



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

September 15, 2005

Reply to the attention of Ron Wallace

Tom & Lisa Freeman
28869 McTavish Road
Abbotsford, BC – V4X 2E7

Dear Sir/Madam:

Re: **Application # MM-36083**
**West 892.23 feet Lot 4, Section 22, Township 14, New Westminster District,
Plan 11627**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to place approximately 4000 cubic meters of fill to a depth of up to 1.8 m over a 1.6 ha area of the above noted property. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on August 3, 2005. The Commission found the meeting and site visit informative.

The Commission writes to advise that it approved your application subject to:

- the use being restricted to the 1.6 ha area identified on the attached plan;
- use of good agricultural quality fill material (i.e., no construction debris or contaminated material);
- receipt of a report from a drainage engineer or professional agrologist, with soil drainage experience, confirming that the proposed filling will not create drainage problems on any adjacent parcel;
- compliance 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. The Commission suggests you contact the City of Abbotsford at your earliest convenience.

The decision noted above is recorded as Resolution **#473/2005**.

Please quote your application number in any future correspondence.

Yours truly,

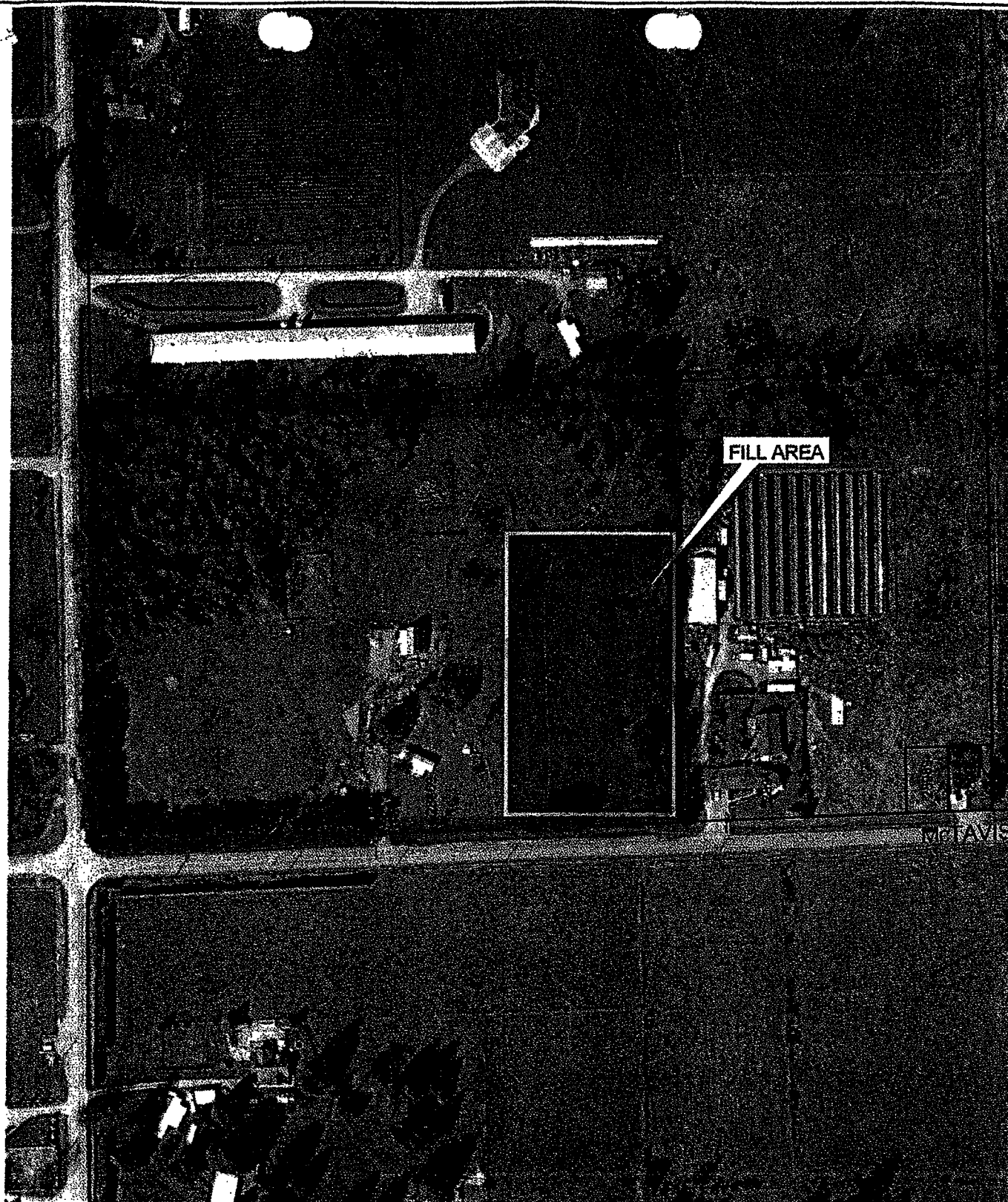
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: City of Abbotsford – SRP04-1097
BC Assessment, Abbotsford
Norm Ron Construction, 5880 – 268th Street, Aldergrove, BC – V0X1A0

