



Agricultural Land Commission
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July 19, 2007

Reply to the attention of Jennifer Carson
ALC File: # MM - 37011

Upninder Harrad
28711 Huntingdon Road
Abbotsford, BC V4X 1A8

Dear Mr. Harrad:

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

Please find attached the Minutes of Resolution # 334/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over the printed name. The signature is fluid and cursive, with a long, sweeping tail that extends downwards and to the right.

Erik Karlsen, Chair

cc: City of Abbotsford (SRP#1273)

Enclosure: Minutes

JC/lv
37011d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on July 9, 2007 in Langley, B.C.

| | | |
|-----------------|-----------------|--------------------------|
| PRESENT: | Sylvia Pranger | Chair, South Coast Panel |
| | Michael Bose | Commissioner |
| | John Tomlinson | Commissioner |
| | Tony Pellett | Staff |
| | Jennifer Carson | Staff |

For Consideration

Application: # MM - 37011
Applicant: Upninder Harrad
Agent: Mike Salter
Proposal: To deposit 25,000 m³ of free draining and structural material over an area of approximately 2.0 ha at a depth ranging from 0 to 5.5 metres. Estimated duration of the project is approximately one (1) year.
Legal: PID: 007-070-462
Lot 2, Section 9, Township 13, New Westminster District, Plan 34568
Location: 28711 Huntingdon Road

Site Inspection

A site inspection was conducted on Tuesday February 20th, 2007. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Colin Fry Staff
- Terra Kaethler Staff
- Jennifer Carson Staff
- Mike Salter Agent
- Rick McLean

The applicant confirmed that the Staff Report dated November 24, 2006 was received and no errors were identified. The agent, the Commissioners and Staff walked the property. The facility is for brain damaged patients. The applicant was out of the country on volunteer work which is why he did not meet the Commission there. The purpose of the application is to create less of a steep slope to the east of the homesite so that the patients would have more outside area available to them. To the west of the homesite there have been drainage issues that they wish to improve.

After leaving the property, the Commission suggested that this application should require a P. Ag report, to ensure that better water drainage would come out of the changes to topography.

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 ratings of the agricultural capability of the soil of the subject property are:

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

P stoniness
T topography

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 reviewed the information provided by the applicant and found that the applicants' request to waive the earlier requirements from the Commission to have a Professional Agrologist Report written. The Commissioners believe that the subject property currently does not have high agricultural capability and that filling could provide the opportunity for the house patients to recreate outdoors and participate in gardening on the property. However, the Commission would appreciate receipt of an implementation plan outlining the process that will be followed for filling the property. The Commission also requests that the Professional Agrologist regularly update the Commission on the progress and provide a final report that satisfies the Commission that the property's agricultural capability has been improved.

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 Tomlinson

THAT the application be allowed in principle.

AND THAT the approval is subject to the following conditions:

- Receipt of an implementation plan outlining the process that will be followed for filling the property which will include the amount of fill required, as well as the existing and proposed topography of the area
- That the professional Agrologist involved in the project send regular updates to the Commission regarding the progress of the project and upon finalization of the project.
- No structural fill or clays that don't drain be placed on the property
- Topsoil from the subject property be salvaged
- The posting of a \$25,000 letter of credit which will be returned upon successful completion of the project by the fill operator.

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 # 334/2007



Staff Report- Reconsideration

Application # MM – 37011
Applicant: Upninder Harrad
Agent: Mike Salter

DATE PREPARED: June 26, 2007

TO: Chair and Commissioners – South Coast Panel

FROM: Jennifer Carson, Land Use Planner

PROPOSAL: To deposit 25,000 m³ of free draining and structural material over an area of approximately 2.0 ha at a depth ranging from 0 to 5.5 meters. This application is made pursuant to section 33 of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The steep terrain does not allow for agricultural use. It is intended that the placement of fill will allow for gardens and/or tree farming and safe recreational areas for the occupants of the group home. Mr. Mclean, one of the people the Commission met onsite has been in contact with Commission Staff about the proposal. Staff advised Mr. Mclean that he was permitted to send in correspondence regarding the deferral of the application in order to request more information.

