



Agricultural Land Commission
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May 14, 2012

Reply to the attention of Eamonn Watson
ALC File: 52559

John McNeill and Julie McDonald
8640 Deroche Landing Road
Deroche, BC
V0M 1G0

Dear John McNeill and Julie McDonald:

Re: **Agricultural Land Commission application for non-farm use, Historic Dewdney
Pub gravel parking lot**

Please find attached the Minutes of Resolution # **172/2012** 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 thin horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Fraser Valley Regional District (3015-20-2011-04)

EW/52559d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 20, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

COMMISSION MEMBERS PRESENT:

Jennifer Dyson	Chair
Sylvia Pranger	Commissioner
Jim Johnson	Commissioner
Richard Bullock	Commissioner

COMMISSION STAFF PRESENT:

Brian Underhill	Executive Director
Gordon Bednard	Land Use Planner

APPLICATION ID: # 52559

PROPOSAL: Non-farm Use and fill placement - Historic Dewdney Pub - gravel parking lot to north of pub on adjacent property
(Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

Owner: John Douglas McNeill and Julie Madeline McDonald
Date of Acquisition: December 15, 2009
Parcel ID: 013-426-834
Title No. CA1392608
Legal Description: Parcel "K" (Reference Plan 1650) of the Fractional South West Quarter, Section 32, Township 20 and of District Lot 462, Group 1, New Westminster District
Civic Address: 8821 River Road South, Electoral Area "G"
Size: 3.5 ha
Area in ALR: 3.5 ha
Current Land Use: Hay/grazing/forage production in the area of the proposed parking area.
Farm Classification: No
(BC Assessment)

SITE INSPECTION MEETING:

A site inspection was not conducted; the Commission reviewed the file material and deemed it had sufficient information to make a decision regarding the application.

COMMISSION CONSIDERATION:

Context

Section 6 of the *Agricultural Land Commission Act* identifies the purposes of the Commission as: (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.

Agricultural Capability

Based on the information contained in Map 92G.020 (Scale 1:25,000) of the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system, the agricultural capability ratings are identified as being:

Unimproved Rating: 6:2TA 4:2WT Improved Rating: (2T)

Note: These ratings cover approximately 60% (or 2.1 ha) of the subject property.

Unimproved Rating: 7:3TW 3:4W Improved Rating: (7:3T 3:3WT)

Note: These ratings cover approximately 35% (or 1.2 ha) of the subject property.

Unimproved Rating: 7:2TA 3:2WT Improved Rating: (2T)

Note: These ratings cover approximately 4% (or 0.16 ha) of the subject property.

Unimproved Rating: 4W Improved Rating: (6:2WT 4:3W)

Note: These ratings cover approximately 1% (or 0.04 ha) of the subject property.

Class and Subclass Descriptions

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

- A soil moisture deficiency
- T topography
- W excess water

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 Potential Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The conversion of productive agricultural land into a parking lot would not be consistent with the objectives of the *Agricultural Land Commission Act* to preserve agricultural land and encourage farming. The Commission believes the proposal would negatively impact existing or potential agricultural use of the lands under application and the surrounding lands.

Assessment of Other Factors

Although Commission approval is not required to establish an easement, the parking lot south of the Historic Dewdney Pub (contained within easement AC67959) was never approved by the Commission. Furthermore, although the easement (BB1678515) north of the Historic Dewdney Pub has already been established, its existence does not predicate the development of a parking lot.

DECISION:

IT WAS

MOVED BY: Commissioner Sylvia Pranger

SECONDED BY: Commissioner Jim Johnson

THAT the application for non-farm use be refused as proposed.

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,*
 - (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 FINALLY 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 # 172/2010