



**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

November 17, 2005

Reply to the attention of Gordon Bednard

Marc and Clifford Forward  
30221 Harris Road  
Abbotsford, BC - V4X1Y9

Dear Sirs:

**Re: Application # MM-36274**  
Lot 23, Section 11, Township 14, New Westminster District, Plan 38984

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to place up to 17,500 cubic metres of fill (clay and topsoil) over a 0.6 ha area of the 4 ha subject property to facilitate the development of a horse riding ring and pasture land. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on October 18, 2005 at the property. The Commission found the meeting and site visit informative.

The Commission writes to advise that it approved your application subject to:

- a) the use being restricted to the 0.6 ha area identified on the attached plan.
- b) the submission and approval of a report from a registered professional agrologist concerning how the project would enhance the agricultural utility of the property by the placement of the fill. The report would also deal with the specific procedures for the fill placement and the final rehabilitation of the land following fill placement,
- c) security to ensure rehabilitation of the site in the form of an irrevocable letter of credit for \$10,000.00,
- d) completion of the project and rehabilitation of the property within one year of the date of the Commission's decision letter.
- e) compliance 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. The Commission suggests you contact the City of Abbotsford at your earliest convenience.

The decision noted above is recorded as Resolution # 612/2005.

Please quote your application number in any future correspondence.

Yours truly,  
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: City of Abbotsford Attn: Rob Isaac file # 4520-40/SRP#1181  
Fraser Excavation Ltd.

Enclosure (plan)

**Letter of Credit - Example**

**BENEFICIARY:** Minister of Finance  
c/o Provincial Agricultural Land Commission  
#133 - 4940 Canada Way  
Burnaby, BC V5G 4K6

Re: ALC Application # \_\_\_\_\_

We hereby issue in your favour our Irrevocable Letter of Credit # \_\_\_\_\_ for CAD

\$ \_\_\_\_\_ in the account of \_\_\_\_\_

*(Name of Individual or Company)*

\_\_\_\_\_  
*(Street Address and/or Legal Description)*

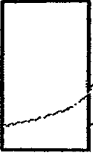
**TERMS AND CONDITIONS:**

1. Expiry Date: \_\_\_\_\_
2. Drawings are to be made in writing to \_\_\_\_\_  
*(Name of Financial Institution)*
3. Partial drawings are permitted.
4. The Bank/Credit Union will not inquire as to whether or not the Agricultural Land Commission has right to make demand on this Letter of Credit.
5. This Letter of Credit is irrevocable up to the expiry date.
6. This Credit is irrevocable up to the expiry date and unless it is extended in writing will be null and void after the expiry date whether or not the original credit is returned to us for cancellation. The amount of this credit may be reduced from time to time only by the amount drawn upon it by you or by formal notice in writing received by us from you that you desire such reduction.
7. Request for any amendment except reduction in amount must be made directly to our customer who will then instruct us accordingly.
8. Any drawings made under this letter of credit must be accompanied by the original of this credit.
9. **Mandatory Condition:**  
*"It is a condition of this letter of credit that it shall be deemed to be automatically extended without amendment from year to year from the present or any future expiration date hereof, unless at least 30 days prior to the present or any future expiration date, we notify you in writing, that we elect not to consider this letter of credit to be renewable for any additional period."*
10. We engage to honour presentations submitted within the terms and conditions indicate above.

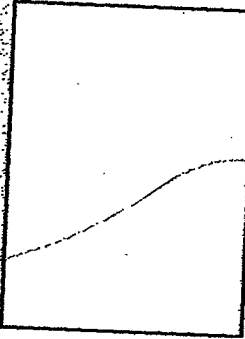


LOT 23 SEC. 11, TP. 14  
PLAN 38984

STRUCTURE (TP.)

