



February 20, 2014

City of Richmond
6911 No. 3 Road
RICHMOND BC V6Y 2C1

Attention: Michelle Jansson, Acting Director *City Clerk's Office*

Schedule 2 to the Minutes of the
Council Meeting for Public
Hearings held on Tuesday,
February 25, 2014.

Agricultural Land Commission

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ALC File 46529
Richmond File 08-4045-20-14

Re: Hamilton Area Plan Richmond OCP Bylaw 9000, Amendment Bylaw 9078

The Provincial Agricultural Land Commission (the "Commission") has the following comments for the public hearing on the first reading draft of Richmond's *Hamilton Area Plan* (the "Plan"), received by the Commission on February 12, 2014.

In 1984, the Commission reviewed a draft proposal for the Hamilton area. The Commission cooperated in a process of ongoing consultation, concurring with the thrust of the plan but expressing some reservations about two specific areas, the lands north of Gilley Road and the 24 ha parcel (with some potential for cranberry production) at the west end of the Hamilton area. In November 1985 the Commission adopted Resolution #1205/1985, an "order" endorsing the Hamilton Area Plan as depicted on the attached "Map 1" on the understanding that the buffer areas described in the Plan would be established and remain in the ALR. The resolution also encouraged Richmond to undertake an application to consider exclusion from the ALR of those lands outlined in red on the attached "Map 2".

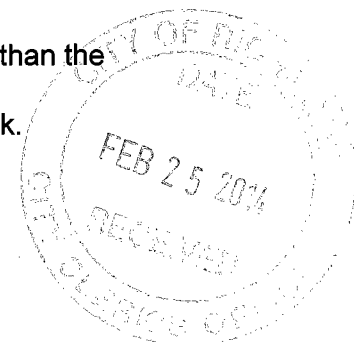
In 1986 the Commission received an application from Gilley Road Developments Ltd. proposing exclusion of the 24 ha parcel. Commission Resolution #243/1986 (an "order") endorsed the land uses on the attached schematic concept plan, recognizing that the plan was never intended to reflect a final subdivision layout. The critical points were that

- it shows a western buffer park to remain in the ALR, with a trail located well away from the adjacent cranberry operation (except where it diverts west to the No. 10 Road right of way),
- it shows the Gilley Road trail located on the south side of the right of way, and
- it shows a covenanted 20 m buffer on the south side of Gilley Road, to protect the adjacent greenhouse operation. Later, by Resolution #145/1993 (an "order") the Commission agreed to reduce the covenanted area to 12 m subject to a fenced and vegetative buffer acceptable to the Commission, to be constructed within the 12 m setback, with the vegetative buffer and fencing plan to be included as a schedule to the covenant document.

The Commission has become aware that the greenhouse ceased operation within the last decade and has been removed, with the site substantially rehabilitated. Even so, it believes that it is appropriate to maintain the covenant and encourage effective edge planning measures such as buffering and vegetative planting along Gilley Road to encourage farm use of agricultural lands north of Gilley Road, which remains in the ALR.

On review of the first reading draft of Bylaw 9078, the proposed new Hamilton Area Plan, the following three items are seen as being of notable significance to the Commission's mandate:

- the "unenhanced" trail through the western buffer park is illustrated as following the west side rather than the east side of the park,
- the "unenhanced" Gilley Road trail is illustrated as following the north side rather than the south side of the road allowance, and
- townhouses are illustrated for the covenanted buffer area and north of Fraserbank.



Section 46 of the *Agricultural Land Commission Act* (the "Act") provides in part that a local government bylaw (including a bylaw to adopt or amend an official community plan) that is inconsistent with the Act, the regulations or an order of the Commission has, to the extent of the inconsistency, no force or effect. It would therefore be appropriate to amend Bylaw 9078 to eliminate the extent of the inconsistency with the orders of record. The following suggestions are offered.

It is understood that the proposed new location for the western buffer park trail was intended to avoid or limit the cutting of trees within the park. From the Commission perspective the problem with the proposed location is that it follows the very edge of an active cranberry operation, with no buffering against normal farm practices. The Commission would never agree with a trail location which would clearly place a farm operation in jeopardy. The trail to which Resolution #243/1986 consented was schematically illustrated as meandering, such as by winding the path between significant trees rather than cutting them down. At the northeast corner of the cranberry operation and the northwest corner of the buffer park, the cranberry operation is not as exposed, thus there should be no objection to continuing the trail along the No. 10 Road right of way to River Road. To protect existing or potential farm operations alongside that 10 m right of way, the trail should be developed in the centre of the right of way, with a vegetative buffer on either side.

