



Agricultural Land Commission
133-4940 Canada Way
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January 13, 2010

Reply to the attention of Ron Wallace
ALC File: 50331

Michael Soth
42590 Erho Road
Lindell Beach, BC
V2R 4X7

Dear Sir:

Re: Application for a Second Dwelling in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 1845/2009 outlining the Commission's decision as it relates to the above noted application.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over the printed name below.

Erik Karlsen, Chair

Enclosure: Minutes/sample Covenant

cc: Fraser Valley Regional District (3015-20-2009-02)
BC Assessment, Fraser Valley Region



A meeting was held by the Provincial Agricultural Land Commission on November 2, 2009 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

PRESENT: Erik Karlsen Chair of the Commission
 Sylvia Pranger Chair, South Coast Panel
 Michael Bose Commissioner
 Ron Wallace Staff
 Tony Pellett Staff

ABSENT: John Tomlinson Commissioner

For Consideration

Application: 50331
Applicant: Michael Soth
Proposal: To construct a second employee residence to help operate the hog farm on the subject property.
Legal: Lot 11 Section 9 Township 22 New Westminster District Plan 64066
Location: 42590 Erho Road, Lindell Beach, BC

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

Assessment of Agricultural Capability

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is

- Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.
- Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

Subclasses

P stoniness
T topography

Assessment of Agricultural Suitability

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission believed the proposed single-wide manufactured home is justified as a second residence for an employee to help manage the hog farm operation. As a condition the Commission requires that a covenant be registered on title stipulating that the second residence may only be used to house a full-time employee. If the second residence is no longer required to house a full-time employee it must be removed from the property.

IT WAS

MOVED BY: Commissioner Pranger
SECONDED BY: Commissioner Bose

THAT the application be allowed subject to the following condition:

- The registration of a covenant in favour of the Commission stipulating that the second residence may only be used to house a full-time employee. The second dwelling must be removed if no longer required to house a full-time employee.
- 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 # 1845/2009