



**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

July 24, 2006

Reply to the attention of Gordon Bednard  
ALC File: #O-35256

Barnston Island Majority Landowners  
and Residents Committee  
c/o Mr. Bill Tsakumis  
#1253 – 13351 Commerce Parkway  
Richmond, BC V6V 2X7

Dear Mr. Tsakumis:

**Re: Application to Exclude Land on Barnston Island from the Agriculture Land Reserve (ALR)**

Please find attached the Minutes of Resolution #380/2006 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Greater Vancouver Regional District (File: CR-16-01-EAA-03)  
Attention: Mr. Hugh Kellas

CF/  
35256d2.doc

## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on July 19, 2006 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, BC.

<b>PRESENT:</b>	Erik Karlsen	Chair
	Sue Irvine	Commissioner
	John Tomlinson	Commissioner
	Colin Fry	Staff
	Brian Underhill	Staff
	Tony Pellett	Staff

### For Consideration

Application #O-35256  
Applicant Barnston Island Majority Landowners and Residents Committee  
Proposal To exclude 37 parcels totalling 441 ha (1,090 ac) from the Agricultural Land Reserve (ALR) for industrial purposes. This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

### Legal Description of Properties

- Parcel Identifier:** 000-704-652  
**Legal Description:** Lot 2 , Except: Firstly: Parcel "A" (Reference Plan 8188), and Secondly: Part Subdivided by Plan 23256, District Lot 253, Group 1, New Westminster District, Plan 4078
- Parcel Identifier:** 000-704-687  
**Legal Description:** Lot 3, Except: Part on SRW Plan 27466, District Lot 253, Group 1, New Westminster District, Plan 4078
- Parcel Identifier:** 011-048-883  
**Legal Description:** Lot 1, Except: Firstly: Parcel "A" (Explanatory Plan 7589), Secondly: Portion Lying West of Road and Thirdly: Part Subdivided by Plan 46753; District Lot 253, Group 1, New Westminster District, Plan 4078
- Parcel Identifier:** 002-882-779  
**Legal Description:** That Portion of Lot 1, Except Part Subdivided by Plan 46753 of District Lot 253, Group 1, New Westminster District, Plan 4078, Being All That Portion of the Said Lot 1 Lying West of the Road
- Parcel Identifier:** 000-720-640  
**Legal Description:** Parcel D, (Plan with C.D. 30101C), District Lot 259, Group 1, New Westminster District, Except Firstly: Part Road on Plan BPC892 and Secondly: Parcel B (Statutory Right of Way Plan BPC893)
- Parcel Identifier:** 014-268-574  
**Legal Description:** Parcel "A" (Reference Plan 3741) District Lot 259, Group 1, New Westminster District

**Legal Description of Properties (Continued)**

- 7. Parcel Identifier:** 014-268-591  
**Legal Description:** Parcel “B” (Reference Plan 3742) District Lot 259, Group 1, New Westminster District
- 8. Parcel Identifier:** 000-876-852  
**Legal Description:** District Lot 427, Group 1, New Westminster District
- 9. Parcel Identifier:** 013-259-946  
**Legal Description:** Parcel “A” (Reference Plan 2436) Fractional North West Quarter Section 9, Township 9, Except: Parcel “B” (Reference Plan 3960), New Westminster District
- 10. Parcel Identifier:** 013-259-997  
**Legal Description:** Parcel “B” (Reference Plan 3960) of Parcel “A” (Reference Plan 2436) of the Fractional North West Quarter Section 9, Township 9, New Westminster District
- 11. Parcel Identifier:** 013-260-049  
**Legal Description:** Parcel “C” (Reference Plan 80) of the Fractional North West Quarter Section 9, Township 9, Except: Parcel “D” (Reference Plan 2881), New Westminster District
- 12. Parcel Identifier:** 013-273-655  
**Legal Description:** Fractional South West Quarter Section 16, Township 9, New Westminster District
- 13. Parcel Identifier:** 013-260-031  
**Legal Description:** Parcel D, (Reference Plan 2881) of Parcel “C” (Reference Plan 80) of the Fractional North West Quarter Section 9, Township 9, New Westminster District
- 14. Parcel Identifier:** 013-260-065  
**Legal Description:** Parcel “E” (Reference Plan 79) Fractional North West Quarter Section 9, Township 9, New Westminster District
- 15. Parcel Identifier:** 001-923-595  
**Legal Description:** Lot 14, District Lot 260, Group 1 and of the Fractional South West Quarter, Section 9, Township 9, New Westminster District, Plan 4078
- 16. Parcel Identifier:** 007-368-305  
**Legal Description:** Lot 2, Section 9, Township 9, New Westminster District, Plan 74178
- 17. Parcel Identifier:** 007-368-348  
**Legal Description:** Lot 4, Section 9, Township 9, New Westminster District, Plan 74178

