



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

February 26, 2014

ALC File: 53482
Your File: 707.11

Teal Cedar Products Ltd.
17897 Triggs Road
Surrey, BC V4N 4M8

Attention: John Pichugin

Dear Mr. Pichugin:

Re: Application to Place Fill and Conduct a Non-Farm Use on Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #67/2014 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).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to be 'Colin J. Fry', written over a horizontal line.

Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution #67/2014

cc: District of Mission – Attention: Dan Sommer (File #: PRO.DEV.ALR ALR13-001)
PO Box 20, 8645 Stave Lake Street, Mission, BC V2V 4L9

Ministry of Forests, Lands and Natural Resources – Attention: Sandra Jensen (File #:
A2006005)
Suite 200 – 10428 153rd Street, Surrey, BC V3R 1E1

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on January 23, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53482.

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
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Lindsay McCoubrey	Planner
Eamonn Watson	Planner
Jennifer Carson	Planner
Colin Fry	Executive Director

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

To construct and operate a dry land log sort and log dump on the subject property. The facility would be located on a portion of the subject property in the southeast corner between the Silverdale dyke and the north bank of the Fraser River. The proposed project would be temporary and would utilize approximately 2.8 ha of the 27.4 ha subject property. The construction of the log sort/dump would require the placement of approximately 14,150 m³ of structural fill to an approximate depth of 0.6 metres.

PROPERTY INFORMATION:

Owner: Steve Walter Wynnyk and John Daniel Wynnyk (As Joint Tenants)

Legal: PID: 000-489-930
Parcel "B" (Explanatory Plan 2702), Except: Parcel "C" as shown on Plan with Bylaw Filed 19862, District Lot 455, Group 1, New Westminster District

Location: 30302 Cooper Avenue, Mission

Size: 27.4 ha

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:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
- (c) 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. In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the British Columbia Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The improved agricultural capability ratings identified on British Columbia Land Inventory (BCLI) map sheet 92G/1(e) for the proposed project area are Class 2 and Class 5.

Class 2 - land is capable of producing a wide range of crops. Minor restrictions of soil or climate may reduce capability but pose no major difficulties in management.

Class 5 - land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

The limiting subclasses associated with this area of land are I (inundation (flooding)), W (excess water), and T (topography (slope)).

The agricultural capability of the proposed project area is also discussed in the *Agricultural Capability Assessment 30302 Cooper Avenue Mission, BC* report prepared by Eryne Croquet, P.Ag., of Madrone Environmental Services Ltd., dated September 26, 2011 (the "Madrone Report").

Conclusion:

Although both the BCLI information and the Madrone Report indicate the proposed project area has some limitations to agricultural production, the Commission believes the area has good agricultural capability. Furthermore, the remainder of the subject property has an improved agricultural rating of primarily Class 2 and Class 3.

2. The Commission discussed the potential impact of the proposed dry land log sort and dump as well as the proposed post-use reclamation.

Conclusion:

The Commission believes that the potential impacts of a non-farm use of this nature, such as soil compaction, degradation and contamination (leachates), present a risk to the long term use of the subject property for agriculture. Although the information provided with the application provides approaches to alleviating these concerns, the Commission believes these factors would be difficult to mitigate or to thoroughly reverse by site reclamation.

The Commission believes this is an industrial use that is unrelated to the agricultural use of the subject property and is better suited on appropriately zoned land outside of the ALR. In addition, the proposed use may introduce truck traffic and other potential impacts on other agricultural operations in the area.

Based on its review, the Commission believes that the proposed placement of fill and non-farm use on ALR land is inconsistent with the goals of the *Agricultural Land Commission Act* to preserve agricultural land and encourage agriculture.

IT WAS

MOVED BY: Commissioner Dyson

SECONDED BY: Commissioner Miles

THAT the request to place fill on approximately 2.8 ha of the subject property for the purpose of constructing and operating a dry land log sort and dump be refused.

CARRIED

Resolution #67/2014