



Agricultural Land Commission
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May 30, 2007

Reply to the attention of Jennifer Carson
ALC File: O-37403

Dirty Byrd Excavating Ltd
#4 - 3227 - 264th Street
Aldergrove, B.C.
V4W 2X3

Dear Mr. Byrd:

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

Please find attached the Minutes of Resolution # 253/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

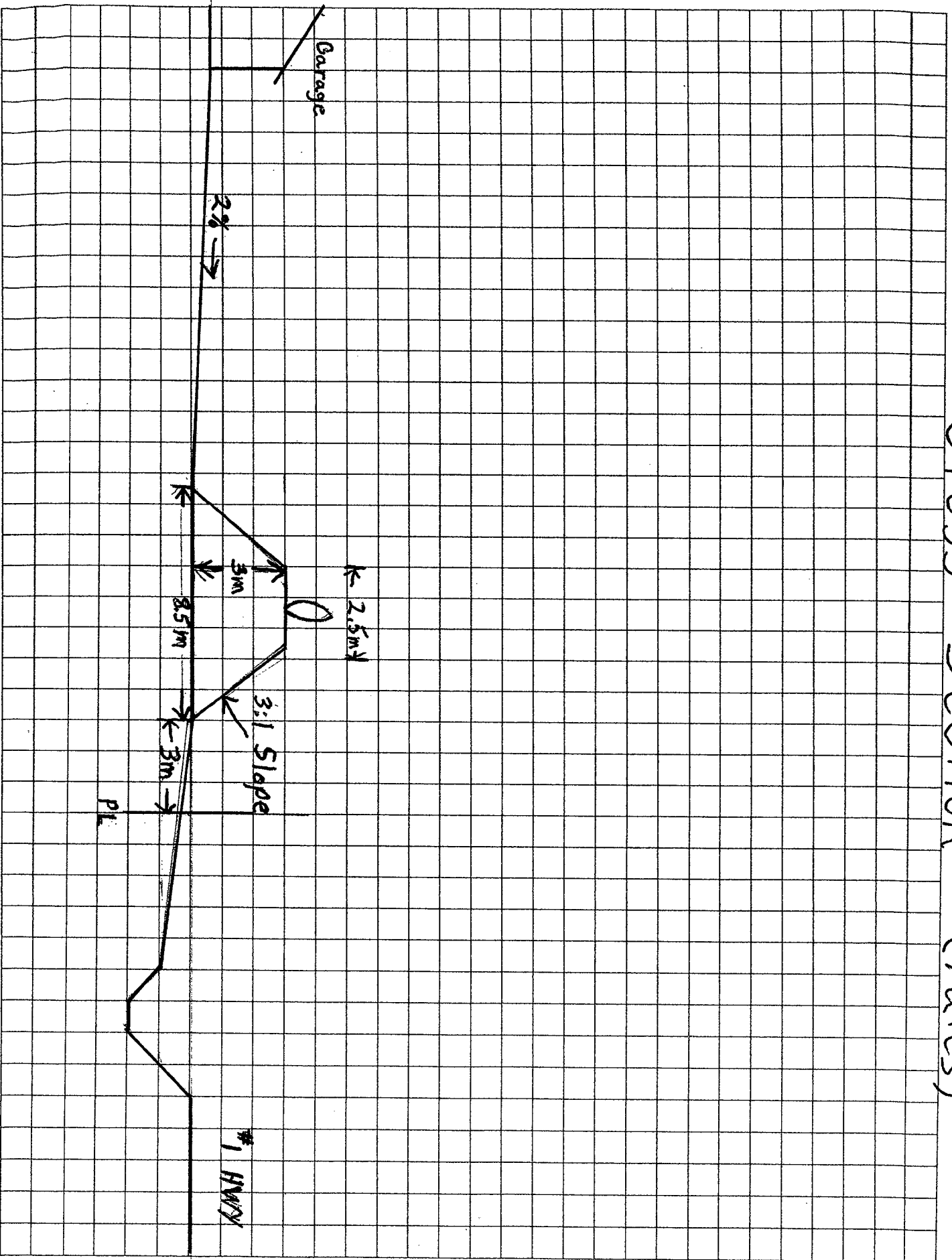
Erik Karlsen, Chair

cc: The Corporation of the Township of Langley (SO000442)

Enclosure: Minutes/Sketch Plan

JC/37403d1

Cross Section (Yates)





MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 23, 2007 in Langley, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	Erik Karlsen	Commissioner
	Tony Pellett	Staff
	Jennifer Carson	Staff

For Consideration

Application: # O- 37403
Applicant: Lindsey and Melanie Yates
Agent: Dirty Byrd Excavating Ltd
Proposal: To deposit fill on the 1.52 ha subject property.
Legal: PID: 005-371-180
Lot 15, Section 6, Township 14, New Westminster District, Plan 40561
Location: 26699 - 52nd Avenue, Langley

Site Inspection

A site inspection was conducted on May 23, 2007. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- Erik Karlsen Commissioner
- Tony Pellett Staff
- Jennifer Carson Staff

The Commissioners and Staff met with the applicants Mr. and Mrs. Yates and their agent Mr. Byrd to discuss the non farm use application. The applicants explained to the Commission that they were proposing a berm along the northern portion of their property in order to mitigate the intrusive noise from the adjacent Highway 1. Safety was also a concern for the applicants as they have young children who often play outside. The Commissioners observed a portion of the berm that has already been created from soil on the property. More fill from off the property is required to finish the berm.

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 agricultural capability classification of the soil of the subject property is Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Subclasses

D undesirable soil structure
W excess water

Assessment of Agricultural Suitability

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commissioners could see no adverse impact on agriculture in this proposal and supported that attempt to make the property safer and more liveable. The Commission believes the proposal would 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 not adversely impact agriculture.

IT WAS

MOVED BY: Commissioner Bose
SECONDED BY: Commissioner Pranger

THAT the application be allowed.

AND THAT the approval is subject to the following conditions:

- the berm be built to the specified height and width as is indicated in the application.

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 # 253/2007