
From: Pellett, Tony ALC:EX [Tony.Pellett@gov.bc.ca]
Sent: Tuesday, November 23, 2010 11:58 AM
To: Public Hearing
Subject: Agricultural Land Commission submission to RGS public hearings
Attachments: 36732m4.pdf

On behalf of Provincial Agricultural Land Commission chair Richard Bullock I am asking that you please ensure that the attached document forms part of the record of the public hearing process on Bylaw No. 1136.

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K.A. Pellett

Tony Pellett, Registered Planner

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23 November 2010

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Attention: Chair Lois Jackson and members of the Regional Board

Re: Metro Vancouver Regional Growth Strategy — our file #O-36732

This letter offers a formal response from the Provincial Agricultural Land Commission (the “commission”) to the second reading edition of Metro Vancouver Bylaw No. 1136, 2010 *Metro Vancouver 2040—Shaping Our Future*. Prior to second reading, the Commission offered comments in 2009 and earlier in 2010 on previous drafts—which also included a presentation by Commission representatives to the Metro Vancouver Planning Committee.

The following response is made in the context of the Commission’s statutory mandate to preserve agricultural land, to encourage farming in collaboration with other communities of interest and to encourage local governments, among others, to enable and accommodate farm use of ALR lands. Reference is also made to section 46 of the *Agricultural Land Commission Act* (the “Act”), which requires that a local government in respect of its bylaws [including a bylaw to adopt a regional growth strategy] must ensure consistency with the Act, the regulations and the orders of the commission. It specifies that a bylaw is deemed to be inconsistent with the Act if it

- (a) allows a use of land in an agricultural land reserve that is not permitted by the Act, the regulations or an order of the commission, or
- (b) contemplates a use of land that would impair or impede the intent of the Act, the regulations or an order of the commission, whether or not that use requires the adoption of any further bylaw or law, the giving of any consent or approval or the making of any order.

This letter identifies lands with respect to which Bylaw 1136 as currently drafted is inconsistent with the Act, with the Agricultural Land Reserve Use, Subdivision and Procedure Regulation or with any existing order of the commission. This letter also discusses “Special Study Areas”.

Inconsistencies

1. In the City of Richmond, two parcels of ALR land totaling 112 ha in area have been designated for General Urban development within the Urban Containment Boundary. Neither the regulations nor any order of the commission provides for general urban development of either parcel.
2. Adjacent to the Aldergrove municipal town centre, four discrete areas of ALR land totaling 160 ha and containing 19 parcels have been designated for General Urban development within the Urban Containment Boundary. Neither the regulations nor any order of the commission provides for general urban development of any of these parcels.
3. Immediately to the west of Aldergrove’s urban area and to the north of its existing industrial area, five parcels of ALR land totaling 17 ha have been designated for Industrial development within the Urban Containment Boundary. Neither the regulations nor any order of the commission provides for industrial development of any of these parcels.

A regional growth strategy designation of ALR land for general urban or industrial development clearly contemplates uses of land that would impair or impede the intent of the Act. By definition these designations are inconsistent and must be altered to achieve the required consistency.

Special Study Areas

The Commission has noted that most of the Special Study Areas are depicted entirely within the ALR. Given that these depictions do not designate ALR land for a use other than agriculture, and given the wording of RGS section 6.10.2, these Special Study Areas are not inconsistent *per se*. The Commission therefore has no objection to the depiction of Special Study Areas through Bylaw No. 1136, 2010 *Metro Vancouver 2040—Shaping Our Future*.

Rural Areas

The Commission notes that the wording of RGS section 1.3.3 has been changed in response to earlier Commission comments. The Commission thanks the Regional Board for its attention to this and other matters in the formulation of its regional growth strategy.

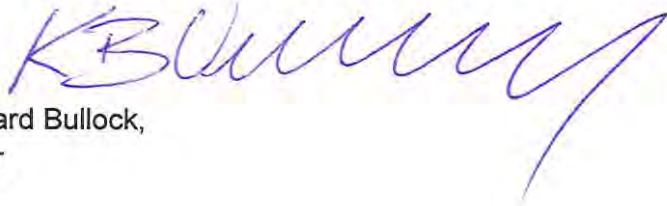
Summary

The Commission believes that by virtue of the proposed regional growth strategy's focus on maintaining a secure and productive resource base, it will play an important rôle in supporting preservation of the region's scarce farm land base. The Commission looks forward to engaging in future discussion with the region's member municipalities to ensure that regional context statements and official community plans are consistent with the provincial interest to preserve agricultural land.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:



Richard Bullock,
Chair

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