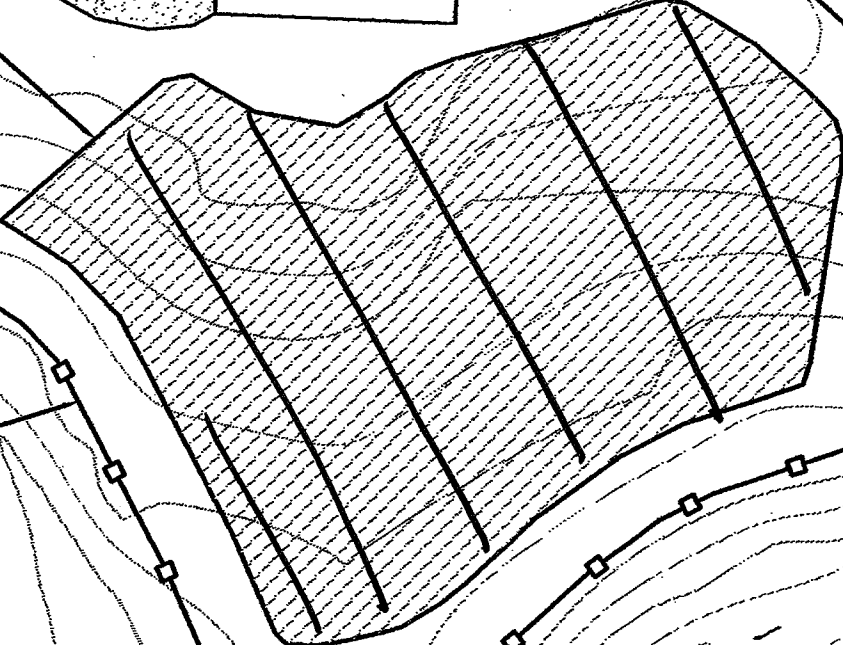


HORSE BOARDING &  
COVERED RIDING RING

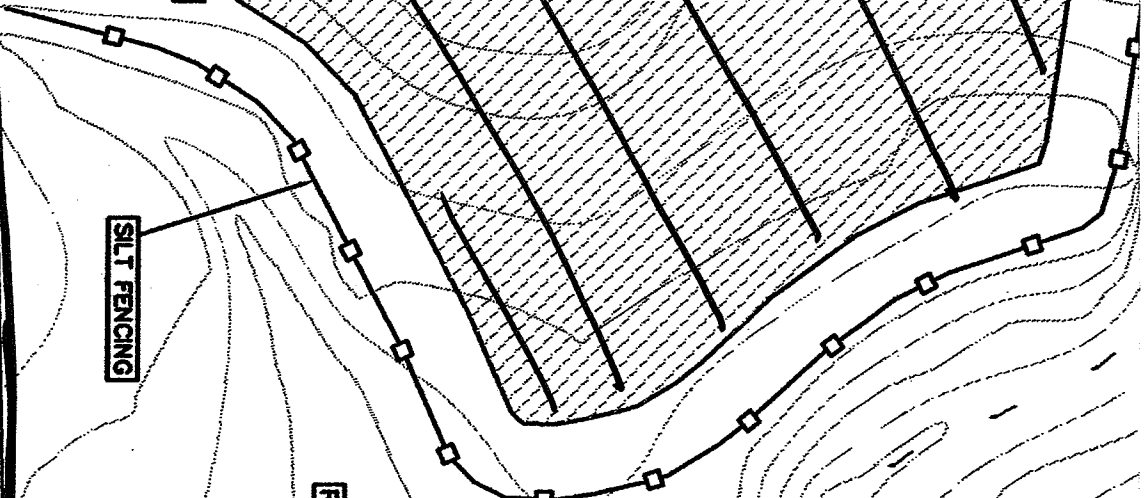


GRAVEL DRIVEWAY

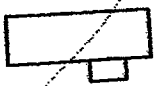
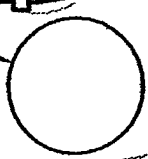
PROP. FILL AREA





SILT FENCING



RIDING RING



-  Subject property.
-  Approved 0.6 ha area for fill placement

SCALE 1:1000

Provincial Agricultural Land Commission  
 Application: MM-36274  
 Resolution # 612/2005

**MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION**

**Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on October 18, 2005 at Aldergrove, B.C.**

**PRESENT:** Carol Paulson Commissioner  
Walter Dyck Commissioner

**ABSENT:** Peter Dhillon Chair

**STAFF:** Gordon Bednard, Regional Research Officer  
Tony Pellett, Planner

**For Consideration**

- Gordon Bednard presented his staff report dated October 7, 2005 regarding application #MM- 36274.

