



December 14, 2012

**Agricultural Land Commission**  
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ALC File: #52675

Land Development Division  
City of Surrey  
14245 - 56 Avenue  
Surrey, BC  
V3X 3A2

Attention: Lorne Robinson

**Re: Application under Section 6 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, 52 Avenue between 164 Street and 168 Street**

Please find attached the Minutes of Resolution #459/2012 as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

- 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.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Further correspondence with respect to this application is to be directed to Eamonn Watson ([Eamonn.Watson@gov.bc.ca](mailto:Eamonn.Watson@gov.bc.ca)).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #459/2012

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## **MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION**

**A meeting was held by the Provincial Agricultural Land Commission on November 21, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #52675.**

### **COMMISSION MEMBERS PRESENT:**

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

### **COMMISSION STAFF PRESENT:**

Eamonn Watson	Land Use Planner
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### **PROPOSAL**

The City of Surrey, at the request of a number of adjoining land owners, is proposing the installation of a water main within the road allowance and the construction of a 6 metre wide paved road on a portion of the road allowance (approximately the eastern third). These infrastructure improvements will allow residential access to the lands fronting the currently unopened road allowance.

(Submitted pursuant to section 6 of BC Regulation #171/2002 (*ALR Use, Subdivision and Procedure Regulation*))

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### **SITE INSPECTION**

An inspection was conducted on August 17, 2012 at the site of the proposed road and water main project. Those in attendance included the Commissioner Pranger and ALC Planner Eamonn Watson.

The site inspection of the right of way was conducted to provide the Commission with a more thorough understanding of the proposal and adjoining land uses.

Section 14(2) of the *Agricultural Land Commission Act* provides that a member of the Commission who was not present at a meeting to determine an application or other matter may vote on the application or matter only if a summary of the meeting is given to the member before the vote. Commissioner Pranger gave a verbal summary of the site inspection to all Commission members recorded above.

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## LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
    - (a) to preserve agricultural land;
    - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
    - (c) 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.
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## COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. To assess the agricultural capability of the properties adjacent to the right of way, the Commission referred to BC Land Inventory (BCLI) mapping, 'Land Capability Classification for Agriculture in B.C.' system. The improved agricultural capability rating applicable to the properties adjacent to the right of way is primarily:

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

The subclass limitations are (D) undesirable soil structure, (L) degree of decomposition permeability, (N) salts and (W) excess water. The agricultural capability ratings also indicate organic soils.

### **Conclusion:**

The land within the right of way and the properties adjacent to the right of way are comprised of land with good agricultural capability.

2. By letter dated October 26, 2012, the Commission requested comments from the City of Surrey's Agriculture and Food Security Advisory Committee (the "AFSAC"). The AFSAC had previously considered this matter during its February 9, 2012 meeting, the AFSAC Minutes state:

*"That the Agriculture and Food Security Advisory Committee does not support the proposed 6 metre paved rural standard road as there is no net benefit to agriculture and it raises the expectation of the surrounding lands for further development."*

### **Conclusion:**

The comments from the AFSAC are shared by the Commission. It is evident that the services required for farming could be addressed without exposing these parcels to residential development and the associated loss of agricultural land.

3. Providing residential access to parcels via an unopened right of way.

**Conclusion:**

The existence of a right of way does not indicate that residential access should exist. These parcels are the product of an historical subdivision registered over a hundred years ago and have been improved and utilized for farming. Providing residential access would change the agricultural utility of the adjoining parcels and remove agricultural land from production and/or limit potential production.

4. Section 2(3) of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* states:

*“Any activity designated as a farm use includes the construction, maintenance and operation of buildings, structures, driveways, ancillary services or utility necessary for that farm use.”*

**Conclusion:**

Appropriate farm access and water supply are essential ancillary services for a farm operation. Although the Commission does not support the road upgrade as proposed, it has no objection to providing water and improved access for farm purposes as suggested by the AFSAC: a water main with a 3 metre wide farm access road.

**IT WAS**

**MOVED BY:            Commissioner Miles**  
**SECONDED BY:        Commissioner Pranger**

THAT the request be refused.

**CARRIED**  
**Resolution #459/2012**