



Agricultural Land Commission
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April 17, 2007

Reply to the attention of Jennifer Carson
ALC File: O-36893

Peter Thiessen and Sheryl Boyd
23753 - 12th Avenue
Langley, BC
V2Z 2Y2

Dear Mr. Thiessen:

Re: Application for Non-Farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 139/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:


Erik Karlsen, Chair

cc: The Corporation of the Township of Langley (SO000410)

Enclosure: Minutes

JC/36893d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on April 11, 2007 in Mission, B.C.

PRESENT:

Sylvia Pranger	Chair, South Coast Panel
Michael Bose	Commissioner
John Tomlinson	Commissioner
Tony Pellett	Staff
Jennifer Carson	Staff

For Consideration

Application: # O- 36893
Applicant: Peter Thiessen
Proposal: To place fill in an area of 1.14 ha. This would allow applicant to increase the usable space which is currently approximately 0.66 ha and also increase beautification of property.
Legal: PID: 016-441-354
Lot 5, Section 9, Township 10, New Westminster District, Plan 86722
Location: 23753 - 12th Avenue, Langley

Site Inspection

A site inspection was conducted on December 20, 2006. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Terra Kaethler Staff
- Tony Pellett Staff

Following its review and site inspection on December 20, 2006, the Commission considered that it did not have sufficient information regarding the proposal to render a decision and indicated to the applicant that before making a decision it would appreciate receipt of the following:

- 1) A report prepared by a qualified registered professional (i.e. Agrologist with a soils specialty) concerning the need for fill to improve the agricultural utility of the property.
- 2) As well, it would appear that a significant change to the drainage pattern on the subject lands would result if this project is implemented as described. The Commission would require analysis and confirmation from a drainage specialist (who could be the same qualified professional as above) that the project will improve drainage on the subject property to the benefit of agricultural use. Also that the project will not negatively affect adjoining properties by changing the groundwater regime or in any way affecting overland flow from, or onto, adjoining lands.

This information was provided by the applicant and presented to the Commission on April 11, 2007.

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Discussion

Assessment of Agricultural Capability

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The improved classifications for the agricultural capability of the soil of the subject property are:

- Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
- Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
- Class 7 – Land in this class has no capability for arable or sustained natural grazing

Subclasses

A	soil moisture deficiency	P	stoniness
T	topography	W	excess water

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The report prepared by Keystone Environmental indicated that numerous agricultural improvements were anticipated following the placement of fill material. The Commission found that the report satisfied their first request for the opinion of a Professional Agrologist concerning the need for fill to improve the agricultural utility of the property. Also, the request for an analysis of the drainage pattern was received and found to be adequate in addressing the concerns stated in the Commission's second request. The Commission believes the proposal would positively impact existing or potential agricultural use of surrounding lands.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will have a positive impact on agriculture if it follows the recommendations made in the report by the Professional Agrologist.

IT WAS

MOVED BY: Commissioner Bose
SECONDED BY: Commissioner Tomlinson

THAT the application be allowed.

AND THAT the approval is subject to the following conditions:

- That the applicant proceeds as per the Agrologist Report ("Report") by Keystone Environmental dated April 2007.
- Monitoring is to be in place during the application of fill as well as during the reclamation process in order to ensure that the Report is being followed.
- A final report by a professional Agrologist be submitted indicating that the filling and reclamation followed the recommendations made in the Report.
- A \$15,000 bond be posted to ensure that the fill and reclamation be completed in accordance with the report and the drainage plan. This bond will be returned upon receipt of the final Agrologist's report and once a crop has been established.
- Permission from local government and other agencies such as the DFO is acquired before commencing to fill.
- The measures identified on page 11 of the Report to minimize possible impacts of the fill placement be followed:
 - Applying the fill material during the dry season (late July, August), when the
 - groundwater table is at its lowest point;
 - Applying the fill material at a slower rate over the space of weeks to minimize the water displacement;
 - The construction of adequate drainage measures to conduct surface water to the lowland area at the north end of Site and into Campbell River;
 - The use of silt fence during the fill placement;
 - The planting of silt-retaining vegetation in the swales to minimize surface erosion into Campbell River; and
 - Efficient planting of the pasture grass to minimize soil erosion.
 - The installation of agricultural drainage techniques (such as tile drains) and storage ponds may be addressed in the future should the proposed swales not conduct water adequately.
- approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

This decision does not relieve the owner or occupier of the responsibility to comply 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.

CARRIED

Resolution # 139/2007



**Further information for Application # MM – 36893
Applicant: Peter Thiessen & Sheryl Boyd**

TO: Chair and Commissioners – South Coast Panel

FROM: Jennifer Carson, Land Use Planner

PROPOSAL: To deposit 6000 cubic metres of structural fill and top soil at a depth of 1.5 metres on an area of 1.140 ha. This would allow applicant to increase the usable space and beautify the property.

BACKGROUND INFORMATION:

Following its review and site inspection on December 20, 2006, the Commission considered that it did not have sufficient information regarding the proposal to render a decision and to that end requested that the applicant provide the following:

- 1) A report prepared by a qualified registered professional (i.e. agrologist with a soils specialty) concerning the need for fill to improve the agricultural utility of the property.
- 2) As well, it would appear that a significant change to the drainage pattern on the subject lands would result if this project is implemented as described. The Commission would require analysis and confirmation from a drainage specialist (who could be the same qualified professional as above) that the project will improve drainage on the subject property to the benefit of agricultural use. Also that the project will not negatively affect adjoining properties by changing the groundwater regime or in any way affecting overland flow from, or onto, adjoining lands.

This information was provided on April 4, 2007 via email.

ATTACHMENTS:

1. Executive Summary from Agrologist Report
2. Site Drainage Plan Map

END OF REPORT

Signature

A handwritten signature in black ink, appearing to read 'Jennifer Carson', written over a horizontal line.

Date

A handwritten date 'April 5, 2007' written in black ink over a horizontal line.