



Agricultural Land Commission
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October 10, 2007

Reply to the attention of Jennifer Carson
ALC File: #O - 37299

Larry Redlick
#11 - 4426 - 232nd Street
Langley, BC V2Z 2R2

Dear Mr. Redlick:

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

Please find attached the Minutes of Resolution # 498/2007 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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a large, stylized, cursive signature that is partially obscured by the typed name below it.

Erik Karlsen, Chair

cc: The Corporation of the Township of Langley (SO000409)

Enclosure: Minutes

JC/lv
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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 25, 2007, in Langley, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Tony Pellett	Staff
	Gordon Bednard	Staff
	Thomas Loo	Staff
	Ron McLeod	Staff
	Jennifer Carson	Staff

For Consideration

Application: # O- 37299
Applicant: Babu Singh and Nachhatark Kaur Saran
Agent: Larry Redlick
Proposal: To deposit 500 truck loads of fill onto approximately 1.2 ha of the 2 ha property to prepare the land for a raspberry and blueberry farm.
Legal: PID: 001-203-088
Lot 7, Section 6, Township 11, New Westminster District, Plan 37696
Location: 5505 224 Street, Langley

Site Inspection

A site inspection was conducted on September 25, 2007. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Gordon Bednard Staff
- Thomas Loo Staff
- Ron McLeod Staff
- Jennifer Carson Staff
- Mr. French Agrologist
- Mr. Redlick Agent & contractor
- Mr. Saran Applicant's son

The Commission met with the applicant's son, agent and agrologist on the subject property to discuss the application. Mr. French indicated that the project would improve the drainage of the property as well as the soil capability. Drainage would be addressed by two ditches, one at the back (western) of the property, and the other along the southern boundary of the property. Mr. French indicated that he would be able to oversee the project and Mr. Redlick indicated that he knew that bonding through a letter of credit would be a condition of any approval.

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

- 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

- D undesirable soil structure
- T topography
- W excess water

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 applicant has hired a professional Agrologist who maintains that the property can be improved for agriculture by the placement of fill by creating an agricultural capability of Class 3A improvable to Class 1 with irrigation. As a result, the Commission believes that the proposal will not have an adverse impact on existing or potential agricultural use of surrounding lands.

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 Tomlinson

SECONDED BY: Commissioner Bose

THAT the application be allowed.

AND THAT the approval is subject to the following conditions:

- a letter of credit for the amount of \$100,000 from the contractor to be returned upon the completion of the project to the satisfaction of the Commission.
- that Brian French oversee the project on the subject property and that he frequently monitors the site to ensure that the filling is done properly.
- that Brian French provide a closure report detailing the outcome of the filling project to be submitted to the Commission on or before October 31st, 2008.
- 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, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 498/2007



Staff Report
Application # O – 37299
Applicant: Babu Singh and Nachhatark Kaur Saran
Agent: Larry Redlick

DATE RECEIVED: March 19, 2007

DATE PREPARED: September 5, 2007

TO: Chair and Commissioners – South Coast Panel

FROM: Jennifer Carson, Land Use Planner

PROPOSAL: To deposit 500 truck loads of fill onto approximately 1.2 ha of the 2 ha property to prepare the land for a raspberry and blueberry farm. This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The owners of the property presently own and have operated a 2 ha blueberry farm in Langley for the last 20 years.

Local Government:

The Corporation of the Township of Langley

Legal Description of Property:

PID: 001-203-088

Lot 7, Section 6, Township 11, New Westminster District, Plan 37696

Location of Property:

5505 224 Street

Size of Property:

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

Present use of the Property:

New home built in 2005.

Surrounding Land Uses:

Livestock farm to the West

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/2 a
The majority of the property is identified as having Prime Dominant ratings, however, the property is identified as having Secondary ratings according to the site specific report submitted by Brian French, a Professional Agrologist.

RELEVANT APPLICATIONS:

Application #36010-0

Applicant: Moore, Robert
Decision Date: August 04, 2005
Proposal: To construct a berm for privacy (4.6 meters deep) along the northern boundary of the 16.2 ha property using approximately 18,300 cubic meters of excavation material. It is expected that the project will take one year and will affect 2.2 ha of the property.
Decision: Allowed the proposed berm subject to demonstration that the land will still drain without adversely affecting the farm.

Application #36245-0

Applicant: Gill, Amarjit and Balbir
Decision Date: October 18, 2005
Proposal: To deposit up to 7700 cubic meters of clay and topsoil on the subject property to raise the overall area by 0.6 m for a new dwelling and a nursery area which floods in times of rainfall.
Decision: Refused deposit of any further fill.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

No comments or recommendations.

STAFF COMMENTS:

It is recommended that the Commissioners consider the following:

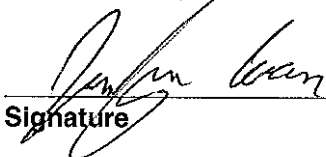
- The agricultural capability mapping indicates that the soil is improvable to Class 2, 3 and 4. However, a more detailed and site specific study was done by a Professional Agrologist as was requested by the Commission which found that the existing soils were in reality Class 4 and 5.
- The Professional Agrologist has indicated that with filling the agricultural capability could be improved to Class 1 land. (See attached excerpt from report for more details).
- A site visit to view the property and meet with the applicants, agent and agrologist will allow the Commissioners to better understand the potential impact of this project on agriculture.

ATTACHMENTS:

1. ALC Context Map
2. Agricultural Capability Map
3. Aerial Photograph
4. Sketch of Proposal
5. Report from Brian French, P. Ag (5 pages)

END OF REPORT

Signature



Date

Sept 5, 2007