



Agricultural Land Commission Staff Report

DATE: June 24, 2010
TO: Vice Chair and Commissioners - South Coast Panel
FROM: Ron Wallace

RE: Application # 51630

PROPOSAL: The proposed subdivision is to create two lots from the existing three parcels. As well, the proposed subdivision will result in the dedication of a road right-of-way for the extension of 172 Street through the subject site. Currently a rail right-of-way runs through one of the subject parcels resulting in a portion of the property located north of the railway being separated from the remainder of the property to the south of the railway. The proposal is to create two legal lots, with proposed Lot 1 being west and south of the railway line (29 ha) and Lot 2 being north and east of the railway line (7.68 ha.). The proposed roadway is an extension of 172 Street to move vehicles parallel to Highway No. 10 between 172 Street and 192 Street.

PROPOSAL INFORMATION

Background: The proposal consolidates 2 lots in the ALR and provides for the future road network to facilitate truck movement between 172 Street and 192 Street and rationalizes the properties bisected by the recently relocated railway

Received Date: March 15, 2010

Applicant: Thomas Maddocks

Agent: Pacific Land Resource Group Inc

Local Government: City of Surrey

DESCRIPTION OF LAND

PID: 013-249-061

Legal Description: Parcel "A" (Reference Plan 1337) North Half of the North West Quarter Section 6 Township 8 New Westminster District

Civic Address: 5574 - 168 Street

Area: 2 ha

ALR Area: 2 ha

Purchase Date: May 16, 1979

Owner: Thomas Maddocks

PID: 011-641-851

Legal Description: North Half of the North West Quarter Section 6 Township 8 Except: Firstly: Part on Plan 22160 Secondly: Parcel "A" (Reference Plan 1337) Thirdly: Parcel "One" (See E26880), Fourthly: Part on Plan BCP24932 New Westminster District

Civic Address: 5490 - 168 Street

Area: 25.9 ha

ALR Area: 25.9 ha

Purchase Date: July 20, 2006

Owner:

PID: 011-642-025

Legal Description: Parcel "C" (Plan with Fee Deposited 14248F) District Lot 363 Group 2 Except: Firstly: Part on Plan 22160 Secondly: Parcel "One" (Reference Plan 6369), Thirdly: Part on Plan BCP24931 New Westminster District

Civic Address: 17236 Highway No. 10

Area: 12.1 ha

ALR Area: 8.3 ha

Purchase Date: July 18, 2006

Owner: Thomas Maddocks

Total Land Area: 40 ha

Total ALR Area: 36.2 ha

Current Land Use: The subject site consists of three properties and encompasses an area of 39.8 ha. The easterly lot of the subject site is currently split-designated with the northerly 4.4 ha fronting Highway No. 10 designated Industrial in the OCP, zoned Light Impact Industrial Zone and located outside of the ALR. The southerly 6.6 ha is designated Agricultural and zoned General Agricultural Zone and located in the ALR.

The other two properties are zoned General Agricultural Zone and are currently under blueberry cultivation. A residence is located on the south side of the railway with driveway access paralleling the south property line to access 168 Street.

PROPOSAL DETAILS

Subdivision

| Area | Agricultural Capability | Agricultural Capability Source |
|------|---------------------------|--------------------------------|
| 36.2 | Mixed Prime and Secondary | BCLI |

Number of Lots Lot Size (ha)

| | |
|---|------|
| 1 | 7.0 |
| 1 | 28.0 |
| 1 | 1.2 |

Surrounding Land Uses:

| | |
|-------|--|
| North | Fallow land and farm on the west side of 172 Street and an approved unconstructed commercial development - Agricultural and Industrial |
| East | Mixed use Industrial |

South Mound Farm and Agricultural Land
West Farm - Agricultural

Official Community Plan

Bylaw Name:

Designation: Agricultural and Industrial

OCP Compliance: Yes

Zoning

Zoning Bylaw Name: By-law 12000

Zoning Designation: General Agriculture A-1

Minimum Lot Size: 4.0 ha

Zoning Compliance: No

PREVIOUS APPLICATIONS

Application #: 41129

Applicant: Ministry of Transportation

Proposal:

1. To dedicate additional road right of way to 56 Avenue (Highway 10) to accommodate widening of the highway to four lanes with centre median;
2. To dedicate additional road right of way to Old McLellan Road to accommodate a bulbed turnaround necessary to eliminate an intersection with Highway 10 at a railway crossing and bridge;
3. To dedicate additional road right of way to 160 Street to accommodate a turnaround for farm vehicles, compensating for some loss of vehicular movement on Highway 10 resulting from the centre median;
4. To allow construction of the road and necessary drainage ditches and
5. To allow temporary use of land for lay down areas.

Decisions:

| Resolution Number | Decision Date | Decision Description |
|--------------------------|----------------------|---|
| 222 | May 11, 2004 | Allow in principle subject to implementation of mitigative measures as per Golder Associates report. The submission of a report from a qualified professional will be required at the completion of the project to provide the Commission assurance of the successful completion of mitigation. |

Note: Legacy File: #26-04-35327

Committee Recommendations

| Type | Recommendation | Description |
|---------------|-----------------------|---|
| Board/Council | Approve | Surrey Council recommended approval of the application. |

STAFF COMMENTS

Staff has the following comments:

- The proposed subdivision creates two new legal lots from three current lots and eliminates the division of the most easerly lot created by the realigned rail right-of-way. Results in the creation of a useful

agricultural lot west and south of the railway line. New driveway access to the existing dwelling would parallel the south property line to 168 Street.

- The second proposed lot northeast of the railway will have a split zone of A-1 (within the ALR) and IL (outside of the ALR) with a proposed dedication of road right-of-way for the extension of 172 Street through this lot. As a result, the potential use of this property for agriculture will be further limited.

- It is noteworthy that there is a certificate of pending litigation (i.e, pending trial date) between Himmat Sekhon (Plaintiff) and the applicant Thomas Maddocks.

- Any decision in support of this proposal does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government or any Lis Pendens.

ATTACHMENTS

51630_AgCapabilityMap.pdf

51630_GoogleEarth.jpg

51630_ContextMap20k.pdf

51630_Planning report.pdf

END OF REPORT

Signature

Date