ATTACHMENTS:

1. Email from Mr. Mclean dated June 22, 2007 (3 pages)
2. Note to file regarding site visit
3. Staff Report (7 pages)

END OF REPORT

Signature

A handwritten signature in black ink, appearing to read 'Jennifer Carson', is written over a horizontal line.

Date

June 26, 2007

Note to file from Jennifer Carson

March 6, 2007

Site Inspection

A site inspection was conducted on Tuesday February 20th, 2007. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Colin Fry Staff
- Terra Kaethler Staff
- Jennifer Carson Staff
- Mike Salter Agent
- Rick McLean

The applicant confirmed that the Staff Report dated November 24, 2006 was received and no errors were identified.

The agent, the Commissioners and staff walked the property. The facility is for brain damaged patients. The applicant was out of the country on volunteer work which is why he did not meet the Commission there. The purpose of the application is to create less of a steep slope to the east of the homesite so that the patients would have more outside area available to them. To the west of the homesite there have been drainage issues that they wish to improve.

After leaving the property, the Commission suggested that this application should require a P. Ag report, to ensure that better water drainage would come out of the changes to topography.



Staff Report
Application # MM – 37011
Applicant: Upninder and Rabinder Harrad
Agent: Mike Salter

DATE RECEIVED: October 16, 2006

DATE PREPARED: November 24, 2006

TO: Chair and Commissioners – South Coast Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: To deposit 25,000 m³ of free draining, structural material on approximately 0.5 ha of the 2.0 ha property to a depth ranging from 0 to 5.5 metres. Estimated duration of the project is one (1) year.

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

BACKGROUND INFORMATION:

According to the proponents the steep terrain does not allow for agricultural use although no agricultural report has been provided. It is intended that the placement of fill will allow for gardens, tree farming and safe recreational areas for the occupants of the group home.

Local Government:

City of Abbotsford

Legal Description of Property:

PID: 007-070-462

Lot 2, Section 9, Township 13, New Westminster District, Plan 34568

Purchase Date:

Certificate of Title entered on February 7, 2006

Location of Property:

28711 Huntingdon Road, Abbotsford

Size of Property:

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

Present use of the Property:

Group Care Home

Surrounding Land Uses:

WEST: Single family dwelling and building material storage
SOUTH: Huntingdon Road, chicken farm
EAST: Single family dwelling, no farm use
NORTH: Blueberry farm

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/1(d)
The property is identified as having Prime and Secondary agricultural capability ratings.

PREVIOUS APPLICATIONS:

Application #09418-0

Applicant: Carlos Arthur
Decision Date: October 23, 1979
Proposal: To increase the capacity of an existing rest home from 7 to 12 beds.
Decision: Allowed.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:


The City of Abbotsford provided the following information:

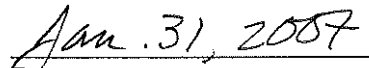
- All existing topsoil will be stripped and stockpiled on site
- A minimum 3.0 metre wide buffer strip will be maintained from the boundaries of all adjacent properties
- A minimum 5:1 side slope will be established on all fill areas
- Site surveys must be provided for all fill sources located outside the City
- Siltation controls will be installed and maintained to prevent sediment from being discharged into existing drainage courses
- Stockpiled topsoil will be replaced and stabilized with vegetation
- Fill is limited to good quality soil for agricultural use.

