



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

Reply to the attention of Terra Kaethler  
ALC File: 51831

November 18, 2010

Kutny's Landscaping  
9811 No. 6 Rd  
Richmond, BC V6W 1E5

Dear Sir and/or Madam:

**Re: Application for Non-Farm Use in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # **2719/2010** outlining the Commission's decision as it relates to the above noted application.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: City of Richmond (NF 10-531483)  
BC Assessment,

TK/  
51831d1



A meeting was held by the Provincial Agricultural Land Commission on October 13, 2010 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

<b>PRESENT:</b>	Richard Bullock	Chair, Commission
	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Tony Pellett	Staff
	Terra Kaethler	Staff

### For Consideration

Application: 51831  
Applicant: Kutny's Landscaping, Ltd  
Proposal: Non-farm Use - to continue soil processing for topsoil business at No. 6 Road  
Legal: East Half Lot 8 Except: Part Subdivided by Plan 81336, Section 29 Block 4 North Range West New Westminster District Plan 4691  
Location: 9811 No. 6 Road, Richmond

### Site Inspection

No site inspection was conducted.

### 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

The Commission assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission noted that the top soil business had been in operation since 1972, and had previously been approved by the Commission by a series of temporary soil permits, under the Soil Conversation Act.

The Commission considered that no expansion to the facility is proposed. The Commission also noted that the Agricultural Advisory Committee had no objections to the application.

As such, the Commission was of the view that the operation was a historical use of the property and does not believe that the continuation of the operation would negatively impact existing or potential agricultural use of the subject property or surrounding lands.

**Conclusion**

That the proposal will not negatively impact agriculture.

**IT WAS**

**MOVED BY:** Commissioner Bose  
**SECONDED BY:** Commissioner Tomlinson

THAT the application be approved;

AND THAT the approval is subject to the following conditions:

- approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

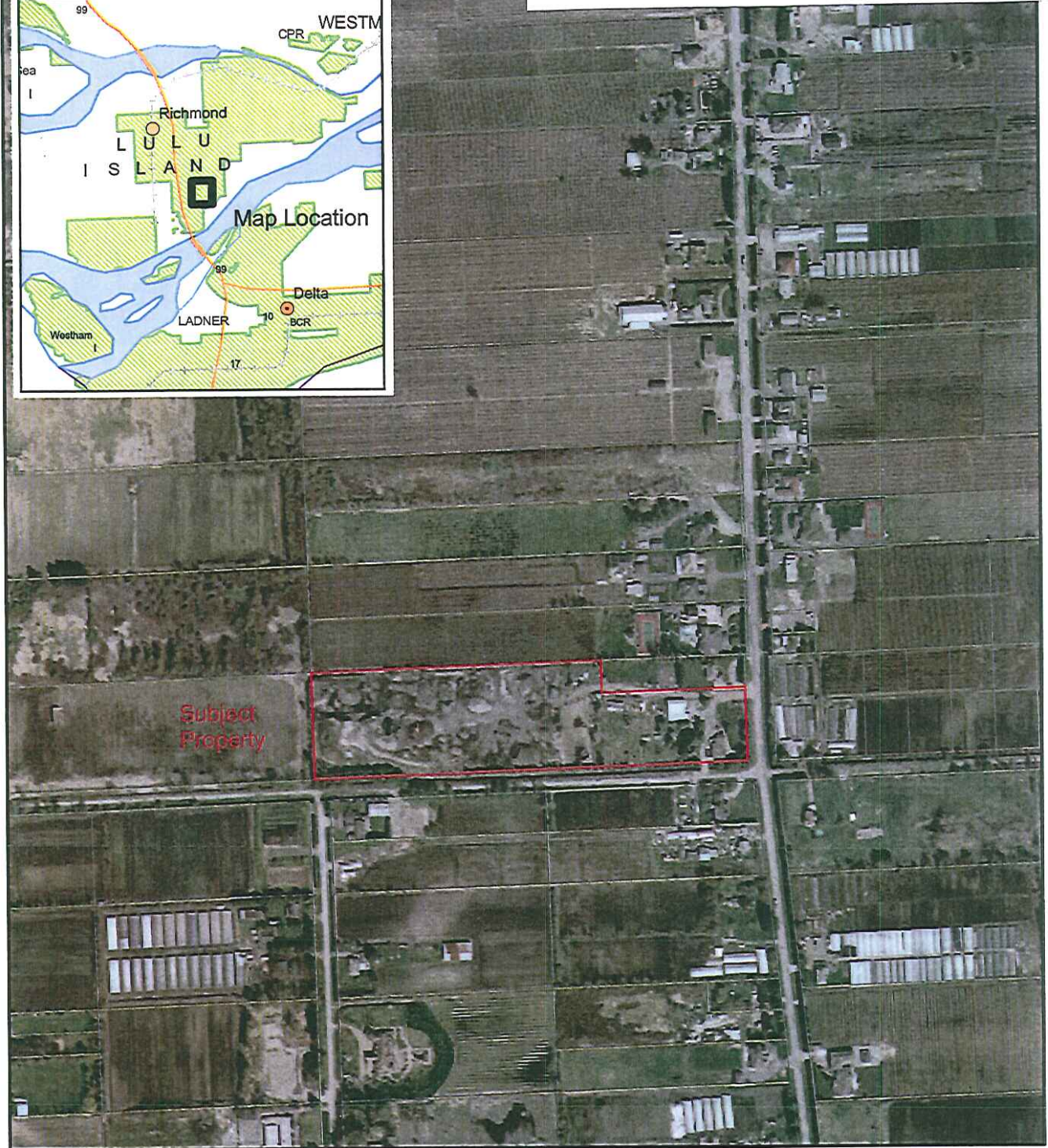
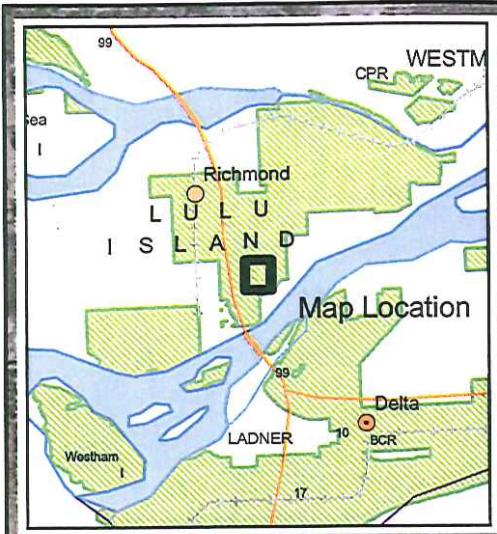
**CARRIED**

**Resolution # 2719/2010**

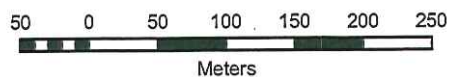


Provincial Agricultural Land Commission  
Application # 51831  
Resolution #2719/2010

 Approved for non-farm use



**Airphoto Map**  
Provincial Orthophoto 2009  
Map Scale: 1:5,000



ALC File #:	51831
Mapsheet #:	92G.015
Map Produced:	Jul 20, 2010
Regional District:	Greater Vancouver