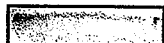
RW/lv/Encl./36083d1



Provincial Agricultural Land Commission
 Application: MM-36083-0
 Resolution #473/2005



Subject property.



Approved 1.6 ha area for fill

28869 McTavish Rd
 Soil Deposit

DWG NO:	K3
SCALE:	1:1987
PLOT DATE:	2005 - 02 - 15



Staff Report
Application # MM – 36083 – 0
Applicant: Tom & Lisa Freeman
Agent: Norm Ron Construction

DATE PREPARED: July 20, 2005

TO: Chair and Commissioners – South Coast Panel

FROM: Simone Magwood, Regional Research Officer

PROPOSAL: To place approximately 4000 cubic meters of fill to a depth of up to 1.8 m over a 1.6 ha area of the 5.6 ha subject property.

This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The applicant proposes to strip topsoil from the site, fill the 1.6 ha area and then replace the topsoil. There is no stated purpose for the project however the applicant states that the property is quite wet and will have better agricultural utility if it is filled in and leveled out.

Local Government:

City of Abbotsford

Legal Description of Property:

PID: 009-562-320

West 892.23 feet Lot 4, Section 22, Township 14, New Westminster District, Plan 11627

Location of Property:

28869 McTavish Road

Size of Property:

5.6 ha (The entire property is in the ALR).

Present use of the Property:

Farm and horse trailer, barn and shop.

Surrounding Land Uses:

WEST: Forested and cleared hobby farms and rural residential in ALR

SOUTH: Large-lot cleared and developed farmland in ALR

EAST: Nursery and mink in ALR

NORTH: Chicken barn in ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/1e

The majority of the property is identified as having Prime Dominant (improved) ratings as follows:
5:2T 3:3TD 2:3DW

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

The agent was requested by the local government to provide photographs, engineering plans and cross sections of the proposed fill area but declined to submit this information. On February 21, 2005, the City issued Norm-Ron a soil permit to deposit 1000 cubic meter of fill on the property. The agent was advised to strip the existing topsoil before placing the deposit material. To date, the deposit material has not been leveled and the area has not been restored. The City is holding \$2500 cash security for completion of the soil deposit permit.

STAFF COMMENTS:

Staff recommend a site visit in order to determine if filling the property is the best way to mitigate the wetness of the proposed fill area. As well, given the limited agricultural development evident on the property, staff questions the need for the fill as an agricultural benefit. The Commission may consider asking for a report from an agrologist attesting to the agricultural need for the fill.

If the Commission is inclined to allow the retention of the present fill, and/or allow additional fill, given that the owner/operator has not fulfilled his obligations under the present Abbotsford-issued permit, the Commission might consider a substantial security to ensure proper placement and reclamation of the site.

END OF REPORT

Signature

Date