The Commission does not object to townhouse development on lands outside the covenanted area agreed by Resolution #145/1993, provided that each strata corporation with land in the covenanted area is made fully responsible for maintaining the fencing and vegetative buffering within its land, in accordance with the covenant document. The Commission also encourages the City to require fencing and vegetative buffering where the proposed "stacked townhouse" development adjoins the east side of the ALR block.

Yours truly

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:












Brian Underhill
Deputy Chief Executive Officer

Encl.

TP/
46529m1

**OFFICIAL
AREA
PLAN MAP**

LEGEND

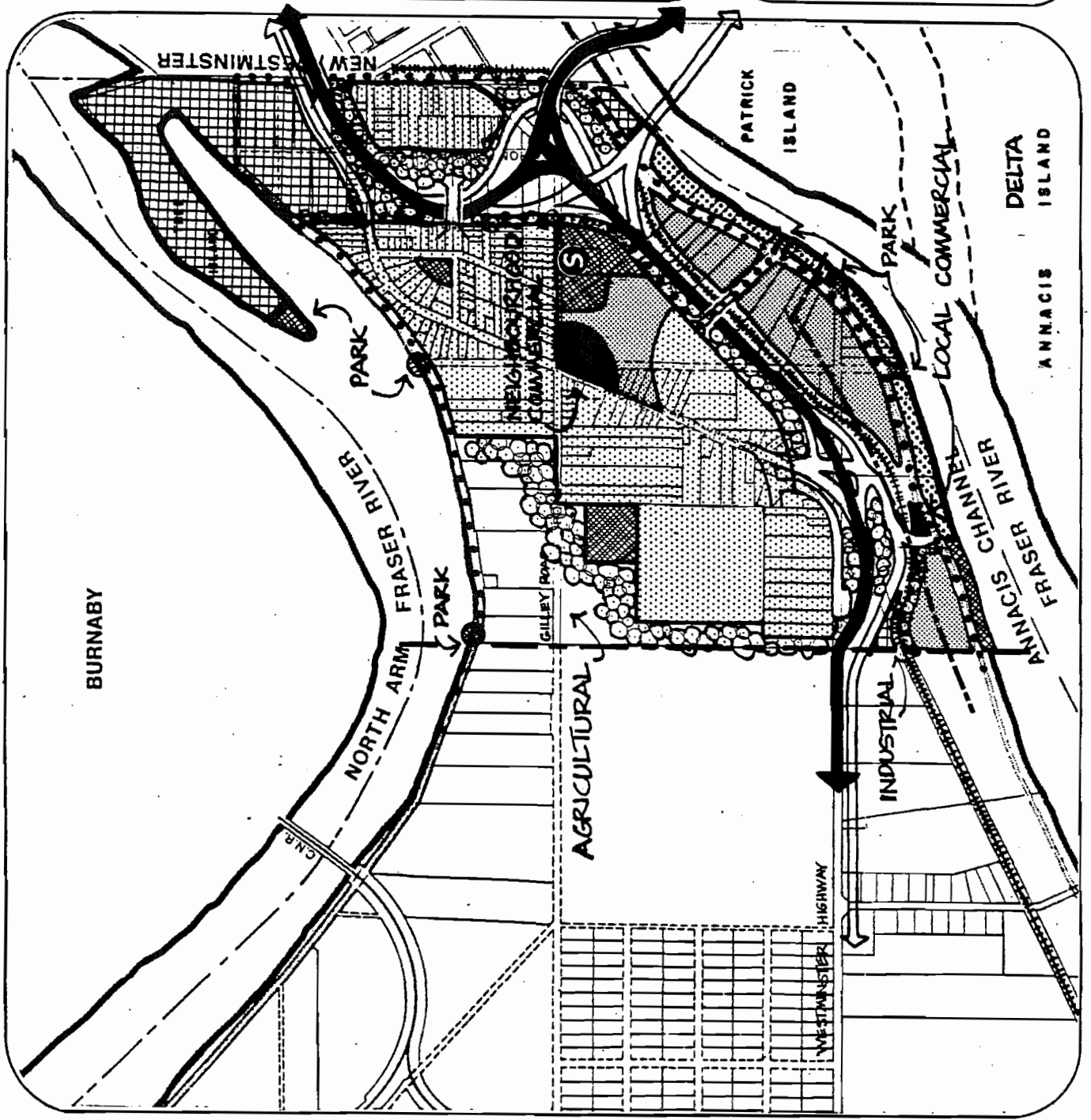
-  COMMERCIAL
-  INDUSTRIAL
-  PARK
-  R1 INFILL RESIDENTIAL
-  R2 NEW RESIDENTIAL
-  R3 WATER-ORIENTED RESIDENTIAL
-  BUFFER
-  SCHOOL
-  TRAIL
-  EXISTING HYDRO RIGHT OF WAY

