



Agricultural Land Commission
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May 30, 2007

Reply to the attention of Jennifer Carson
ALC File: MM-37382

BC Hydro & Power Authority
8th Floor - 333 Dunsmuir Street
Vancouver, BC
V6B 5R3

Dear Mr. Tony Lee:

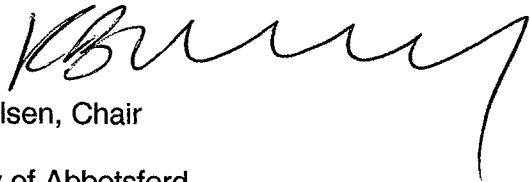
Re: Application for Utility Corridor the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 249/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:


Erik Karlsen, Chair

cc: City of Abbotsford

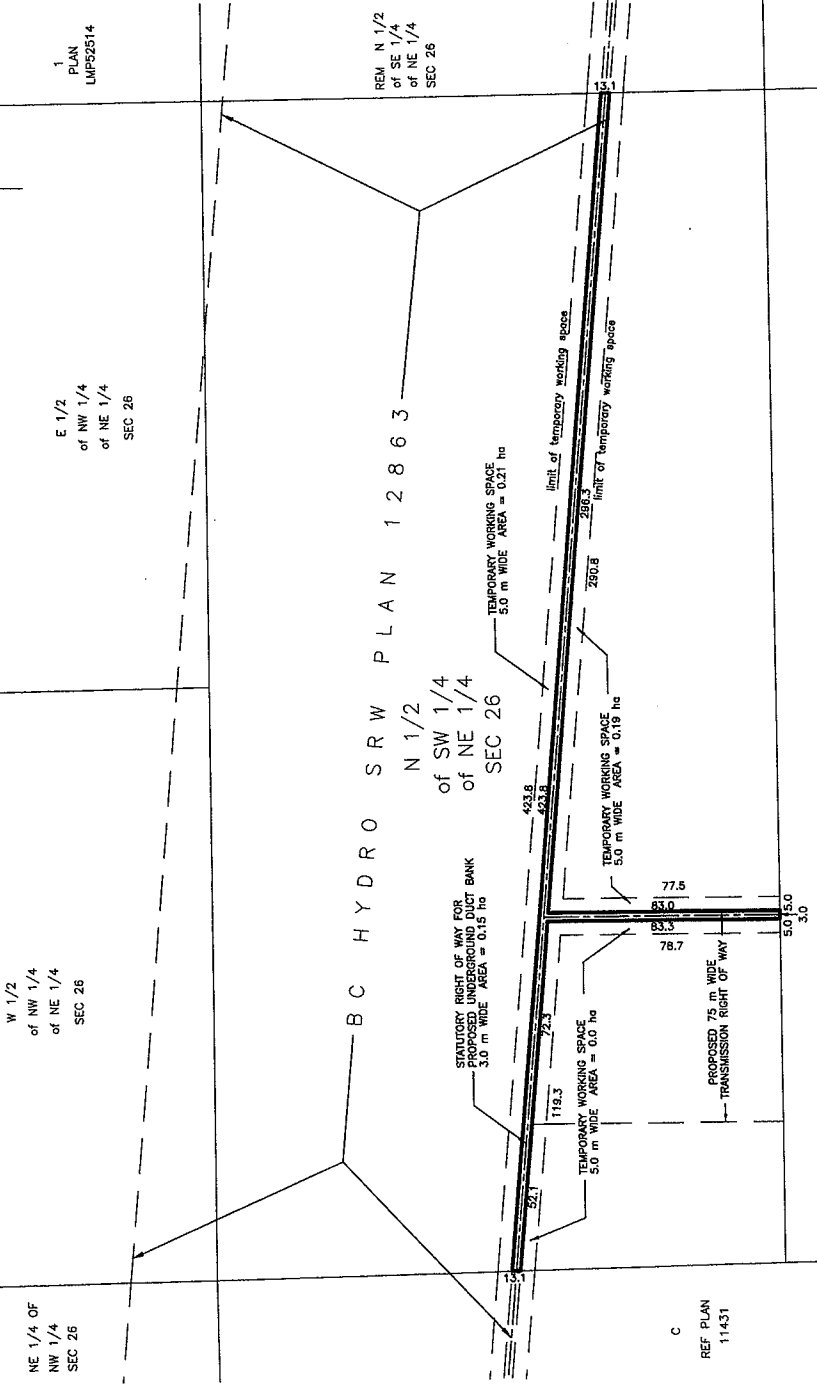
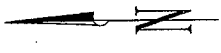
Enclosure: Minutes/Sketch Plan

