



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

May 14, 2014

ALC File: 52854

Rusty Reimer
6337 Sumas Prairie Road
Chilliwack, BC V2R 4N6

Dear Mr. Reimer:

Re: **Application to Conduct a Non-Farm Use on Land in the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution #153/2014 as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Further correspondence with respect to this application should be directed to Eamonn Watson at Eamonn.Watson@gov.bc.ca.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in dark ink, consisting of a stylized 'C' followed by a long horizontal line that tapers to the right.

Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution #153/2014

cc: City of Chilliwack (File # 3370-20 (ALR00244))
8550 Young Road, Chilliwack, BC V2P 8A4

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 28, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to the Request for Reconsideration of Application #52854.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

COMMISSION STAFF PRESENT:

Jennifer Carson	Planner
Eamonn Watson	Planner
Colin Fry	Chief Tribunal Officer

REQUEST FOR RECONSIDERATION

The Commission received a letter dated February 24, 2014 requesting reconsideration of its decision recorded as Resolution #425/2012, by which, the proposal to use approximately 1.02 ha of the 2.0 ha parcel for truck parking was refused.

Owner: 0760685 BC Ltd.

Agent: Rusty Reimer

Original Proposal: (Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)
To use approximately 1.02 ha of the 2.0 ha parcel for truck parking.

Original Decision: That the request to use 1.02 ha for the purpose of truck parking be refused.

Current Request: The applicant would like the Commission to consider the continued use of 0.4 ha of the subject property for truck parking, shop and joint driveway.

Legal: PID: 001-830-902
Lot 2, District Lot 41, Group 2, New Westminster District, Plan 2083

Location: 5680 Lickman Road, Chilliwack

LEGISLATIVE CONTEXT FOR COMMISSION RECONSIDERATION

Section 33 (Reconsideration of decisions) of the *Agricultural Land Commission Act* states:

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.

DECISION REGARDING THE REQUEST FOR RECONSIDERATION

The Commission believes that the applicant has demonstrated that part of the original decision was based on evidence that was in error or was false through the clarification that the area of land required for the truck parking is 0.4 ha rather than 1.02 ha as identified in Resolution #425/2012.

As a result, it was moved by Commissioner Miles and seconded by Commissioner Thibeault that there were no persons affected by the reconsideration and that the Commission reconsider Resolution #425/2012. The motion was carried unanimously.

COMMISSION CONSIDERATION

After considering the new information the Commission concluded as follows:

Although the Commission acknowledges that the information provided demonstrates a previous misunderstanding regarding the specific area required for the proposed truck parking, the primary issue was that of the proposed use.

Despite the clarification regarding the area of the proposed use, the Commission still believes that the land has prime agricultural capability and the proposal is inconsistent with the objectives of the *Agricultural Land Commission Act* to preserve agricultural land and encourage agriculture.

Truck parking is an industrial use that would be more appropriately located on suitably zoned land located outside of the Agricultural Land Reserve (ALR).

IT WAS

MOVED BY: Commissioner Miles
SECONDED BY: Commissioner Thibeault

THAT the request to use 0.4 ha of the subject property for truck parking be refused.

CARRIED

Resolution #153/2014