**Legal Description of Properties (Continued)**

- 18. Parcel Identifier:** 005-200-211  
**Legal Description:** Parcel "A" (Explanatory Plan 12672) of the West 5.925 Chains of the South Half Section 10, Township 9, New Westminster District
- 19. Parcel Identifier:** 007-368-275  
**Legal Description:** Lot 1, Section 9, Township 9, New Westminster District, Plan 74178
- 20. Parcel Identifier:** 007-368-321  
**Legal Description:** Lot 3, Section 9, Township 9, New Westminster District, Plan 74178
- 21. Parcel Identifier:** 008-928-584  
**Legal Description:** Lot 1, Section 10, Township 9, New Westminster District, Plan 28083
- 22. Parcel Identifier:** 013-260-103  
**Legal Description:** Parcel "One" (Plan With Fee Deposited 19818F) Section 10, Township 9, Except: Parcel "A" (Reference Plan 4763), New Westminster District
- 23. Parcel Identifier:** 013-260-111  
**Legal Description:** Parcel "2" (Plan With Fee Deposited 19818F) Section 10, Township 9, Except: Parcel "A" (Reference Plan 4763), New Westminster District
- 24. Parcel Identifier:** 013-260-146  
**Legal Description:** Parcel "3" (Plan With Fee Deposited 19818F) Section 10, Township 9, Except: Firstly: Parcel "A" (Reference Plan 4763); Secondly: Part Subdivided by Plan 28083, New Westminster District
- 25. Parcel Identifier:** 010-890-921  
**Legal Description:** Lot 7, Section 3, Township 9, New Westminster District, Plan 3204
- 26. Parcel Identifier:** 001-512-021  
**Legal Description:** Lot 8, Section 3, Township 9, New Westminster District, Plan 3204
- 27. Parcel Identifier:** 000-695-742  
**Legal Description:** Lot 3, Section 3, Township 9, New Westminster District, Plan 3204
- 28. Parcel Identifier:** 010-890-912  
**Legal Description:** Lot 6, Section 3, Township 9, New Westminster District, Plan 3204
- 29. Parcel Identifier:** 010-890-904  
**Legal Description:** Lot 5, Section 3, Township 9, New Westminster District, Plan 3204
- 30. Parcel Identifier:** 010-890-891  
**Legal Description:** Lot 4, Section 3, Township 9, New Westminster District, Plan 3204
- 31. Parcel Identifier:** 000-635-588  
**Legal Description:** Parcel A (Explanatory Plan 9790) Lot 1, Section 3, Township 9, New Westminster District, Plan 3204

**Legal Description of Properties (Continued)**

- 32. Parcel Identifier:** 001-923-609  
**Legal Description:** Lot 17, District Lot 260, Group 1 and of the Fractional South West Quarter Section 9, Township 9, New Westminster District, Plan 4078
- 33. Parcel Identifier:** 005-454-867  
**Legal Description:** Lot 19, District Lot 260, Group 1, New Westminster District, Plan 56456
- 34. Parcel Identifier:** 011-049-031  
**Legal Description:** Lot "B" (P127307E) Except: Part Subdivided by Plan 56456; Section 9, Township 9 and District Lot 260, Group 1, New Westminster District, Plan 4078
- 35. Parcel Identifier:** 011-048-964  
**Legal Description:** Lot 13, Section 9, Township 9, New Westminster District, Plan 4078
- 36. Parcel Identifier:** 011-048-948  
**Legal Description:** Lot 12, Section 9, Township 9, New Westminster District, Plan 4078
- 37. Parcel Identifier:** 001-773-780  
**Legal Description:** Lot 4, District Lot 252, Group 1, New Westminster District, Plan 4078

