



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

March 30, 2010

Reply to the attention of Ron Wallace  
ALC File: #50710

Catherine Orban  
1977 Harlequin Crescent  
Nanoose Bay, BC  
V9P 9J2

Dear Madam:

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

Please find attached the Minutes of Resolution # 2340/2010 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.

Please submit the following to the Commission before commencing the project:

- A \$100,000 security deposit which will be returned upon successful completion of the project.
- The security deposit may be in the form of one of the following: Letter of Credit, Safekeeping Agreement or Certified Cheque.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a light blue horizontal line.

Erik Karlsen, Chair

Enclosure: Minutes/Letter of Credit – example/Safekeeping Agreement – example

cc: Township of Langley (SO000640)  
Michael Scholtens, 22274 – 64 Avenue, Langley, BC V2Y 2N8



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 25, 2010 in Langley, B.C.

<b>PRESENT:</b>	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Tony Pellett	Staff

### For Consideration

Application: 50710  
 Applicant: Michael & Mirjam Scholtens  
 Agent: Catherin Orban  
 Proposal: To deposit fill material over the subject property as outlined in the Agrologist Report prepared by Catherine Orban, P.Ag.  
 Legal: Lot 1, Section 7, Township 11, New Westminster District, Plan 70144  
 Location: 22274 – 64 Avenue, Langley

### Site Inspection

A site inspection was conducted on March 24, 2010. Those in attendance were:

- Sylvia Pranger                      Chair, South Coast Panel
- Michael Bose                        Commissioner
- John Tomlinson                    Commissioner
- Tony Pellett                         Staff
- Michael Scholtens                 Applicant
- Catherine Orban                    Consulting Agrologist

The Commissioners and staff met with the proponents to view the property and discuss the proposed fill application. The applicant and his family live on the subject property and have plans to develop a horticultural greenhouse operation on the site. His development plans include the construction of several greenhouses, as well as areas for plant storage. His intention is to enhance the surface and internal soil drainage on the subject property by installing a subsurface drainage system and recontouring the site. These activities are anticipated to require the placement of fill material as proposed.

### 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 agricultural capability of the soil of the subject property is

- 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 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

#### Subclasses

- A soil moisture deficiency
- D undesirable soil structure
- W excess water

### **Assessment of Agricultural Suitability**

The Commission assessed whether 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 Commission believed the proposed placement of fill material would both improve the agricultural capability of the areas of the property that will be used for soil bound agricultural activities and develop the remaining areas of the property for a horticultural operation, including the construction of greenhouses and container storage areas.

### **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 improve the site for agriculture if done to the professional standards as outlined in the report prepared by Catherine Orban, P.Ag.
4. That the proposal is consistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

**IT WAS**

**MOVED BY:** Commissioner Tomlinson

**SECONDED BY:** Commissioner Pranger

THAT the application be allowed subject to the following conditions:

- The applicant is to contact the adjacent neighbors to the east and west of the subject property, to inform them of the fill project. Should any concerns be expressed, the applicant is to inform the Commission of these concerns in order to address them.
- The fill project is to be in substantial compliance with the procedures outlined in the report prepared by Catherine Orban, P.Ag.
- A \$100,000 security deposit which will be returned upon successful completion of the fill project.
- That Catherine Orban, P.Ag. will oversee the fill project, provide yearly monitoring reports and upon final completion of the project, provide a closure report.
- The fill project must be completed within two (2) years from the date of this decision.
- 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. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

**CARRIED**

**Resolution # 2340/2010**