



**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

July 13, 2016

ALC File: 55377

Pacific Land Resource Group  
212- 12992 76th Ave  
Surrey, BC V3W 2V6

Attention Mr. Verbenkov:

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

Please find attached the Reasons for Decision of the Agricultural Land Commission (Resolution #260/2016) as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly. A sketch plan depicting the decision is also attached.

Further correspondence with respect to this application is to be directed to Liz Sutton at (Elizabeth.Sutton@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Colin J. Fry, Chief Tribunal Officer

Enclosures: Reasons for Decision (Resolution #260/2016)  
Sketch plan

cc: Township of Langley (File: 10-26-0044)

55377d1



## **AGRICULTURAL LAND COMMISSION FILE 55377**

### **REASONS FOR DECISION OF THE CHIEF EXECUTIVE OFFICER**

**Application submitted pursuant to s. 6 of BC Regulation 171/2002 (Agricultural Land Reserve Use, Subdivision and Procedure Regulation)**

**Applicant:**

**0971109 B.C. LTD.  
(the “Applicant”)**

**Agent:**

**Oleg Verbenkov  
Pacific Land Resource  
Group  
(the “Agent”)**

**Application before the Chief Executive Officer:**

**Kim Grout  
(the “CEO”)**



## **THE APPLICATION**

[1] The legal description of the property involved in the application is:

Parcel Identifier: 011-762-985

North West Quarter Section 26, Township 10, Together With Parcel "35",  
Statutory Right Of Way, Plan 4778, New Westminster District, Except: Firstly;  
North 60 Acres, Secondly; Parcel "A" (Reference Plan 6203), Thirdly; Part  
Subdivided By Plan 3954, Fourthly; Part Subdivided By Plan 53026, Fifthly;  
Part Dedicated Road On Plan LMP2660  
(the "Property")

[2] The Property is 34.5 ha in area.

[3] The Property has the civic address 24897 Fraser Highway, Township of Langley, BC.

[4] Pursuant to s. 21(2) of the s. 6 of BC Regulation 171/2002 (*Agricultural Land Reserve Use, Subdivision and Procedure Regulation*) (the "Regulation"), the Applicants are applying to widen the road dedication along existing Fraser Highway road right of way by 2.8 m on either side to provide a 36 m wide road right of way (the "Proposal"). The Proposal along with supporting documents is collectively the "Application".

## **RELEVANT STATUTORY PROVISIONS**

[5] The Application was made pursuant to s. 6 of the Regulation:

6 Unless permitted under sections 2 and 3, a person must file an application under section 34 (6) of the Act directly with the office of the commission and in a form acceptable to the commission for any of the following uses:

- (a) widening of an existing road right of way;
- (b) construction of a road within an existing right of way;
- (c) dedication of a right of way or construction of any of the following:
  - (i) a new or existing road or railway;
  - (ii) a new or existing recreational trail;

- (iii) a utility corridor use;
- (iv) a sewer or water line other than for ancillary utility connections;
- (v) a forest service road under the *Forest Act*;
- (d) the new use of an existing right of way for a recreational trail.

[6] Pursuant to s. 27 of the *Agricultural Land Commission Act* (the “ALCA”) the CEO may approve some applications:

- 27 (1) The commission, by resolution, may establish criteria under which the following may be approved by the chief executive officer:
- (a) specified types of applications for exclusion, subdivision or non-farm use;
  - (b) applications with respect to specified regions of British Columbia.
- (2) The commission must put the criteria established under subsection (1) in writing and make them available for inspection during ordinary business hours.
- (3) An application that meets the criteria established under subsection (1) may be approved by the chief executive officer on the terms that the chief executive officer may impose.
- (4) If the chief executive officer considers that the application does not meet the criteria specified under subsection (1) or for any other reason does not wish to approve the application under subsection (3), the application must be referred to the commission for a decision.
- (5) An approval of an application by the chief executive officer under subsection (3) is decision of the commission for the purposes of this Act.
- (6) The chief executive officer may not exercise a power that has been delegated to a local government, a first nation government or an authority by an agreement entered into under section 26.

[7] On June 27, 2011, the Agricultural Land Commission (the “Commission”) delegated decision-making to the CEO by Resolution #016N-2011 (File: 140-60/ALC/CEO/APPL). In accordance with section 27 of the *ALCA* the Commission has specified that the following applications may be decided by the CEO.



Criterion 4

Non-farm use applications made pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation);

**DECISION**

[8] After reviewing the Application, I am satisfied that the Proposal is consistent with Criterion #4 of Resolution #016N/2011 and approve the Proposal.

[9] The Proposal is approved subject to the following conditions:

a. the road widening be in substantial compliance with the plan submitted with the Application.

[10] 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.

[11] Decision recorded as Resolution #260/2016.

A decision of the CEO is a decision of the Commission pursuant to s. 27(5) of the ALCA.

\*\*\*\*\*

**I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION**

  
\_\_\_\_\_  
Kim Grout, Chief Executive Officer

**July 13, 2016**  
**Date Released**

