



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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January 16, 2007

Reply to the attention of Terra Kaethler
ALC File: # O - 36965

Slade Dyer & Associates
33219 Brown Crescent
Mission, BC V2V 2R3

Dear Sir:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 666/2006 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

With regards to the covenant, the Commission has reviewed the draft covenant and finds it acceptable.

Please send two (2) paper prints of the final survey plans and two (2) copies of the executed covenant to this office. If acceptable, the Commission will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik/Karlsen, Chair

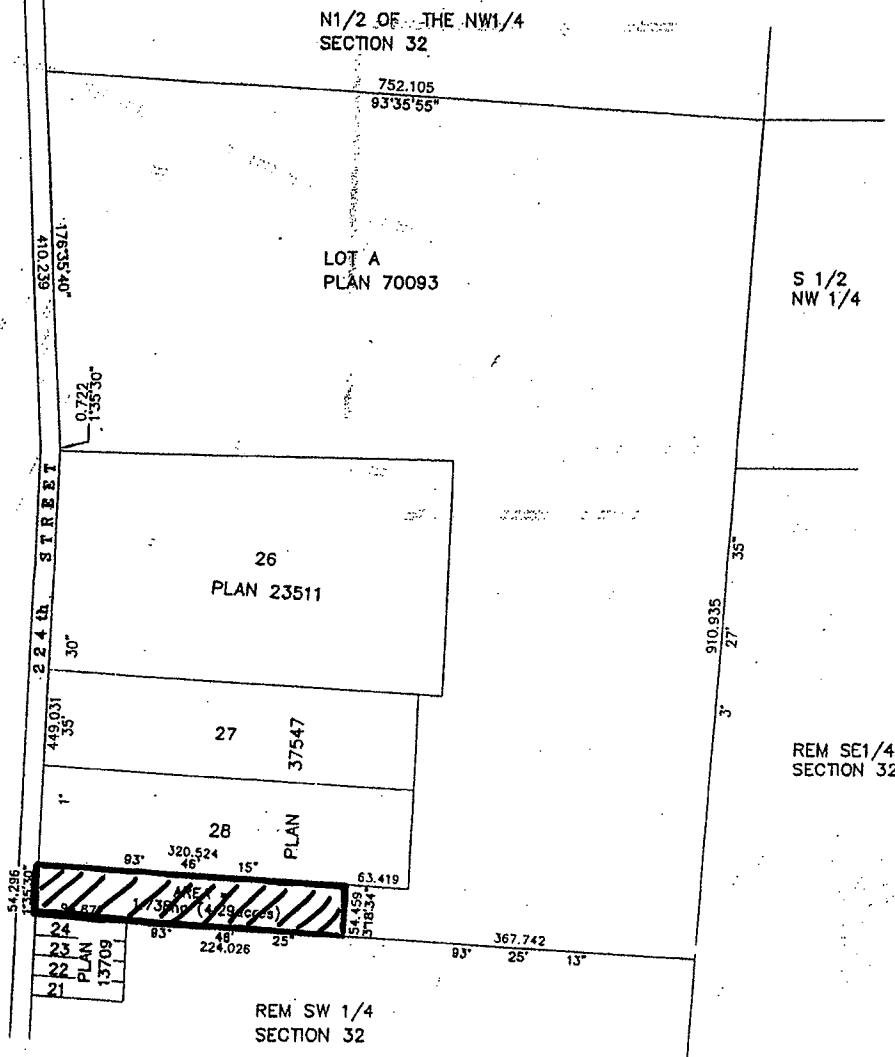
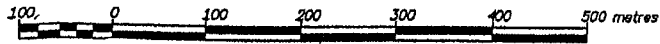
cc: Greater Vancouver Regional District, 4330 Kingsway, Burnaby, BC - V5H 4G8
District of Maple Ridge (#AL/068/05)

TK/lv/Encl.: Minutes/Sketch Plan
36965d1

Provincial Agricultural and Commission
Application # O-36965
Resolution #666/2006



1.7 ha area approved for subdivision



DISTANCES AND BEARINGS ARE DERIVED FROM PLAN 70093.

THIS SKETCH PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE MANUAL OF STANDARD PRACTICE AND IS CERTIFIED CORRECT

THIS 28th DAY OF JUNE 2006

Gordon Pfimmer
 GORDON PFIMMER BCLS

© DE BAAT AND ASSOCIATES
 2-31929 MERCANTILE WAY
 ABBOTSFORD B.C. V2T 4C3

FILE: AB196



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on December 19, 2006 Langley, B.C.

| | | |
|-----------------|----------------|--------------|
| PRESENT: | Erik Karlsen | Chair |
| | Sylvia Pranger | Vice Chair |
| | Lorne Seitz | Commissioner |
| | John Tomlinson | Commissioner |
| | Mike Bose | Commissioner |
| | Tony Pellett | Staff |
| | Terra Kaethler | Staff |

For Consideration

Application: # O - 36965
 Applicant: Greater Vancouver
 Proposal: To subdivide one (1) 1.7 ha lot from the 46.4 ha property as agreed to when the property was sold to the Greater Vancouver Regional District (Blaney Bog).
 Legal: PID: 002-010-429
 Lot A, Section 32, Township 12, New Westminster District, Plan 70093
 Location: Blaney Bog Regional Park

Site Inspection

A site inspection was conducted on December 19, 2006. Those in attendance were:

- Slade Dyer - Agent
- Erik Karlsen, Sylvia Pranger, Lorne Seitz, John Tomlinson, Mike Bose - ALC members
- Tony Pellett and Terra Kaethler - ALC Staff

Discussion

The current proposal would create a new parcel and remove it from GVRD's Blaney Bog Regional Park subject to a covenant stipulating that the land would not be used for a purpose "that would impair the hydrology of Blaney Bog, nor impact its value as a park". The Commission is concerned that such wording, if interpreted broadly, could restrict the use of the land for farm purposes.

