



Agricultural Land Commission
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July 2, 2014

ALC File: 53264
Your File: CDPR-0640-30-01

David Boag
Director, Parks and Facilities
City of Pitt Meadows
12007 Harris Road, Pitt Meadows
B.C. V3Y 2B5

Dear Mr. Boag:

Re: Application to Conduct a Non-Farm Use on Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #188/2014 as it relates to the above noted application.

Further correspondence with respect to this application is to be directed to Eamonn Watson (Eamonn.Watson@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Colin J. Fry, Chief Tribunal Officer

Enclosures: Minutes of Resolution #188/2014

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 28, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to the Application #53264.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

COMMISSION STAFF PRESENT:

Tony Pellett	Planner
Jennifer Carson	Planner
Eamonn Watson	Planner
Colin J. Fry	Chief Tribunal Officer

PROPOSAL (Submitted pursuant to s. 20(3) of the *Agricultural Land Commission Act*)

To construct a mountain bike skill development park with soil constructed ramps, small wooden ramp, structures and challenges, a viewing platform and gravel parking area.

PROPERTY INFORMATION:

Parcel One

Owner: The Corporation of the District of Pitt Meadows

Legal: PID: 012-421-413
Parcel "A" (N38332E), Lot 1, Section 29, Block 6 North, Range 1 East, New Westminster District, Plan 1933

Location: 129th Avenue and Baines Road, Pitt Meadows

Size: 2.0 ha

Parcel Two

Owner: The Corporation of the District of Pitt Meadows

Legal: PID: 012-421-430
West Half Lot 1, Section 29, Block 6 North, Range 1 East, New Westminster District, Plan 1933

Location: 129th Avenue and Baines Road, Pitt Meadows

Size: 2.0 ha

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

6 The following are the purposes of the commission:

- (a) to preserve agricultural land;
 - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
 - (c) 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.
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COMMISSION CONSIDERATION

The Commission reviewed one previous application involving the subject properties:

Application ID
#44401 (City of Pitt
Meadows, 2007)

A non-farm use application to develop a mountain bike skills development park and to legitimize an existing BMX track, both located on the Cottonwood Park properties (the current subject properties). The Commission approved the proposed uses by Resolution #533/2008 subject to a number of conditions. Most notably, the submission of an application from the City of Pitt Meadows to include into the Agricultural Land Reserve (the "ALR") those parts of Lot 1102, District Lot 260, Group 1, New Westminster District, Plan 46550 (PID: 006-085-580) lying south of that part of said property already in the ALR with the exception of the four areas of said property which protrude into the adjacent residential areas.

While the City of Pitt Meadows sought to have the Commission reconsider its decision in this regard, the submission of a request for reconsideration was not received by the Commission within the one (1) year time frame required for such a request.

The City of Pitt Meadows has submitted the subject application, in part, to address concerns related to the conditions of Resolution #533/2008.

After considering the information the Commission concluded as follows:

1. The recreational uses on the subject properties are long established within the community.

Conclusion:

The community use of the subject properties for recreational purposes for the last 30 years demonstrates that the recreational use of the subject properties is well established in, and supported by, the community.

2. The existing and/or potential impacts on agricultural uses of the continued and expanded recreation use of the subject properties.

Conclusion:

The agricultural impacts of continuing and expanding the recreational use of the subject properties has minimal agricultural impacts on potential agricultural use of the subject properties in the future and on surrounding properties. Furthermore, these potential impacts can be mitigated through the placement of a covenant on the subject properties related to the proposed uses, and the construction of a fence along the southern and eastern boundaries of the park.

IT WAS

MOVED BY: Commissioner Bullock
SECONDED BY: Commissioner Johnson

THAT the request to use the subject properties (total area of 4.0 ha) for the purpose of constructing a mountain bike skill development park and continuing to operate the existing recreational uses be approved.

AND THAT the approval is subject to the following conditions:

1. The expanded recreational uses on the subject property must be in substantial compliance with the information provided with the application;
2. The continued recreational uses on the subject property must remain substantially consistent with the existing recreation uses;
3. The construction of a fence along the southern and eastern boundaries of the recreational park for the purpose of mitigating possible impacts on adjacent agricultural properties; and
4. The registration of a covenant in favour of the Commission for the purpose of ensuring the recreational uses on the subject properties are constructed and operated in substantial compliance with the decision of the Commission.

AND THAT this decision supersedes Commission Resolution #533/2008 and does not carry with it the requirement to include land into the Agricultural Land Reserve.

AND FINALLY THAT this decision does not relieve the owner or occupier of the responsibility to comply 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.

CARRIED
Resolution #188/2014