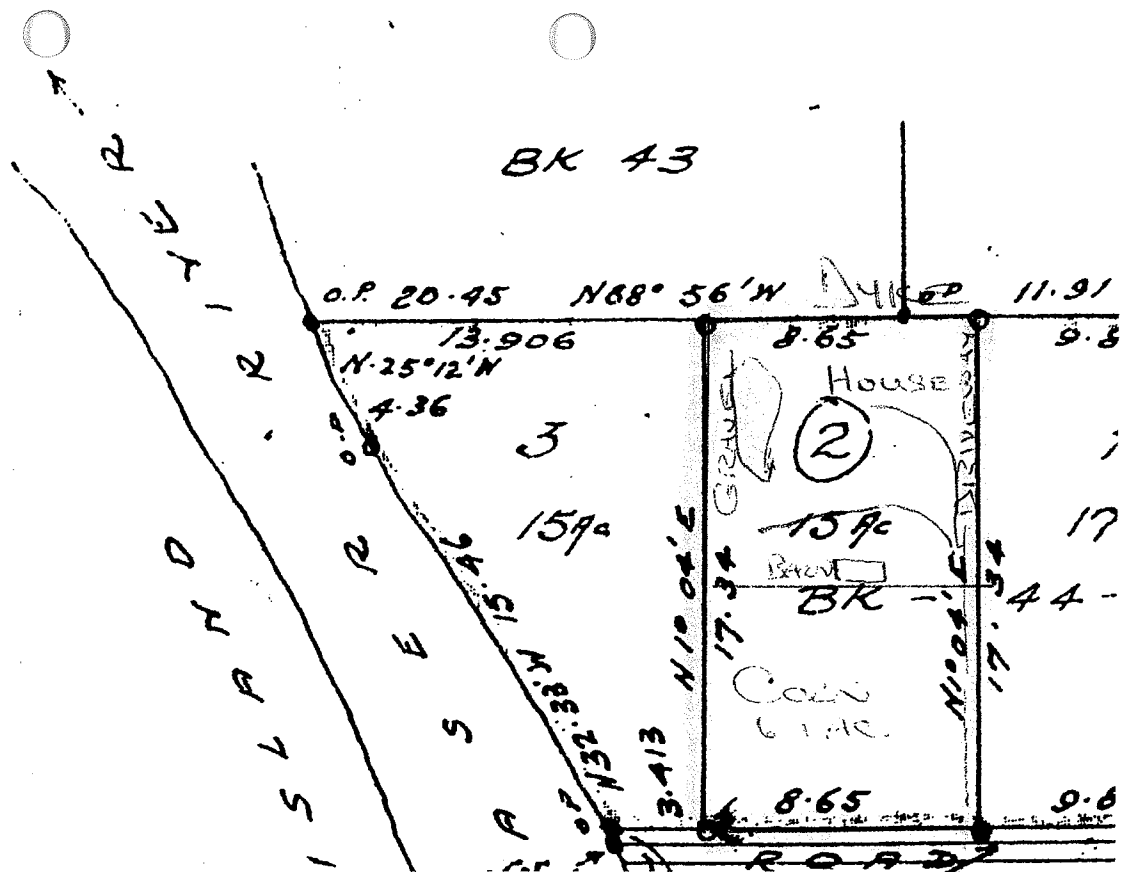
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

pc: District of Kent - Attn: Larry Burk (#TCP06-01)  
Bruce and Hope Vandale, 1423 Tranmer Road, Agassiz, BC V0M 1A0

GB/lv/Encl.  
36814d1



Provincial Agricultural Land Commission

Application: MM-36814

Resolution # 458/2006

Subject property.

Approved 0.4 ha area for use as





**Staff Report**  
**Application # MM – 36814**  
**Applicant: Gordon & Patricia Kohut**  
**Agent: Bruce/Hope Vandale**

**DATE PREPARED:** August 16, 2006

**TO:** Chair and Commissioners – South Coast Panel

**FROM:** Gordon Bednard, Regional Research Officer

**PROPOSAL:** To use 0.2ha of a 6 ha lot to stockpile gravel from the Fraser River. Some material may be screened on-site in the future.

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

**BACKGROUND INFORMATION:**

**Local Government:**

The Corporation of the District of Kent

**Legal Description of Property:**

PID: 011-054-581  
Lot 2, District Lot 31, Yale Division of Yale District, Plan 3939

**Location of Property:**

4473 Limbert Road, Agassiz

**Size of Property:**

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

**ALR Area under application:**

0.2 ha

**Present use of the Property:**

residence, workshop, small horse barn  
horse pasture, corn field, gravel stockpile

**Surrounding Land Uses:**

**WEST:** residence, undeveloped land and catering business  
**SOUTH:** Fraser River

**EAST:** residence and undeveloped farmland  
**NORTH:** dyke

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92H/4f  
The majority of the property is identified as having Prime Dominant ratings.

