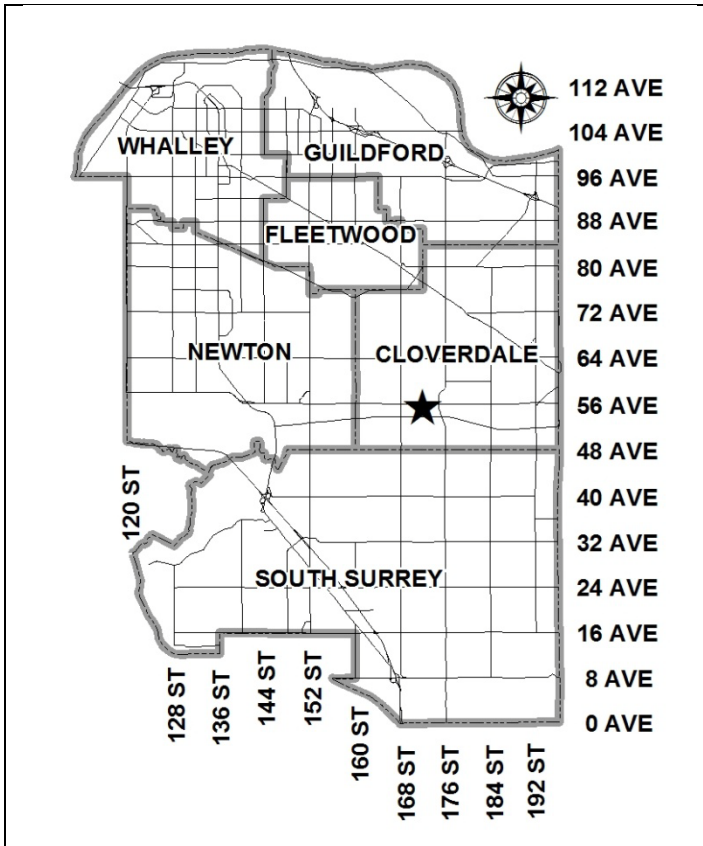


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7912-0157-00

Planning Report Date: July 23, 2012



PROPOSAL:

- **ALR Exclusion** under Section 30 of the ALC Act for a transportation corridor.

LOCATION:

17180 and 17234 Highway No. 10
 (56 Ave)

OWNER:

BC Transportation Financing
 Authority

ZONING:

