



**Agricultural Land Commission**  
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January 10, 2013

ALC File: # 52902

Frank McCoach  
23831 Dewdney Trunk Road  
Maple Ridge, BC  
V4R 1X1

Dear Mr. McCoach:

**Re: Application to Place Fill on Land in the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution # 417/2012 as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:

- (a) evidence not available at the time of the original decision has become available,
- (b) all or part of the original decision was based on evidence that was in error or was false.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Further correspondence with respect to this application is to be directed to Eamonn Watson ([Eamonn.Watson@gov.bc.ca](mailto:Eamonn.Watson@gov.bc.ca)).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over a long, thin horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #417/2012

cc: City of Pitt Meadows (4520-08/14077 Harris Road)

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## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 21, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #52902.

### COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

### COMMISSION STAFF PRESENT:

Eamonn Watson	Land Use Planner
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### PROPOSAL

To excavate existing peat from a 2.72 ha project area to a depth of approximately 1.5 metres. Approximately one half of the excavated peat would be retained on the subject property for topsoil. The resulting excavation would be backfilled with clean granular fill up to 0.25 metres of the original surface (1 to 1.25 metres in depth with an approximate volume of 44,850 m<sup>3</sup>). Topsoil, containing a mix of retained peat and imported topsoil (15,697 m<sup>3</sup>), would then be used to top the granular fill to ensure a minimum topsoil depth of 0.5 to 0.75 metres.

(Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

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### LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
- to preserve agricultural land;
  - to encourage farming on agricultural land in collaboration with other communities of interest; and
  - 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.

## COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. To assess the agricultural capability of the subject property, the Commission referred to BC Land Inventory (BCLI) mapping, 'Land Capability Classification for Agriculture in B.C.' system. The improved agricultural capability rating applicable to the subject property is primarily:

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both. The subclass limitations are (L) degree of decomposition permeability and (W) excess water. The agricultural capability ratings also indicate organic soils on the subject property.

### **Conclusion:**

Although the subject property has some limitations, it is comprised of land with good agricultural capability and can support agricultural crops.

2. The Commission considered the "*Agricultural Site Assessment of Proposed Fill Site on Mehl Property (Meadow Vine Farms) Located at: 14077 Harris Road, Pitt Meadows, B.C.*" (the "Report").

Report Prepared By: McTavish Resource & Management Consultants Ltd.

Author: Bruce McTavish, M.Sc, MBA, P.Ag., RPBio.

Date Prepared: Revised July 9, 2012

With respect to the improved agricultural capability ratings, the Report states: "*Given the poor drainage throughout the area as shown in figure 5, the difficulties in managing organic soils and the topographic position of the property it is most likely that the improved classification (with adequate drainage) would be closer to O4W than the [O]3LW shown on the existing maps.*"

### **Conclusion:**

Although Mr. McTavish has identified a lower improved agricultural capability than that identified on the BCLI maps, the Commission still believes the subject property is comprised of land with good agricultural capability.

With respect to the potential renovation of the existing cranberry bog, the Report states: "*The present Cranberry bog is approximately 24 years old and as such is planted with older varieties of berries that have lower production than the newer varieties.*"

### **Conclusion:**

Although the Report goes on to identify a cost associated with the restoration, it is clear that the subject property could be used for cranberry production without the placement of fill.

With respect to access to adequate water for harvesting, the Report states: “*Mr. Mehl (farm owner) categorically states that he has owned the property since 1988 and even with the present reservoir he has never been able to obtain adequate water for harvesting.*”

**Conclusion:**

This is a farm management issue that should be solved on site and/or by approaching the City of Pitt Meadows.

With respect to the general ability of the subject property to support agricultural production, the Report states: “*It is acknowledged that the land can presently support two crops (Cranberries and Blueberries) without filling the land; however these crops will require extensive capital input.*”

**Conclusion:**

The Commission does not support the placement of fill on land that could be utilized for agricultural production without such invasive practices. Furthermore, agriculture is a business, and like any business it requires investment. The unwillingness of a current land owner to pursue those options is not a justification for the approval of a non-farm use.

**IT WAS**

**MOVED BY:**

**Commissioner Miles**

**SECONDED BY:**

**Commissioner Thibeault**

THAT the request be refused.

**CARRIED**

**Resolution #417/2012**