**Official Community Plan and Designation:**

OCP - District of Kent

**Zoning Bylaw and Designation:**

Zoning Bylaw No. 1219, 2001 Part 9.1 Agricultural and 5.2 Temp. Comm. Permit  
Min Lot Size: 5 acres

**PREVIOUS APPLICATIONS:**

None

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

Will require a temporary commercial permit pending approval

**STAFF COMMENTS:**

It should be noted that the proposed gravel storage site exists at present and the local government has placed a stop-work order on the operation until such time as the Commission approves the operation and the local government considers a temporary industrial use permit. Staff suggests a Commission onsite inspection to ascertain if the proposed use is in conflict with agricultural uses in the area. If so, the operation should be given a length of time to wrap up and leave the property.

If the Commission is inclined to allow the operation to continue, consideration should be given to restricting the use to stockpiling of material on the present location (no processing) and not permitting it to expand. As well, some security should be in place to ensure compliance and the operation should be allowed as a temporary use (5 year renewable).


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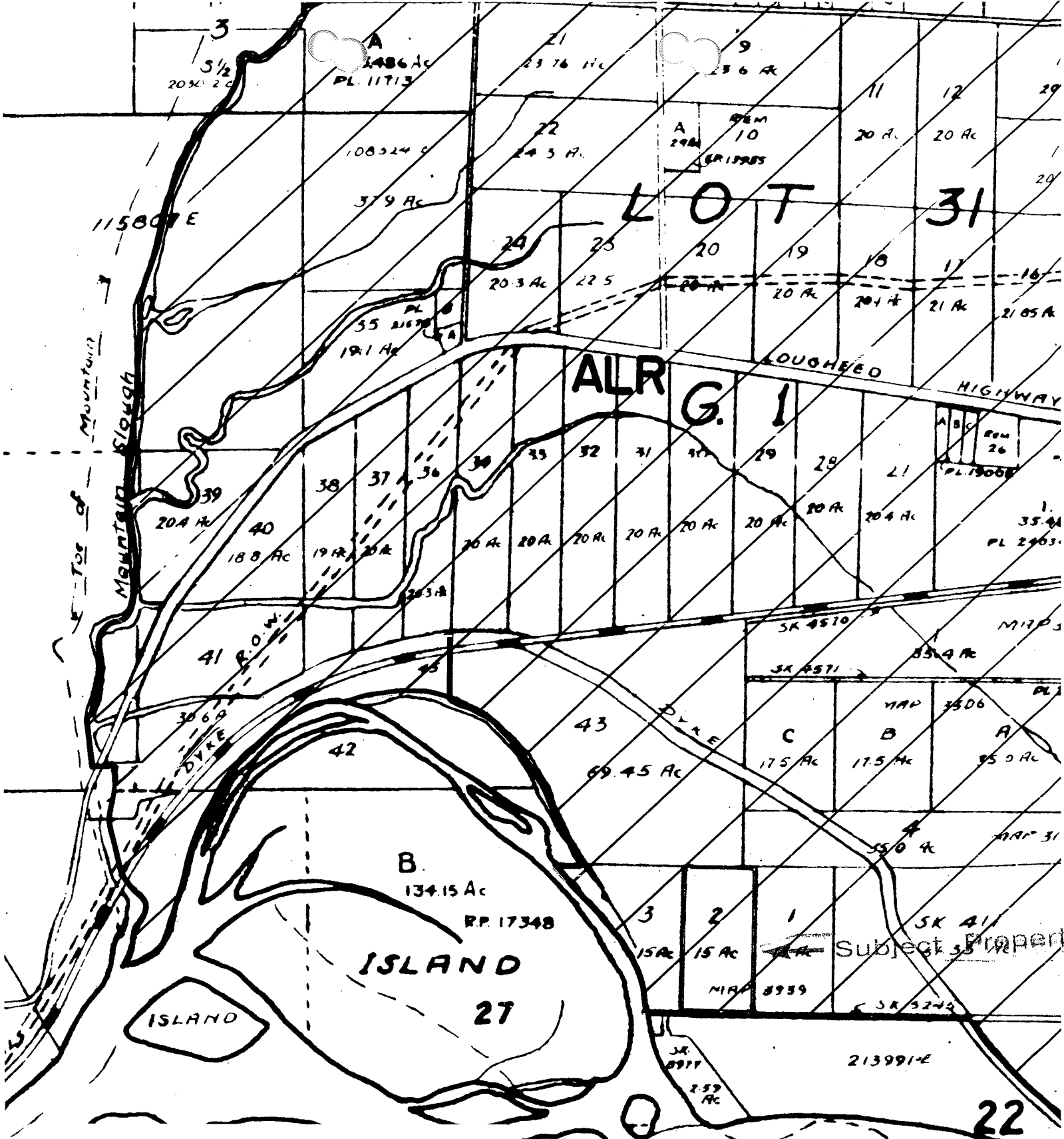
**ATTACHMENTS:**

ALR Map  
Diagram of property showing proposed (existing) use  
Airphoto  
Ground photos of site

**END OF REPORT**

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date



Map Type Constituent ↑

Map # 29

Scale: 1:12,000

**N**