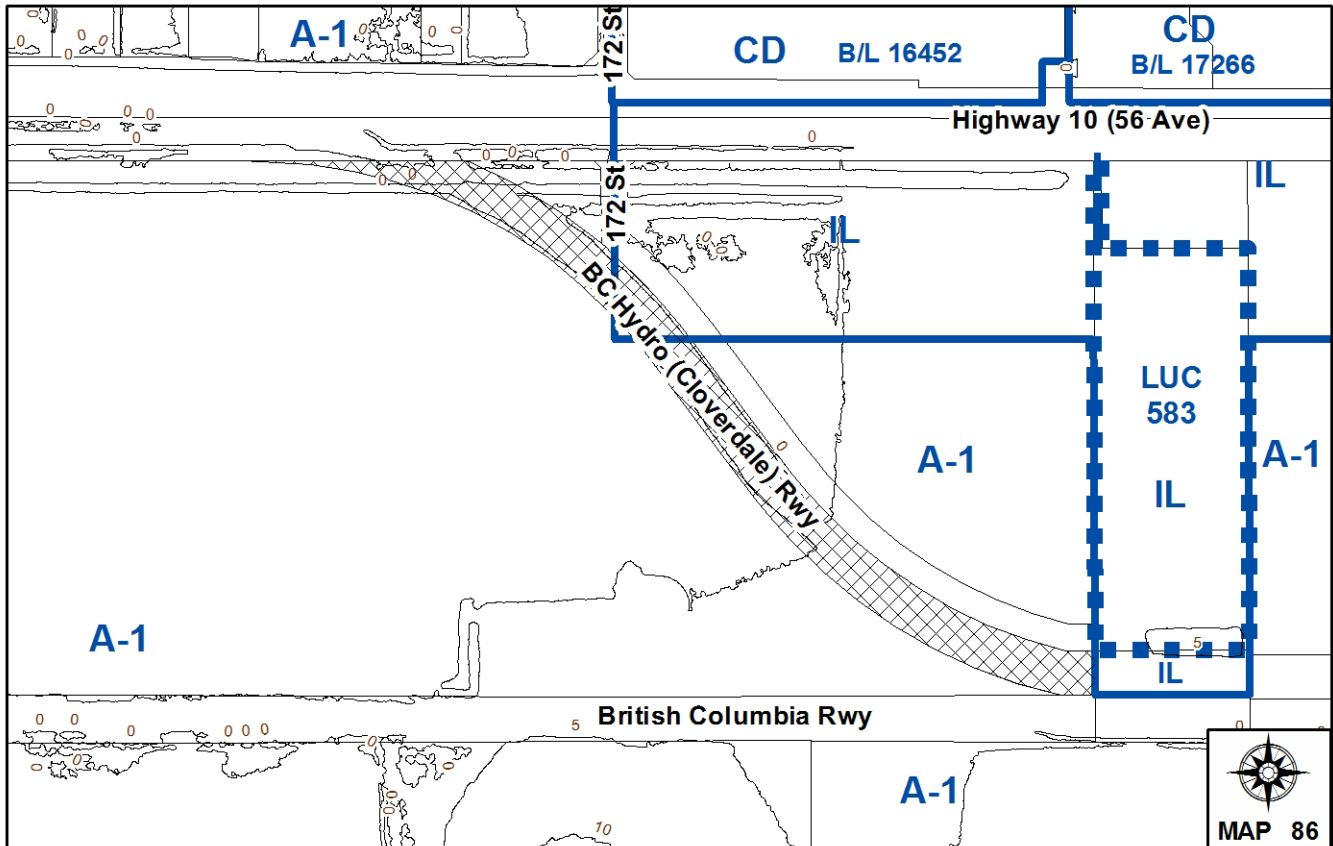
A-1 and IL

OCP DESIGNATION:

Agricultural

LAP DESIGNATION:

Agricultural



RECOMMENDATION SUMMARY

- Refer application to the Agricultural Land Commission.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- The land to be excluded is currently used as a transportation corridor by the BC Hydro (Cloverdale) Railway.
- The exclusion is required in order for the Ministry of Transportation and Infrastructure (MOTI) and BC Hydro to complete the land exchange which will give ownership of the railway corridor to BC Hydro.
- Transportation uses must either receive permission to locate within the ALR, or be excluded from the ALR. BC Hydro requires that these lands be transferred from MOTI free of any encumbrances, including any Agricultural Land Reserve (ALR) restrictions.
- The requirement under City Policy No. O-51 to provide compensation for land to be excluded from the ALR does not apply in this circumstance.

RECOMMENDATION

The Planning & Development Department recommends that Council authorize referral of the application to the Agricultural Land Commission.

REFERRALS

Engineering: The Engineering Department has no comments related to this ALR exclusion application. Comments were originally provided under Application Nos. 7902-0075-00 and 7906-0368-00.

Agriculture and Food Security Advisory Committee (AFSAC): The AFSAC supports the application being forwarded to ALC.

SITE CHARACTERISTICS

Existing Land Use: Existing BC Hydro (Cloverdale) Railway corridor

Adjacent Area:

Direction	Existing Use	OCP/TCP Designation	Existing Zone
North:	Undeveloped Industrial land and Highway No. 10 corridor.	Agricultural and Industrial in the OCP, Industrial in the Cloverdale TCP	A-1 and IL
East (Across unconstructed 172 Street):	Fallow agricultural land.	Agricultural and Industrial in the OCP	A-1 and IL
South:	Berry farm and residence.	Agricultural in the OCP	A-1
West:	Berry farm.	Agricultural in the OCP	A-1

DEVELOPMENT CONSIDERATIONSBackground

- BC Hydro previously owned 5.42 hectares (13.39 ac) of land adjacent to Highway No. 10, just west of the Cloverdale Town Centre, that had been used as an active railway corridor and an electrical transmission corridor for many years.
- However, in order to facilitate the widening of Highway No. 10 in the mid-2000's, the original right-of-way for the BC Hydro (Cloverdale) Railway had to be relocated and, as a result, was relocated to a new alignment to the south of its previous location (see Appendix II).

