



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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Fax: 604-660-7033  
www.alc.gov.bc.ca

October 6, 2005

Reply to the attention of Gordon Bednard

Musqueam Holdings or Properties Ltd  
6735 Salish Drive  
Vancouver, BC - V6N 4C4

Dear Sir/Madam:

Re: **Application # O-36189**

1. PID: 007-134-631  
Lot 1, District Lot 194, Block 16, Plan 2242;
2. PID: 007-134-657  
Lot 2, District Lot 194, Block 16, Plan 2242;
3. PID: 007-134-690  
Lot 3, District Lot 194, Block 16, Plan 2242;
4. PID: 007-134-746  
Lot 4, District Lot 194, Block 16, Plan 2242;
5. PID: 007-134-771  
Lot 5, District Lot 194, Block 16, Plan 2242;
6. PID: 007-134-801  
Lot 6, District Lot 194, Block 16, Plan 2242;
7. PID: 007-134-827  
Lot 7, District Lot 194, Block 16, Plan 2242;
8. PID: 007-134-983  
Lot 8, District Lot 194, Block 16, Plan 2242;
9. PID: 007-135-025  
Lot 9, District Lot 194, Block 16, Plan 2242;
10. PID: 007-135-190  
Lot 10, District Lot 194, Block 16, Plan 2242;
11. PID: 012-065-382  
That part of Lot B, (Amended Reference Plan 1624) District Lot 194, Lying East of the Production Southerly of the West Boundary of Lot 1, Block 16, District Lot 194, Plan 2242, New Westminster District Group 1;
12. PID: 007-135-653  
Lot D, District Lot 194 and 315, Block 8, Plan 11178.

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to adjust the boundaries of 12 properties totaling 3.4 ha. The current lots range in size from 0.06 ha to 1.5 ha with the majority being in the 0.16 to 1.2 ha range. The new lots would be closer to 0.25 to 0.3 ha in size each. The application was submitted pursuant to Section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on September 15, 2005 at the property. The Commission found the meeting and site visit informative.

The Commission writes to advise that it approved your application subject to:

- The subdivision being in substantial compliance with the attached plan.
- Adoption by the City of Vancouver of zoning for the proposed new lots consistent with the zoning currently in place over the balance of the Southlands ALR area.
- compliance 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. The Commission suggests you contact the City of Vancouver at your earliest convenience.

The decision noted above is recorded as Resolution # **509/2005**.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:


Erik Karlsen, Chair

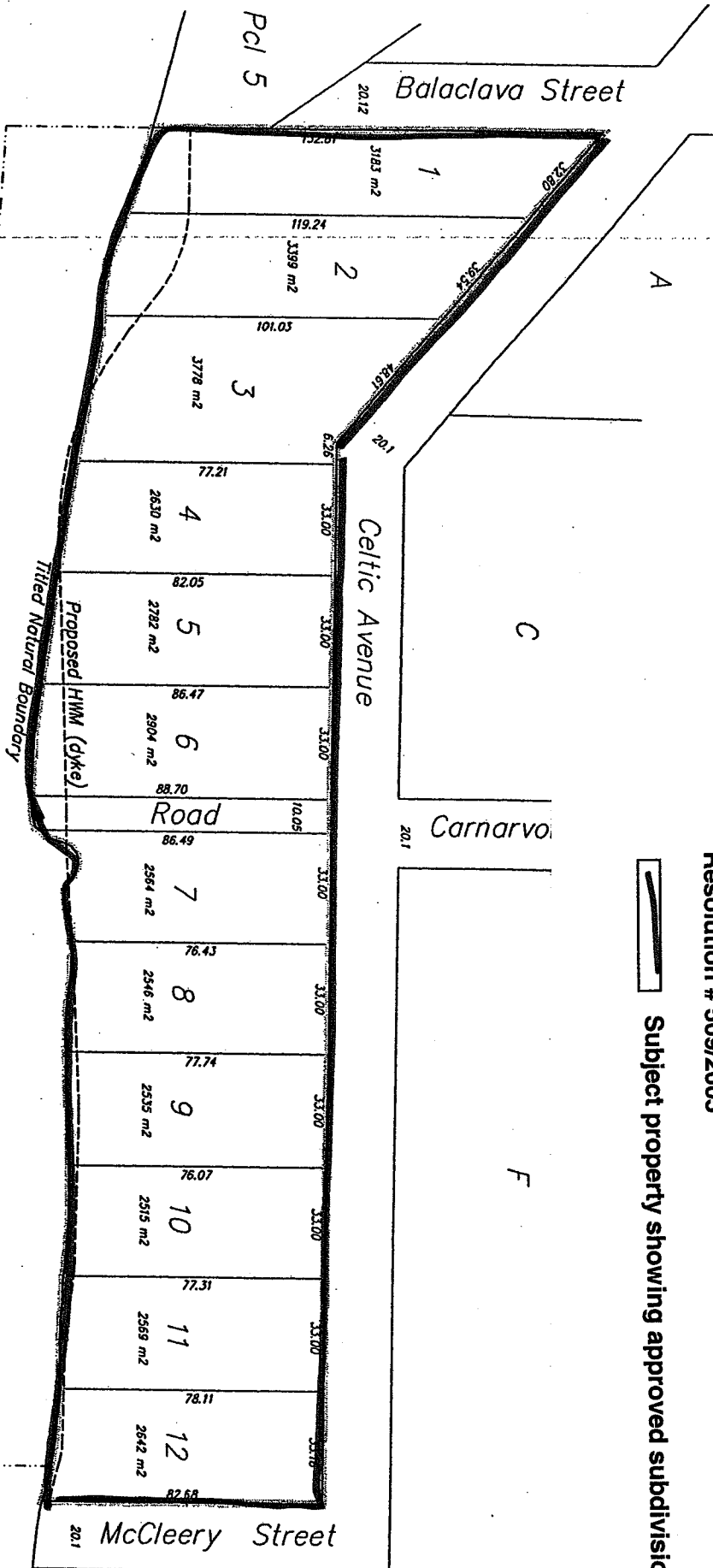
cc: City of Vancouver - Attn: Rob Jenkins, Planning Department  
Progressive Construction - Attn: Steve Kurrein

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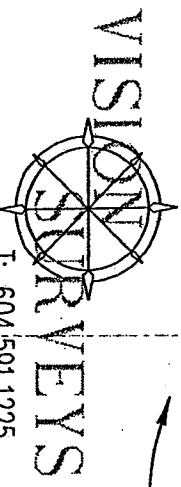
**Provincial Agricultural Land Commission**

**Application: O-36189  
Resolution # 509/2005**

 **Subject property showing approved subdivision.**



NORTH ARM OF FRASER RIVER  
D.L. 7927



File: B063 proposed  
T: 604.591.1225  
Date: October 22, 2003

**MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION**

**Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on September 15, 2005 at Richmond, B.C.**

**PRESENT:** Peter Dhillon    Chair  
                 Carol Paulson    Commissioner  
                 Walter Dyck    Commissioner

**STAFF:**            Gordon Bednard, Regional Research Officer  
                 Tony Pellett, Planner

**For Consideration**

Gordon Bednard presented a staff report prepared by Simone Magwood dated September 2, 2005 regarding application #O- 36189.

**Site Inspection**

A site inspection was conducted on September 15, 2005. Those in attendance were:

- Commissioners Dhillon, Paulson, & Dyck
- Agricultural Land Commission Staff: Gordon Bednard, Regional Research Officer and Tony Pellett, Planner
- Steve Kurrein – representing the owners
- Rob Jenkins – City of Vancouver Planning Department

The Commission viewed the property and discussed the application with the applicant and the city planner.

**Commission Discussion**

The Commission considered that given the present debilitated nature of the property from an agricultural perspective, and the proposed redevelopment of the land which may bring about some agricultural land use, the proposal could be supported.

**IT WAS**

**MOVED BY:**            Commissioner Walter Dyck  
**SECONDED BY:**      Commissioner Carol Paulson

THAT the staff report be received and the application be approved subject to adoption by the City of Vancouver of zoning for the new properties consistent with zoning covering the balance of the Southlands ALR area.