**Site Inspection**

The Commission toured Barnston Island on June 20, 2006. Those in attendance:

- Erik Karlsen, Chair
- Sue Irvine, Commissioner
- John Tomlinson, Commissioner
- Tony Pellett, ALC Regional Planner
- Gordon Bednard, ALC Land Use Planner
- Bill Tsakumis, on behalf of the applicants
- Ralph Gilmore, on behalf of the applicants

**Exclusion Meeting and Public Information Meeting**

An exclusion meeting and public information meeting was held on June 20, 2006 at the Sheraton Guildford Hotel, 15269 – 104<sup>th</sup> Avenue Surrey, BC. Approximately 275 people were in attendance. The meeting was recorded and a transcript was produced.

### **Context for Commission Consideration**

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.

Through the application process, the Commission may exclude land from the ALR if it believes the land is not suitable for agriculture or is no longer suitable for agriculture. The Commission may also exclude suitable agricultural land from the ALR to meet community needs in cases where no reasonable alternative exists.

### **Discussion**

#### **Assessment of Agricultural Capability**

Varying opinions have been expressed regarding the agricultural capability of the lands being proposed for exclusion from the Agricultural Land Reserve (ALR). On balance, the Commission believes the lands have agricultural capability. The soils on Barnston Island may well require active soil management - this is neither unusual nor impractical. Soil management is part of the normal farm practices of an agricultural operation and a requirement for successful farming in much of the ALR throughout British Columbia. The past and present agricultural activities on Barnston Island support the argument that the lands have agricultural capability.

#### **Assessment of Agricultural Suitability**

The Commission next assessed whether external factors have caused the lands to become unsuitable for agriculture. Given that Barnston Island is situated in the middle of the Fraser River, the encroachment of non-farm development is not a factor.

The applicants have argued that the inadequacy of the ferry access to Barnston Island has compromised agricultural suitability. While the Commission accepts that the existing ferry access is not ideal, this challenge is not unique. The Commission has encountered transportation challenges in other rural areas, including other islands around the Province.

### **Assessment of Agricultural Suitability (Continued)**

When faced with a decision on whether or not to exclude soils with agricultural capability from the ALR, the Commission believes it would be inappropriate to base its consideration solely on a present day transportation situation. It is not unreasonable to contemplate future government and/or community decisions to improve the transportation infrastructure for the benefit of all Barnston Island residents – including the agricultural community. The Commission does not believe the existing ferry access renders the lands unsuitable for agriculture.

### **Assessment of Community Need**

It has been argued by the applicants that there is a need within the Greater Vancouver area for more land to accommodate industrial development. The Commission acknowledges that the Greater Vancouver Regional District (the “GVRD”) and the applicants have differing viewpoints in this regard.

A “community need” argument whether it be for residential, commercial, institutional, industrial purposes, etc. must originate from the local government – not individual property owners. Community need arguments from local governments are to be based on local and regional planning assessments and supported by rigorous technical analysis before being considered by the Commission.

In this case, the GVRD has not put forth a community need argument as it believes non-ALR lands are available for industrial development and that excluding the lands under application on Barnston Island for industrial purposes is unnecessary.

### **Conclusions**

1. The lands have agricultural capability and are appropriately designated as ALR.
2. The lands under application are suitable for agricultural use.
3. The community need argument is not applicable.
4. The proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

### **IT WAS**

**MOVED BY:** Commissioner Tomlinson

**SECONDED BY:** Commissioner Karlsen

THAT the application be refused as submitted.

### **CARRIED**

**RESOLUTION #380/2006**