- The portion of the re-aligned railway corridor was subdivided from the adjacent agricultural lands into two fee simple lots under Application No. 7906 -0308-00 (see Appendix II).
- The two lots, 17180 and 17234 Highway No. 10, have a total area of 1.88 hectares (4.65 ac) and are presently owned by the BC Transportation Finance Authority (BCTFA).
- As part of the original agreement between the Ministry of Transportation and Infrastructure (MOTI) and BC Hydro with respect to the widening of Highway No. 10, title to the realigned railway corridor was to be transferred to BC Hydro.
- However, BC Hydro requires that these lands be transferred free of any encumbrances, including any Agricultural Land Reserve (ALR) restrictions.
- All of 17180 Highway No. 10 (0.54 ha, or 1.33 ac) and a portion (1.22 ha, or 3.01 ac) of 17234 Highway No. 10 are located within the ALR, for a total of 1.77 ha (4.37 ac). A 1,061-square metre (11,421-sq.ft.) portion of the lot at 17234 Highway No. 10 is not currently within the ALR.
- As a result, the applicant is proposing that the portions of the two subject lots that are located within the ALR (1.77 hectares /4.37 ac) be excluded from the ALR.
- At the time of the initial discussions regarding the re-alignment of the railway corridor, the Agricultural Land Commission (ALC) required the BCTFA to provide an agricultural drainage assessment to determine the potential impacts of the re-alignment. The BCTFA engaged Engineering consultants Golder Associates Ltd., who were able to demonstrate that the new railway alignment would not negatively impact the drainage capabilities of the adjacent agricultural lands.
- Under the Agricultural Land Reserve Act, transportation uses must either receive permission from the ALC to locate within the ALR, or be excluded from the ALR. In this circumstance, the applicant is proposing an ALR exclusion.
- In accordance with City Policy No. O-51 (*Policy for Considering Applications for Exclusion of Land from the Agricultural Land Reserve*), most ALR exclusion proposals must demonstrate compensation (such as inclusion of land into the ALR with an area that is at least twice as large as the area of land to be excluded). An exception to the compensation requirement, however, is when the exclusion is to accommodate a public facility. The subject railway corridor is deemed a "public facility" (a facility operated by a level of government or Crown Corporation) and therefore the applicant does not propose any compensation.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, and Action Summary
- Appendix II. Subdivision Plan BCP 48309, and lands proposed to be removed from ALR
- Appendix III. Draft Agriculture and Food Security Advisory Committee Minutes