This approval is also subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

**Staff Report**  
**Application # O – 36189 - 0**  
**Applicant: Musqueam Holdings or Properties Ltd.**  
**Agent: Progressive Construction Ltd.**

**DATE PREPARED:** September 2, 2005

**TO:** Chair and Commissioners – South Coast Panel

**FROM:** Simone Magwood, Regional Research Officer

**PROPOSAL:** To adjust the boundaries of 12 parcels of a total area of 3.4 ha.

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

**BACKGROUND INFORMATION:**

The subject property was Crown Land between 1940 and 1988 and owned by the Musqueam from 1998 to the present. Throughout this period there have been many different industrial uses of the site. There are currently approximately 10 industrial buildings on site varying in age, construction type and condition, some with asbestos siding present. Major portions of the site are paved. Pilings and riverfront moorage are located along the south side including hoist facilities. The intent is to demolish the industrial buildings and remediate the site to bring it to a residential standard. The intent is to maintain and encourage the semi-rural, equestrian agricultural nature of the neighbourhood by adjusting the present lot lines to create 12 equal size properties to better accommodate homes and barns. Each newly created lot would be restricted to one single family dwelling plus associated out-buildings.

The current lots range in size from 0.06 ha to 1.5 ha with the majority being in the 0.16 to 1.2 ha range. The new lots would be closer to 0.25 to 0.3 ha in size each.

A Public Hearing was held and Vancouver City Council heard from 28 speakers regarding the proposed rezoning of this location.

**Local Government:**

City of Vancouver

**Legal Description of Property:**

1. PID: 007-134-631  
Lot 1, District Lot 194, Block 16, Plan 2242
2. PID: 007-134-657  
Lot 2, District Lot 194, Block 16, Plan 2242
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Lot D, District Lot 194 and 315, Block 8, Plan 11178

**Purchase Date:**

1998

**Location of Property:**

2950- Celtic Avenue, Vancouver

**Total Size of Properties:**

3.4 ha (The entire area is in the ALR).

**Present use of the Property:**

Various industrial uses such as storage, commercial and industrial operations.

**Surrounding Land Uses:**

**WEST:** Industrial, residential (ALR)  
**SOUTH:** North arm of the Fraser River  
**EAST:** Residential, golf course (ALR)  
**NORTH:** McCleery Golf Course (ALR)

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92G/3(g)

**Zoning Bylaw and Designation:**

Zoning and Development bylaw - Current Zoning RA-1  
Minimum lot size 0.24 ha  
Proposed Zoning, CD-1

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

City Council supports the rezoning and subdivision within the ALR.  
City planning and engineering staff support the rezoning and subdivision within the ALR.  
Local Ratepayers Association and Southlands Riding Club support the application.

**STAFF COMMENTS:**

Staff note the following:

- There is some question about the wording of the wording of the Vancouver City Council Resolution regarding this matter which stated: *"secure a decision by the Agricultural Land Commission approving the landowner's application to the ALC to subdivide the land in the ALR at 2950-3190 Celtic Avenue and in the form which is compatible with the subject rezoning application"*
- Although many of the existing parcels are small, all but one of them are subject to the land use restrictions of the ALC Act. Subsection 23(1) of the Act states, *"Restrictions on the use of agricultural land do not apply to land that, on December 21, 1972, was, by separate certificate of title issued under the Land Registry Act, R.S.B.C. 1960, c. 208, less than 2 acres in area."* If you look at the titles of Lots 1 through 10, you will see that prior to 1988, they were all listed on the same pre-1972 certificate of title (53252) - thus they do not meet the test of being on a "separate certificate of title". The only area not subject to the land use restrictions of the Act is PID 012-065-382, which was on pre-1972 title 247121 whereas the balance of "Lot B" to the west was (and still is) on pre-1927 title 30800K.
- The area under application is not subject to the "Southlands General Order"

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**END OF REPORT**

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**Signature**

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**Date**