



Agricultural Land Commission
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October 2, 2007

Reply to the attention of Jennifer Carson
ALC File: O-32216

Fred Glasbergen
Box 1082
Fort Langley, BC
V1M 2S4

Charan Singh Rai
14429 - 115th Ave
Surrey, BC V3R 5Y2

Dear Sir:

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

Further to the fax received September 28, 2007 containing the written consent of the property owner, the Commission is now able to release the decision letter regarding the application for non farm use on the subject property.

Please find attached the Minutes of Resolution # 140/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: The Corporation of the City of Surrey (7997-0296-00)

Enclosure: Minutes

JC/32216d2



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on April 11, 2007 in Mission B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Tony Pellett	Staff
	Jennifer Carson	Staff

For Consideration

Application: # O- 32216
Applicant: Charan Singh Rai
Agent: Fred Glasbergen
Proposal: To extend the permission of an existing recreational airfield as a non-farm use on the property.
Legal: PID: 009-344-713
Lot 3, Except Part on Highway Plan 49472 District Lot 232 & 450 Group 2 and Sections 33 & 34, Township 1 and Sections 3 & 4, Township 2, New Westminster District Plan 24656
Location: East of Mud Bay adjacent to the Serpentine R. and King George Hwy. in 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.

The Act provides processes for landowners, local governments and First Nations to apply to the Commission to remove land from or to include land into the ALR or to subdivide or use land in the ALR for non-farm purposes.

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 improved classifications of the agricultural capability of the soil of the subject property are:

- Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
- Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
- Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Subclasses

- N salinity
- T topography
- W excess water

Organic Soils - Organic soils are grouped into seven classes, designated as O1 to O7. The organic soil class definitions are equivalent in terms of their relative capabilities and limitations for agricultural use to those defined for mineral soil.

Subclasses

- L degree of decomposition - permeability
- N salinity
- W excess water

Assessment of Agricultural Suitability

The Commission assessed whether the 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 discussed the reconsideration and felt that as an existing use, the recreational ultra light airfield would be possible to reclaim in the future for agricultural purposes. The Commission believes the proposal would impact existing or potential agricultural use of surrounding lands.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the proposal will not adversely impact agriculture as the land can be reclaimed in the future for agricultural use.

IT WAS

MOVED BY: Commissioner Tomlinson

SECONDED BY: Commissioner Bose

THAT the application be allowed.

AND THAT the approval is subject to the following conditions:

- That the existing operation remains in its present format and not increase the footprint on the property.
- A bond for \$50,000 be posted to be returned upon reclamation of the property.
- That this is a temporary approval for 5 years, ending October 31, 2012.
- 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, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 140/2007



**Reconsideration
Application # O – 32216
Applicant: Charan Singh Rai**

DATE RECEIVED: March 6, 2007

DATE PREPARED: March 28, 2007

TO: Chair and Commissioners – South Coast Panel

FROM: Jennifer Carson, Land Use Planner

PROPOSAL: Request to extend non-farm use on ALR lands.

BACKGROUND INFORMATION:

The application was initially made to legalize the existing use of the property as a recreational ultralight airfield. The temporary approval was for 5 years and subject to various conditions. Commission staff has been contacted by local government planning staff in Surrey who mentioned that the applicant is currently going through a rezoning application in order to escape litigation regarding a noise violation. ALC approval for the reconsideration is a pre-requisite for the rezoning.

STAFF COMMENTS:

It is recommended that the Commission consider the following:

- The temporary approval for the non-farm use ended on May 11, 2004.

ATTACHMENTS:

1. Letter from applicant
2. Decision Letter from ALC (May 11, 1999)

END OF REPORT

Signature

Jennifer Carson

Date

March 28, 2007