



Agricultural Land Commission
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June 9, 2010

Reply to the attention of Ron Wallace
ALC File: # 51722

City of Surrey
14245—56 Avenue
SURREY BC V3X 3A2

Attention: Luciana Moraes, Transportation Planner

Re: Application for Transportation Corridor in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **2490/2010** outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'B Underhill', is written over the printed name.

Brian Underhill, Executive Director

Enclosure: Minutes

TP/
51722d1



A meeting was held by the Provincial Agricultural Land Commission on June 7, 2010 by means of electronic communication.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	Tony Pellett	Staff

For Consideration

Application: # 51722
Applicant: City of Surrey
Proposal: To construct a multi-use pathway (recreational trail) on the former rail right of way along the east side of Highway 15 south to the ALR boundary from the multi-use pathway on Fraser Highway.
Legal: No PID (within a dedicated road allowance)
Location: East side of 176 Street between Fraser Highway and 68A Avenue

Site Inspection

A site inspection was conducted on April 11, 2007. Those in attendance were:

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

It was noted that the long term proposal for a walkway along Highway 15 is separated from potential farmland by a watercourse whereas an alternative proposal on the east side of the watercourse could inhibit future agricultural development of lands which currently are not being farmed.

Context

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.

Discussion

Assessment of Agricultural Suitability

The Commission believes that the historic use of the property as a railway and the more recent approval of highway development under Resolution #229/2004 render the land unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission believes there would likely be an adverse impact on future agriculture to the east unless the pathway is suitably buffered.

IT WAS

MOVED BY: Commissioner Pranger

SECONDED BY: Commissioner Bose

THAT the application be allowed subject to landscaped buffering to be installed between the multi-use pathway and the watercourse to the east;

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.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.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, and decisions of any authorities that have jurisdiction under an enactment.

CARRIED

Resolution # 2490/2010