**Site Inspection**

A site inspection was conducted on October 18, 2005. Those in attendance were:

- Commissioners Paulson & Dyck
- Agricultural Land Commission Staff: Gordon Bednard, Regional Research Officer and Tony Pellett, Planner
- Marc and Clifford Forward, Ben Tuck

The Commission toured the area proposed for fill placement.

**Commission Discussion**

The Commission considered that it would be appropriate to require the applicant to engage the services of an agrologist to review the proposal and submit a report on the project for commission review and approval prior to commencement.

**IT WAS**

**MOVED BY:** Commissioner Carol Paulson

**SECONDED BY:** Commissioner Walter Dyck

THAT the staff report be received and the application be approved subject to

- 1) the submission and approval of a report from a registered professional agrologist concerning how the project would enhance the agricultural utility of the property by the placement of the fill. The report would also deal with the specific procedures for the fill placement and the final rehabilitation of the land following fill placement,
- 2) security to ensure rehabilitation of the site in the form of an irrevocable letter of credit for \$10,000.00,
- 3) completion and rehabilitation of the property within one year of the date of the Commission's decision letter.
- 4) compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



**Staff Report**  
**Application # MM – 36274**  
**Applicant: Marc and Clifford Forward**  
**Agent: Fraser Excavation Ltd. (Ben Tuck)**

**DATE PREPARED:** October 7, 2005

**TO:** Chair and Commissioners – South Coast Panel

**FROM:** Gordon Bednard, Regional Research Officer

**PROPOSAL:** To place up to 17,500 cubic metres of fill (clay and topsoil) over a 0.6 ha area of the 4 ha subject property to facilitate the development of a horse riding ring and pasture land.

This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

There has been one previous application on this property. (see below)  
A small creek runs through the southeast portion of this property.  
While the applicant has provided two profiles, site photos and a diagram showing the area for soil placement, no agrologist report has accompanied the application detailing any agricultural need for the fill project.

**Local Government:**

City of Abbotsford

**Legal Description of Property:**

PID: 000-861-774  
Lot 23, Section 11, Township 14, New Westminster District, Plan 38984

**Purchase Date (m/d/y):**

06/18/2002

**Location of Property:**

30221 Harris Road, Abbotsford

**Size of Property:**

4.0 ha (The entire property is in the ALR).

**Present use of the Property:**

residence, horse breeding and boarding

**Surrounding Land Uses:**

- WEST:** seasonal cattle grazing, residential, in ALR
- SOUTH:** forested and cleared rural residential, small lot agriculture, in ALR
- EAST:** ducks and horse raising in ALR
- NORTH:** strawberry farm in ALR

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92G/1d  
The majority of the property is identified as having Prime Dominant ratings. (class 3)

**Official Community Plan and Designation:**

Agriculture

**Zoning Bylaw and Designation:**

Agriculture

**PREVIOUS APPLICATIONS:**

**Application #22218-0**

- Applicant:** Curtin, Dorothy
- Decision Date:** November 1988
- Proposal:** Subdivide into two parcels
- Decision:** Refused, but would allow double wide for son in SE corner of property

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

Forwarded without comment or recommendation.

**STAFF COMMENTS:**

Staff would recommend a site visit to determine if the fill is needed for the use on the site, or if material from the property could be used instead. If it is determined by the Commission that fill is needed, a report from an agrolgist on the method to be followed for placement and rehabilitation should be filed with the Commission as well as sufficient bonding to ensure that there is compliance with any conditions of approval.

**END OF REPORT**

\_\_\_\_\_  
**Signature** **Date** \_\_\_\_\_