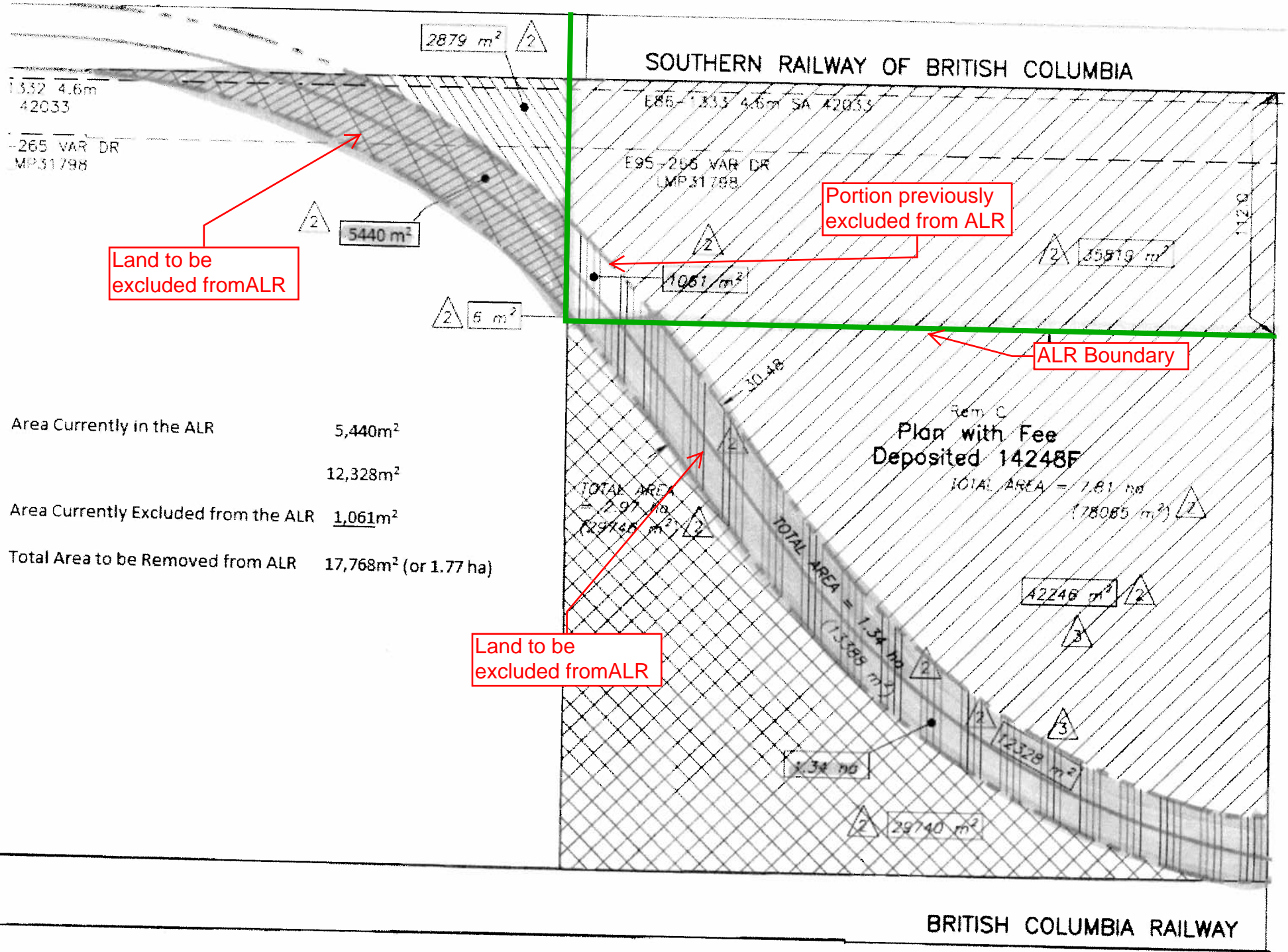
original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

