



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

Reply to the attention of Terra Kaethler
ALC File: 50335

July 9, 2010

Karnail, Jarnail and Bachittar Rai
3386 – 176 St
Surrey, BC
V3S 0L5

Dear Sir/Madam:

Re: Application for Non-Farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **2546/2010** outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: City of Surrey (7909-0052-00)

TK/50335d1



A meeting was held by the Provincial Agricultural Land Commission on July 7, 2010 in Langley, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Richard Bullock	Commission Chair
	Tony Pellett	Staff
	Ron MacLeod	Staff

For Consideration

Application: # 50335
 Applicant: Rai, Karnail, Jarnail and Bachittar
 Proposal: The non-farm use of 0.4 ha of the 8.0 ha property to be used for truck parking.
 Legal: 011-105-445
 Lot 3 Except: Part on Statutory Right of Way Plan 17425; Section 29 Township 7 New Westminster District Plan 4970
 Location: 3386 - 176th Street, Surrey

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

This application is one of five which the Commission reviewed concurrently for the non-farm use of ALR land for truck parking within the City of Surrey. Commissioner Bose and staff member Ron MacLeod described the activities taking place on site.

The Commission noted that a portion of the subject property is being used for truck parking. In addition, the parking area has been filled and debilitated to the point that it was not usable for agriculture. The Commission believes that the continued use of the property for truck parking would render the property unsuitable for agriculture in the long-term and result in a permanent loss of agricultural land.

The Commission noted that the City of Surrey planning department and the City of Surrey Agricultural Advisory Committee recommended that the application be refused.

The Commission believes the unauthorized use of the property for truck parking represents a significant negative impact on the existing and potential agricultural capacity of the subject property and adjacent lands.

Conclusions

1. That the land under application is prime agricultural land according to the British Columbia Land Inventory (BCLI).
2. That a portion of the land under application has been debilitated for agricultural use by unauthorized placement of fill and the subsequent use as a truck parking facility.
3. That the proposal unauthorized development is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Pranger
SECONDED BY: Commissioner Tomlinson

THAT the application be refused.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration:

- S.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, or*
 - (b) all or part of the original decision was based on evidence that was in error or was false;*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration;*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

CARRIED

Resolution # 2546/2010