



Agricultural Land Commission
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September 5, 2007

Reply to the attention of Jennifer Carson
ALC File: O-37405

Willy Decker
Ministry of Transportation
7818 - 6th Street
Burnaby, BC
V3N 4N8

Dear Mr. Decker:

Re: Application for Transportation Corridor the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 437/2007 outlining the Commission's decision as it relates to the above noted application.

Once the covenant has been submitted to the satisfaction of the Commission, the Commission will forward the covenant with the previously submitted plans to the Registrar of Land Titles.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: City of Richmond

Enclosure: Minutes



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on August 23, 2007 in Burnaby, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Erik Karlsen	Commissioner
	Jennifer Carson	Staff

For Consideration

Application: # O- 37405
Applicant: Ministry of Transportation
Proposal: Road dedication on Hwy 91 and No.7 Road totaling 0.292 ha.
Legal: PID: 000-958-026
Lot 2, Except Part Road on Statutory R/W, Plan 88278, Section 2,
Block 4 North, Range 5, New Westminster District, Plan 54508
Location: Hwy 91 and No.7 Road, Richmond

Site Inspection

A site inspection was conducted on July 10, 2007. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Tony Pellett Staff
- Jennifer Carson Staff

The Commissioners viewed the property but requested that more information about the reasons for the right of way allocation before a decision be made.

Discussion

The Ministry of Transportation wished to place a road dedication on the property before the property is sold. The Commissioners discussed that if a covenant be placed on the area used for the road dedication ensuring that the land can be used for agriculture up until it is required for a road widening, the Commission would be amenable to allowing the right of way to be placed on the property.

Conclusions

That the proposal to place a right of way on the subject property does not have to impede agriculture from occurring on the property up until the potential widening of the road in the future.

IT WAS

MOVED BY: Commissioner Tomlinson

SECONDED BY: Commissioner Bose

THAT the application be allowed and is subject to the following condition:

- that a covenant be placed on the proposed right of way indicating that it can only be used for agricultural purposes in order to ensure that it is available to agriculture up until the potential road widening takes place. Please note that if and when the Commission receives an application to construct the road in the right of way, and the Commission decides to approve the application, the aforementioned covenant will be discharged.

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 # 437/2007



Staff Report
Application # O – 37405
Applicant: Ministry of Transportation

DATE RECEIVED: May 03, 2007

DATE PREPARED: June 15, 2007

TO: Chair and Commissioners – South Coast Panel

FROM: Jennifer Carson, Land Use Planner

PROPOSAL: Road dedication on Hwy 91 and no. 7 Road in order to widen Highway 99. This application is made pursuant to Part 4 Section 6 of BC Regulation 171/2002 (*Agricultural Land Reserve Use, Subdivision and Procedure Regulation*).

BACKGROUND INFORMATION:

Local Government:

City of Richmond

Legal Description of Property:

PID: 000-958-026

Lot 2, Except Part Road on Statutory R/W, Plan 88278, Section 2, Block 4 North, Range 5, New Westminster District, Plan 54508

Location of Property:

Hwy 91 and Number 7 Road, Richmond

Size of affected area on subject property:

0.292 ha

Present use of the Property:

Residential

Surrounding Land Uses:

WEST: Agricultural
SOUTH: Agricultural
EAST: Agricultural
NORTH: Highway

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G3
The majority of the property is identified as having AG_CAP_CODE ratings.

PREVIOUS APPLICATIONS:

Application #28086-0

Applicant: Mayfair Golf Course
Decision Date: June 25, 1993
Proposal: Expand existing clubhouse
Decision: Allowed provided it is contained within 3.3 ha area approved by application # 20-O-RICH-19953.

Application #28086-1

Applicant: Mayfair Golf Course
Decision Date: March 24, 1998
Proposal: To construct a covered driving range structure on the existing driving range pad.
Decision: Allowed as requested.

RELEVANT APPLICATIONS:

Application #32866-0

Applicant: BMS Communications Services Ltd
Decision Date: July 22, 1999
Proposal: Proposed to construct a radio tower, equipment shelter, generator and fence on the 32 ha property to accommodate a public safety radio system for use by police, ambulance, fire engine, etc.
Decision: Allowed.

Application #33890-0

Applicant: Bell Mobility
Decision Date: August 02, 2001
Proposal: To place a cellular facility on the property.
Decision: The Commission approved the cellular facility as proposed.

Application #34744-0

Applicant: Richmond
Decision Date: May 15, 2003
Proposal: The City of Richmond proposed to :
1) infill an existing storm drainage ditch on the south side of Westminster Highway between No. 6 and No. 8 Roads and provide underground drainage,
2) to construct a bike path on the surface of ditch surface after infill,
3) to obtain the rights for access to the drainage system and public rights of access either by right of way or acquisition.
The proposal will result in a 3 metre asphalt bike path within a 6 metre right of way and an additional 5 metre working easement beyond the right of way.
Decision: Allowed on the understanding that the City of Richmond has satisfied the buffering requirements of the affected property owners.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

The City of Richmond was asked to comment on the proposal and stated that they had no additional comment on the proposal.

STAFF COMMENTS:

It is recommended that the Commission consider the following:

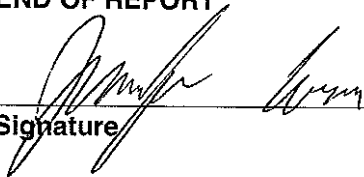
- A site visit would help to determine if the proposal would have an impact on agriculture.

ATTACHMENTS:

1. Base Map
2. Agricultural Capability Map
3. Aerial Photograph

END OF REPORT

Signature



Date

June 23, 2007