CA/kms

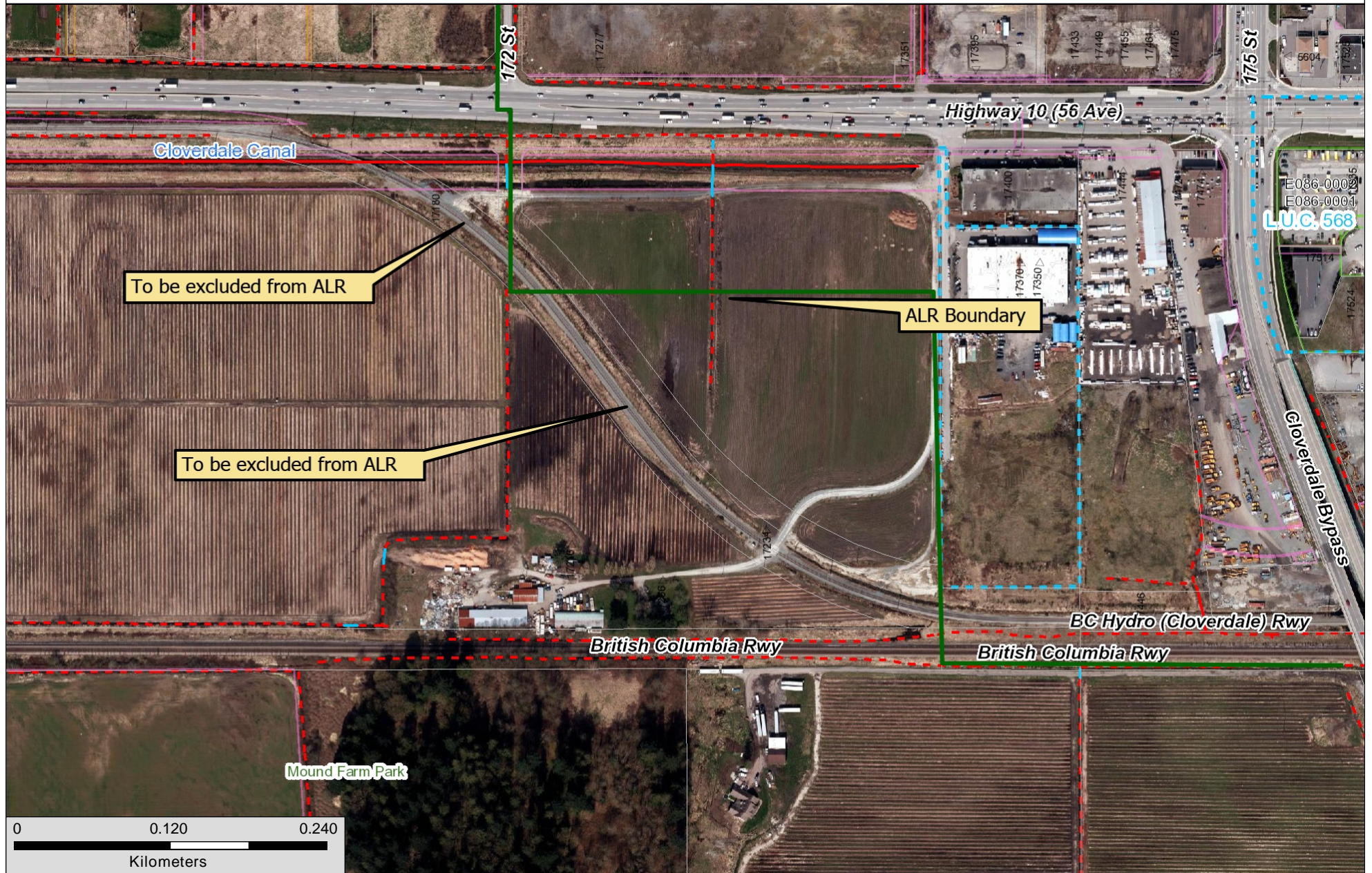
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SOUTHERN RAILWAY OF BRITISH COLUMBIA



Area Currently in the ALR	5,440m ²
	12,328m ²
Area Currently Excluded from the ALR	<u>1,061m²</u>
Total Area to be Removed from ALR	17,768m ² (or 1.77 ha)

BRITISH COLUMBIA RAILWAY



The data provided is compiled from various sources and is NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, legal descriptions and encumbrances must be confirmed at the Land Title Office. Use and distribution of this map is subject to all copyright and disclaimer notices at cosmos.surrey.ca.

Enter Map Description

Scale: 1: 4,000
Map created on: July-10-12

SUBMISSION PLAN OF
 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 BOP24931
 AND 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 BOP24932
 AND PARCEL "A" (REFERENCE PLAN 1337) NORTH HALF OF
 THE NORTH WEST QUARTER SECTION 6 TOWNSHIP 8
 NEW WESTMINSTER DISTRICT