The Commission determined that the proposal would not impact existing or potential agricultural use of surrounding lands.

IT WAS

MOVED BY: Commissioner Seitz
SECONDED BY: Commissioner Bose

THAT the application be approved subject to:

- Commission approval of the proposed covenant. Approval may be withheld if the covenant is deemed to have the effect of substantially prohibiting the use of the land for farm purposes.
- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED
Resolution # 666/2006



Staff Report
Application # O – 36965
Applicant: Greater Vancouver Regional District
Agent: Slade Dyer & Associates

DATE RECEIVED: September 18, 2006

DATE PREPARED: November 21, 2006

TO: Chair and Commissioners – South Coast Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: To subdivide the subject property from a 46.4 ha that includes Blaney Bog into a 1.738 ha parcel as agreed upon when the property was sold to the Greater Vancouver Regional District for park purposes.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

In 2000, the GVRD, Maple Ridge, Golden Eagle Ranch Inc. (Ranch) and Camp Development Corporation (Camp) entered a Contract of Purchase and Sale and a supplementary letter agreement for the purchase of the lands that now form Blaney Bog Regional Park. The agreement granted Camp and Ranch the right to subdivide and gain title to approximately 2 ha of the lands that had been purchased by the GVRD. An extension of time to complete the subdivision has been granted to Camp and Ranch until December 31, 2006.

Also see concurrent application File # O-36931, in which GVRD is extending a nearby wetland at the same time as it reduces this wetland property to the extent of land not needed for the conservation purpose.

Local Government:

Corporation of the District of Maple Ridge

Legal Description of Property:

PID: 002-010-429
Lot A, Section 32, Township 12, New Westminster District, Plan 70093

Purchase Date:

March 13, 2001

BACKGROUND INFORMATION (cont.):

Location of Property:

Blaney Bog Regional Park

Size of Property:

46.4 ha (The entire property is in the ALR).

Present use of the Property:

Park – No buildings on site

Surrounding Land Uses:

WEST: Large Berry Farm
SOUTH: Vacant Residential and Hobby Farm/ Residential
EAST: Greater Vancouver Regional District Park
NORTH: Vacant Bush

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/7a
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

Rural Plan 1997
Designation: Agriculture

Zoning Bylaw and Designation:

Designation: A-2 (Upland Agricultural)
Minimum Lot Size: 4 ha

PREVIOUS APPLICATIONS:

Application #35259-0

Applicant: Golden Eagle Ranch Inc
Decision Date: March 23, 2004
Proposal: To consolidate 6 privately held parcels and create 2 new parcels. The lands will be designated as Wetlands Conservation area and held by the Province of BC and the GVRD respectively. It includes the registration of easements and statutory rights of way to provide access to the parcels being created and the remainders lying beyond.
Decision: Allow as requested.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Council: That the application be forwarded. Noted that the range of permissible uses on the subject property will be limited to those not considered harmful to Blaney Bog.

Local Government Planning Staff: That the application be forwarded for consideration, given that it is consistent with the original purchase agreement. A restrictive covenant limiting uses will be registered on title.

STAFF COMMENTS:

The Commission has recently consented to the Maple Ridge OCP, which identifies the subject parcel as being within the 200-year floodplain and designates it as part of the "Parks Within The ALR".

The current proposal would create a new parcel and remove it from GVRD's Blaney Bog Regional Park subject to a covenant stipulating that the land would not be used for a purpose "that would impair the hydrology of Blaney Bog, nor impact its value as a park". Such wording, if interpreted broadly, could effectively prohibit use of the land for farm purposes – but subsection 22(2) of the *Agricultural Land Commission Act* provides that a covenant that prohibits use of ALR land for farm purposes has no force and effect unless approved by the Commission.

The removal of the proposed parcel from the park adds to the stock of farmland not encumbered by regional park status. If the Commission considers that as a sufficient reason to allow the subdivision, there are two options respecting the covenant:

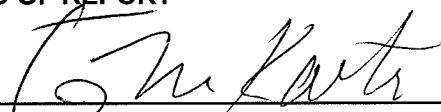
OPTION 1 – allow the subdivision and covenant subject to wording which allows use of the land for any purpose allowed in the *Agricultural Land Commission Act* and regulations other than a purpose which would impair the hydrology of Blaney Bog or impact its value as a park; or

OPTION 2 – allow the subdivision subject to Commission approval of the proposed covenant, which approval may be withheld if its final wording is deemed to have the effect of substantially prohibiting the use of the land for farm purposes.

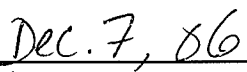
ATTACHMENTS:

- ALR Base Map # 92G/7
- Aerial Photo (supplied by applicant)
- Sketch Plan of Proposed Subdivision

END OF REPORT



Signature



Date