ATTACHMENTS:

1. ALR Constituent Map 23
2. Map of proposed fill areas
3. Aerial Photograph

END OF REPORT


Signature


Date

ALR

SEC. 9 TP. 13

SEC. 10 TP. 13

BRADNER ROAD

HUNTINGDON ROAD

Subject Property

ALR

SEC. 4 TP. 13

| | |
|-----------------|---|
| Constituent | ↑ |
| Map # <u>23</u> | N |
| Scale: 1:10,000 | |

3-3

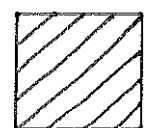
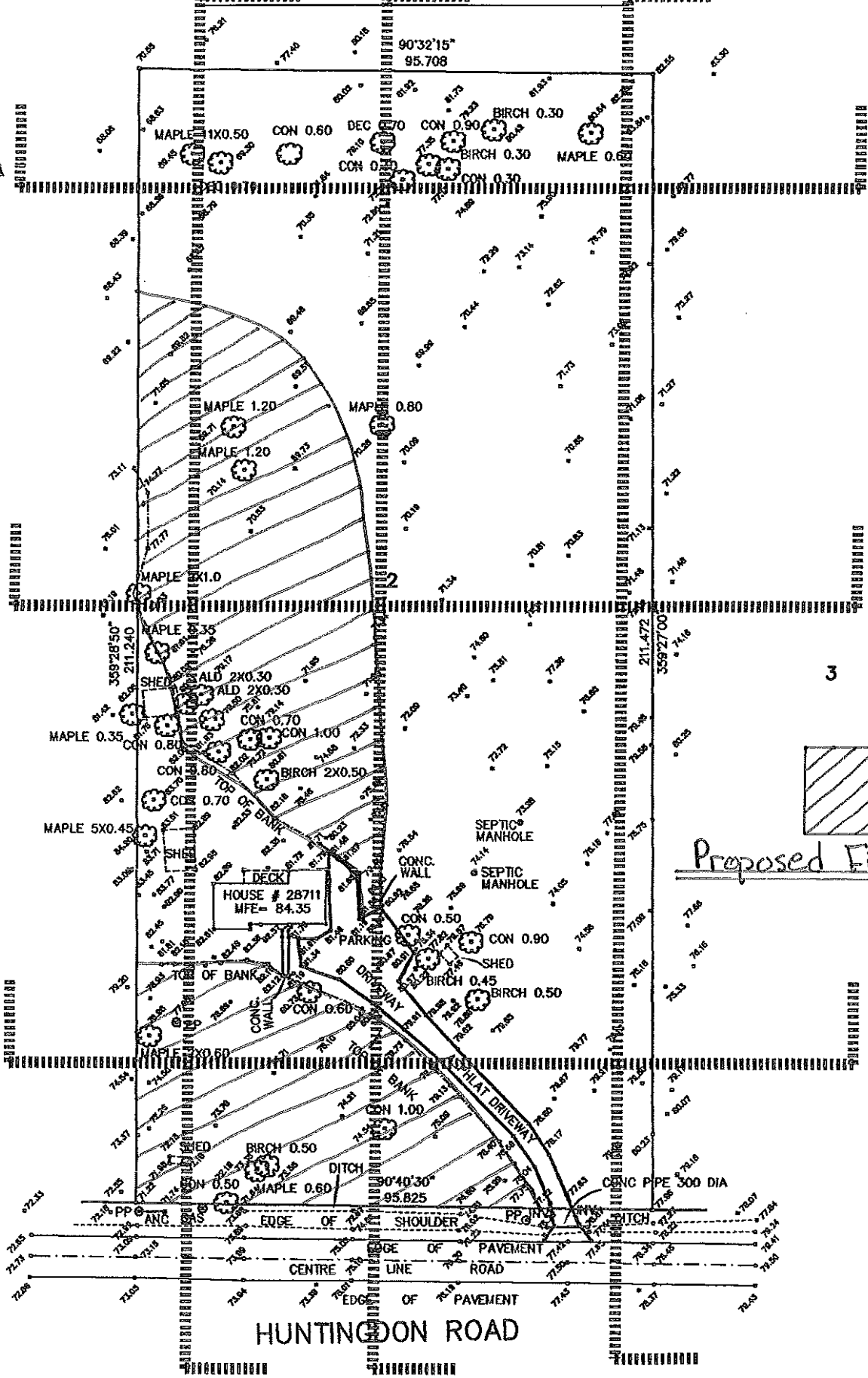
2-2

1-1

A-A

B-B

C-C



Proposed Fill Areas

3