



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

March 2, 2006

Reply to the attention of Gordon Bednard

Gilbert and Cherry Groves
30523 Burgess Avenue
Abbotsford, BC V4X 2A6

Dear Sir/Madam:

Re: **Application # MM-36429**
Parcel F, North West 1/4, Section 12, Township 14, Reference Plan 3158,
New Westminster District

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to place 7500 cubic metres of top soil on a 0.5 ha area of the 8.1 ha subject property to enhance its agricultural use. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank Cherry Groves for taking the time to meet with its representatives on February 1, 2006. The Commission found the meeting and site visit informative. In particular, the Commission noted that a considerable amount of fill material had already been placed on the property in advance of any approval from either the Commission or the City of Abbotsford. This being said, the Commission further noted that the work that had been done to date appeared to be accomplished with care regarding the conservation of topsoil and re-contouring to improve agricultural utility. As well, the Commission considered that the project would allow better utilization of the area for farming by reducing slopes.

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

- the use being restricted to the 0.5 ha area identified on the attached plan;
- no more than 7500 cubic metres of fill material to be deposited on the site;
- existing topsoil is to be stockpiled and used in the rehabilitation of the site;
- 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 # 41/2006.

Please quote your application number in any future correspondence.

Yours truly,
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

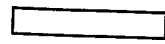
Erik Karlsen, Chair

cc: City of Abbotsford - Attn: Karl Filiatrault (#4520-40/SRP#1200)
GB/lv/Encl./36429d1



ALR

Provincial Agricultural Land Commission
Application: MM-36429
Resolution # 41/2006



Subject property.



Approved 0.5 ha area for fill deposit





Staff Report
Application # MM – 36429
Applicant: Gilbert & Cherry Groves

DATE PREPARED: January 19, 2006

TO: Chair and Commissioners – South Coast Panel

FROM: Gordon Bednard, Regional Research Officer

PROPOSAL: To place 7500 cubic metres of top soil onto a 0.5 ha area of the 8.1 ha property to enhance its agricultural use. To date the applicant has stripped and stockpiled the existing topsoil and has already placed 800 cubic metres of soil on the site. A stop-work order has been issued by Abbotsford and the owner was advised to file this application.

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

BACKGROUND INFORMATION:

This fill project was started without permits from the local government or permission from the ALC. There is no report from an agricultural consultant advising of the benefit to agriculture which would be derived from this proposed filling. There is no discussion of how or why alternatives to filling (re-grading of original contours or installation of drainage) were rejected as methods to improve the agricultural use of the land.

Local Government:

City of Abbotsford

Legal Description of Property:

PID: 012-779-164
Parcel F, North West 1/4, Section 12, Township 14, Reference Plan 3158, New Westminster District

Purchase Date (m/d/y):

01/23/1998 (from supplied title)

Location of Property:

30523 Burgess Ave., Abbotsford

Size of Property:

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

Present use of the Property:

Farmland - hay and flower bulb production

Surrounding Land Uses:

WEST: smaller rural residential and hobby farms in ALR, Mt Lehman road beyond
SOUTH: Rural residential, railway, forested lands with active farming to SE and SW
EAST: Active farming on large parcels in ALR
NORTH: Active farming on large parcels in ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/1c and d
The majority of the property is identified as having a mixture of prime and secondary with the area under application classed as 4T.

PREVIOUS APPLICATIONS:

NONE

RELEVANT APPLICATIONS:

East

Application #33461-0

Applicant: Kondolay, Gurmit & Sukhdev
Decision Date: October 24, 2000
Proposal: Propose to subdivide the 51.43 ha property into 2 lots of 8.5 ha and a 41.4 ha remainder as physically divided by a stream.
Decision: Refused on the grounds of agricultural capability.

Application #33461-1

Applicant: Kondolay, Gurmit & Sukhdev
Decision Date: September 23, 2002
Proposal: To reconsider the original proposal involving a request to subdivide one (1) 8.5 ha lot from the property.
Decision: Reconsidered and allowed

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Application forwarded without recommendation.

STAFF COMMENTS:

Staff would like to review a report provided by a soils professional regarding the overall benefit of this project to agricultural use of the property and why alternatives such as drainage or re-contouring existing slopes were not viable. Staff also recommends an onsite inspection by the Commission and a meeting with the applicant to ascertain what the agricultural development plan for the property would be that necessitated the fill.

END OF REPORT

Signature _____

Date _____