



Provincial Agricultural Land Commission - Staff Report

Application: 52529

Applicant: City of Vancouver
Local Government: Corporation of Delta

Proposal: The subject property under application is 409.7 ha, is flat and zoned P2 - Public Sanitary Landfill. The north portion of the subject lot is occupied by the Vancouver Landfill, while the balance of the site is currently vacant. The south portion of the property is located within the ALR (~146 ha) and has never been used for landfill purposes.

A subdivision is proposed to create one new lot of 103 ha (Lot A) and one 306.7 ha lot. The 103 ha lot would be transferred from the City of Vancouver to the Corporation of Delta and the remainder lot would continue to be used as the City of Vancouver landfill. The proposed subdivision follows the land use designation between the Public Utility and Environmentally Sensitive Area designation in the OCP. The 103 ha lot would be located within the Environmentally Sensitive Area designation and would be added to the Burns Bog Ecological Conservancy Area. As part of the subdivision and transfer of the land to Delta, the following encumbrances will be registered on title of the 103 ha lot:

- a restrictive covenant which will limit the uses permitted on the land;
- an ecological restrictive covenant which will require that the land be maintained as undeveloped natural land;
- statutory right of way in favour of the City of Vancouver to allow monitoring, litter pick-up and remediation of any impacts from the adjacent landfill; and
- statutory right of way in favour of the City of Vancouver for utility and secondary access purposes.

BACKGROUND INFORMATION

The northern portion of the subject property is outside of the ALR and has been operated as a landfill since 1962 or earlier. The southern portion of the property, 146 ha, is within the ALR and is vacant. In 1999, the City of Vancouver and the Corporation of Delta entered into an agreement that the unused portion of the landfill property be transferred to Delta, subject to a separate land transfer and registration of covenants and rights-of-way on the portion of the site to be transferred to Delta.

The Delta Farmers' Institute sent a letter to the Chair of the Commission dated October 24, 2011 expressing its opposition to the proposal. A copy of this letter is attached for review.

PROPERTY INFORMATION

PID: 008-452-989
Legal Description: Lot 9 Sections 5 and 6 Township 4 New Westminster District Plan 38013
Property Area: 409.7 ha
ALR Area: 146.2 ha
Purchase Date: September 21, 1970
Location: 5400 - 72nd Street, Delta
Owner: City of Vancouver

Total ALR Area:

LAND USE

Current Land Use:

The north portion of the subject lot is occupied by the Vancouver Landfill (lying outside of the ALR); the balance of the site is currently vacant (lying within the ALR).

Surrounding Land Uses:

North: Landfill, Burns Bog
East: Agricultural, soil landfill
South: Hwy 99
West: Agricultural

PROPOSAL DETAILS

Subdivision - ALR Area: 146.2 ha

Number of Lots	ALR Area of Lot (ha)
1	75.0
1	71.2

Agricultural Capability:

The majority of the area under application is rated as: Mixed Prime and Secondary

Source: BCL

Mapsheet: 92G/2d & 3a

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: ESA Environmentally Sensitive Area
Designation: Public Utility
OCP Compliance: Yes

Zoning:

Zoning Designation: Public Sanitary Landfill

Comments and Recommendations:

Board/Council

The draft ecological Restrictive covenant and minutes from the October 17, 2011 Regular Meeting of Council will be forwarded to the ALC when they become available.

Planning Staff

That the application for subdivision at 5400 72 Street, including the conservation/ecological restrictive covenant, be referred to the ALC, noting that The Corporation of Delta supports the application.

ALC STAFF COMMENTS

Staff has the following comments:

- The Agricultural Capability Map shows that the soils within the ALR are Class O5W with improved ratings of Class O2 and 6:O3LW 4:O2W. The "O" indicates that the soils are organic (bog like soils) with significant excessive water limitations.
- The proposed 103 ha subdivision to create Lot A would contain approximately 75 ha of ALR land.
- The proposal to subdivide the property and register the encumbrances on title of the 103 ha parcel requires ALC approval. The conservation/ecological restrictive covenant that is proposed will require that the land be maintained as undeveloped natural land and does not allow any activity that doesn't support the bog, including potential agricultural activities.

ATTACHMENTS

52529_ContextMap50k.pdf
52529_AgCapabilityMap.pdf
52529_AirphotoMap50k.pdf
52529DeltaFarmers.pdf
52529CouncilReport.pdf
52529DraftCov.pdf

END OF REPORT

Prepared by: Ron Wallace, March 7, 2012