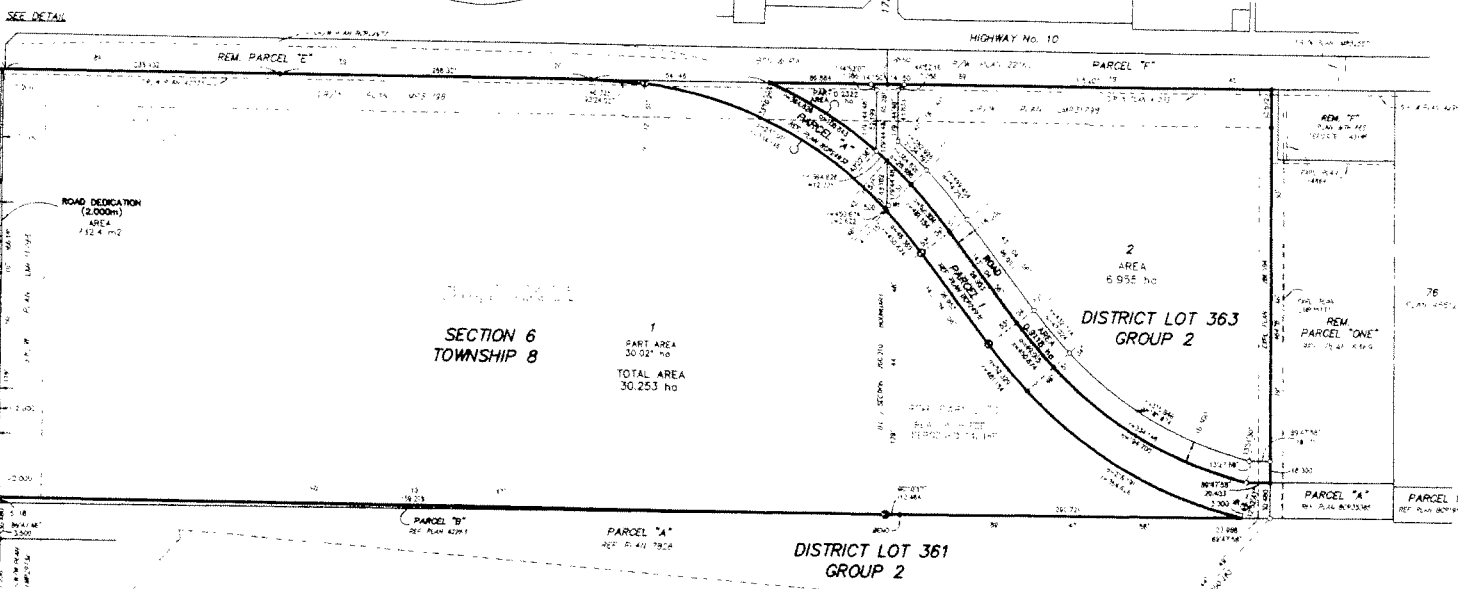
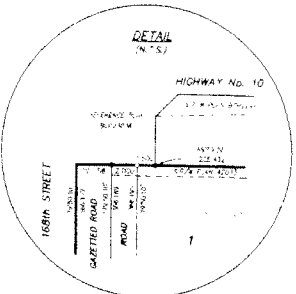
PLAN BOP **48309**
 DEPOSITED IN THE LAND FILE
 OFFICE OF NEW WESTMINSTER B.C.
 THE PROVINCE OF B.C.
L. Blackwell
 REF BB175 8878

PURSUANT TO SECTION 67 LAND TITLE ACT
 CITY OF SUMMIT
 B.C.S.S. 926107

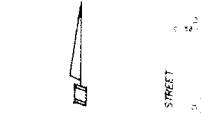
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ALL DISTANCES ARE IN METERS
 The intention (and size) of the plan is shown in black (227) in height (10 mm) when printed at a scale of 1:2000

INTEGRATED SURVEY AREA NO. 1 (SUMMIT)
 (MAGNETIC FIELD CORRECTIONS)
 AND BEARINGS ARE DERIVED FROM OPERATIONS BETWEEN
 STATION POINTS MONUMENTED TO PLAN AND 3-D
 THIS PLAN SHOWS HORIZONTAL DISTANCE-LEVEL DISTANCES
 (ELEVATION) WHERE APPROPRIATE
 TO COMPUTE AND DISTANCES AND LEVEL DISTANCE-LEVEL
 DISTANCE BY COMBINED FACTOR IS PROVIDED



LEGEND
 1. Boundary of land parcel
 2. Boundary of road
 3. Boundary of water body
 4. Boundary of easement
 5. Boundary of other interest
 6. Boundary of other interest
 7. Boundary of other interest
 8. Boundary of other interest
 9. Boundary of other interest
 10. Boundary of other interest



APPROVED UNDER THE LAND TITLE ACT
 THE REGISTRAR OF *L. Blackwell*
 10/01/2011

APPROVED AS TO DEDICATION OF ROAD
 BRITISH COLUMBIA HERITAGE AND POWER AUTHORITY
 OWNER OF CHARGE NUMBER: 100000000
Michael Pettigrew
 ALTERNATE SIGNATURE: *Michael Pettigrew*

APPROVED AS TO DEDICATION OF ROAD
 GREATER VANCOUVER WASTEWATER AND DRAINAGE
 OWNER OF CHARGE NUMBER: 100000000
Debra Lagimodiere
 ALTERNATE SIGNATURE: *Debra Lagimodiere*

