



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

February 25, 2014

ALC File: 53412

Balbir Sandhu
8958 – 134B Street
Surrey, BC V3V 5T6

Dear Mr. Sandhu:

Re: Application to Place Fill on Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #45/2014 as it relates to the above noted application.

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).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to be 'C. Fry', written over a horizontal line.

Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution #45/2014

cc: City of Abbotsford (File #4520-55/SRP#1778)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on January 23, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53412.

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
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Lindsay McCoubrey	Planner
Eamonn Watson	Planner
Jennifer Carson	Planner
Colin Fry	Chief Tribunal Officer

PROPOSAL (Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

To deposit approximately 950 m³ of structural fill over a project area of approximately 2,000 m² to a depth of approximately 0.5 metres. The proposed structural fill is in aid of creating a parking lot for staff and farm equipment and machinery on a portion of the 3.2 ha subject property.

PROPERTY INFORMATION:

Owner: Balbir Singh Sandhu and Nirpjit Kaur Sandhu (As Joint Tenants)

Legal: PID: 012-464-112
Lot 4, Section 2, Township 16, New Westminster District, Plan 2035

Location: 8958 – 134B Street, Surrey

Size: 3.2 ha

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:

The mandate of the Commission is to preserve agricultural land and to encourage agriculture within the Agricultural Land Reserve. The Commission discussed the current use of the subject property for agriculture, the proposed parking lot and the size of the subject property.

Conclusion:

The Commission does not believe there is sufficient justification for a parking lot of 2,000 m² on the subject property. Furthermore, the resulting reduction of arable land will adversely impact the current and/or potential agricultural use of the subject property. As a result, the Commission believes the proposal is inconsistent with objective of the *Agricultural Land Commission Act* to preserve agricultural land and encourage agriculture.

IT WAS

MOVED BY: Commissioner Gillette
SECONDED BY: Commissioner Pranger

THAT the request to place 950 m³ of fill to develop a parking lot approximately 2,000 m² in area be refused.

CARRIED

Resolution #45/2014