HAMILTON

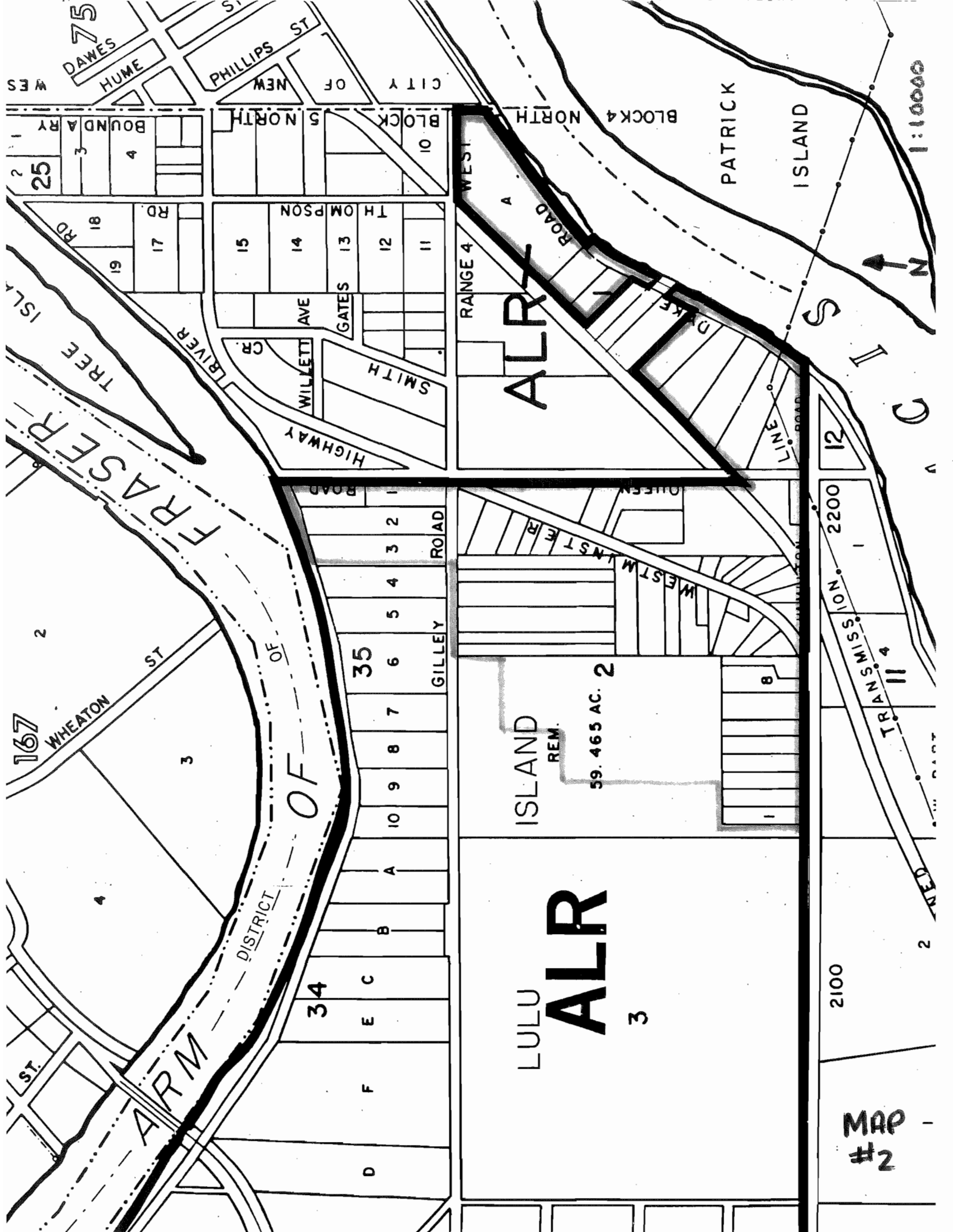


REVISED MARCH 1985

MAP # 1



MAP # 1



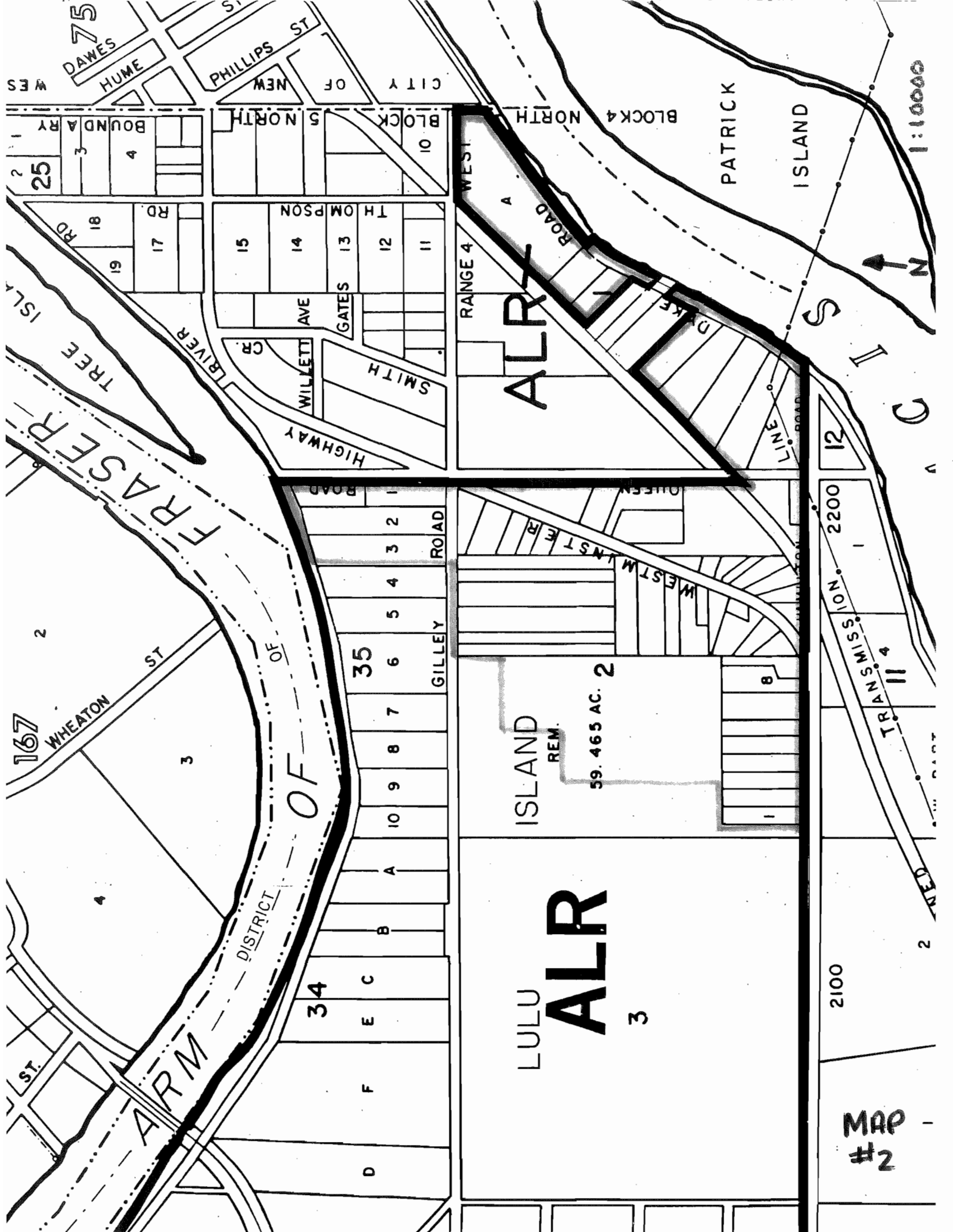
ALR WEST

ISLAND REM.
59.465 AC. 2

LULU
ALR
3

MAP #2

1:10000



FUTURE TRAIL CONNECTION TO RIVER ROAD

GILLEY ROAD

20m OF LOT AREA WITH COVENANT

405.04

THIS AREA PROPOSED TO REMAIN IN ALR

PARK (NATURAL BUFFER AREA)

TRAIL

NEIGHBORHOOD PARK

58923

380.15

17m

13.5m

13.5m

17m

17m

13.5m

17m