APPROVED AS TO DEDICATION OF ROAD
 TELUS COMMUNICATIONS INC.
 OWNER OF CHARGE NUMBER: 100000000
Ron Buzio
 ALTERNATE SIGNATURE: *Ron Buzio*

APPROVED SIGNATURE
 WITNESSED AS TO BOTH DOCUMENTS
W. Bell
 12,430 88 Ave, Surrey, BC V4M 8T1
 PROPERTY COORDINATOR
 600 PM BC

APPROVED SIGNATURE
 WITNESSED AS TO BOTH DOCUMENTS
Debra Lagimodiere
 1220 Kingsway, Burnaby, BC
 ADMINISTRATIVE ASSISTANT
 600 PM BC

APPROVED SIGNATURE
 WITNESSED AS TO BOTH DOCUMENTS
W. Bell
 1-19079 64th Ave Surrey BC
 V4S 1K4
 PROPERTY ASSISTANT
 600 PM BC

OWNER
J. K. Macdonald
 WITNESSED AS TO DEDICATION
W. Bell
 101 7415 130 ST
 SURREY, BC
 SIGNED BY WITNESS
W. Bell
 600 PM BC

INTEGRATED THIS PLAN
 PLAN OF SURVEY: 48309
L. Blackwell

THIS PLAN LIES WITHIN THE
 GREATER VANCOUVER REGIONAL DISTRICT

I, O. A. DICK, A BRITISH COLUMBIA LAND SURVEYOR, CERTIFY
 THAT I WAS PRESENT AT AND PERSONALLY SUPERVISED
 THE SURVEY REPRESENTED BY THIS PLAN AND THAT THE
 SURVEY AND PLAN ARE CORRECT. THE FIELD SURVEY WAS
 COMPLETED ON THE 29th DAY OF SEPTEMBER, 2011.
 THE PLAN WAS CHECKED AND CORRECTED AND THE CHECKED
 FILED UNDER # 48309, ON THE 27th DAY OF OCTOBER, 2011.
O. A. Dick
 600 PM BC

DATE OF PLAN: 10/01/2011
 DATE OF FILE: 10/01/2011

Agriculture and Food Security Advisory Committee Minutes

Present:

Chairperson - Councillor Hepner
M. Bose – Vice Chair
D. Arnold
P. Harrison
M. Hilmer
J. Sandhar
B. Sandhu
K. Thiara
S. VanKeulen

Regrets:

T. Pellett, Agricultural Land
Commission
B. Stewart, Environmental Advisory
Committee Representative

Guest Observers:

S. Sandher, Citiwest Consulting

Staff Present:

R. Dubé, Engineering
D. Hornung, Bylaws
C. MacFarlane, Legal
C. Stewart, Planning & Development
M. Kischnick, Planning & Development
L. Anderson, Legislative Services

Agency Representative:

K. Zimmerman, Ministry of Agriculture

...

G. INFORMATION ITEMS

**1. Proposed ALR Exclusion at 17236 – 56 Avenue and 5490 – 168 Street
249 & 255 171 Street
File No. 7912-0157-00**

Christopher Atkins, Planner, was in attendance to review his memo, dated July 9, 2012, as follows:

- The application is to exclude 1.77 hectares (4.37 acres) of land from the ALR for the existing 30.5-metre wide BC Hydro/Southern Railway corridor, which is already in use.
- The construction of the new railway corridor was completed and operation commenced in 2008, however no formal application has yet been made to exclude the railway corridor from the ALR.
- The exclusion is required in order for the Ministry of Transportation and Infrastructure (MOTI) and BC Hydro to complete their land exchange. These lands will ultimately be owned by BC Hydro.
- The Agricultural Land Commission has previously considered and supported the consolidation of the adjacent properties and the dedication of road adjacent to the rail ROW.

The Committee reported that when they had reviewed the original application regarding the widening of Highway 10, all options were considered regarding the railway corridor and a number of required consolidations had been discussed at that time. It was confirmed that the required consolidations have been done.

It was

Moved by P. Harrison
Seconded by B. Sandhu

That the Agriculture and Food Security Advisory
Committee receive the memo, dated July 9, 2012, regarding application 7912-0157-00,
as information.

Carried