JC/37382d1

SKETCH PLAN SHOWING PROPOSED STATUTORY RIGHT OF WAY FOR UNDERGROUND DUCT BANK AND TEMPORARY WORKING SPACE OVER PART OF THE NORTH HALF OF THE SOUTH WEST QUARTER OF THE NORTH EAST QUARTER, SECTION 26, TOWNSHIP 13, NEW WESTMINSTER DISTRICT.

ALL DISTANCES ARE IN METRES.

LEGEND
 ha DENOTES HECTARES





A meeting was held by the Provincial Agricultural Land Commission on May 22, 2007 in Chilliwack, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	Erik Karlsen	Commissioner
	Tony Pellett	Staff
	Jennifer Carson	Staff

For Consideration

Application: # MM- 37382
 Applicant: BC Hydro & Power Authority
 Proposal: To tap into the existing 230KV transmission line located in BC Hydro's statutory right of way located immediately north of the substation parcel to supply power to the substation. In addition, there is a requirement to distribute the higher voltage electricity to the end users and an underground distribution duct bank to reach Ross Road and Mt. Lehman Road. In addition, an access road is contemplated to be placed between Ross Road and Mt. Lehman Road within BC Hydro's existing right of way to facilitate construction, operation and maintenance of BC Hydro's works. Total project area is approximately 1.16 ha

Legal:

1. PID: 007-729-847
North 1/2 of the South West 1/4 of the North East 1/4, Section 26, Township 13, New Westminster District
2. PID: 012-239-941
Parcel C, Section 26, Township 13, Reference Plan 11431, New Westminster District
3. PID: 013-342-568
North 1/2 of the North 1/2 of the South West 1/4 of the North West 1/4, Section 26, Township 13, New Westminster District
4. PID: 006-160-042
North 1/2 of the South East 1/4 of the North East, Section 26, Township 13, New Westminster District, Except Part Subdivided By Plan 16028

Location: 3754 Ross Road, 3595 & 3707 Mount Lehman Road, Abbotsford

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 agricultural capability classifications 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.

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 application outlines the proposal which includes an underground distribution duct which would not interfere with agricultural operations above ground. The Commission believes the proposal would not have an adverse impact 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 Bose
SECONDED BY: Commissioner Pranger

THAT the application be allowed.

AND THAT the approval is subject to the following conditions:

- the project be in substantial compliance with the proposal submitted with the application

- the proposed road is constructed and operated so as to cause the minimum possible disruption to agricultural activities on lands in the west half of Section 26.
- the underground distribution duct bank through the west half of Section 26 be placed at a depth which will place no restrictions on present or future farm use and that during construction the soil from the trench be removed, stored and replaced in layers corresponding to the order of the existing soil horizons.
- wherever possible, agricultural operations on the property be permitted and encouraged to continue as long as the property remains within the ALR.

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 # 249/2007



Staff Report
Application # MM – 37382
Applicant: BC Hydro & Power Authority

DATE RECEIVED: April 12, 2007

DATE PREPARED: May 11, 2007

TO: Chair and Commissioners – South Coast Panel

FROM: Jennifer Carson, Land Use Planner

PROPOSAL: Proposal is to tap into the existing 230KV transmission line located in BC Hydro's statutory right of way located immediately north of the substation parcel to supply power to the substation. In addition, there is a requirement to distribute the higher voltage electricity to the end users and an underground distribution duct bank to reach Ross Road and Mt. Lehman Road. In addition, an access road is contemplated to be placed between Ross Road and Mt. Lehman Road within BC Hydro's existing right of way to facilitate construction, operation and maintenance of BC Hydro's works. Total project area is approximately 1.16 ha This application is made pursuant to Part 4 Section 6 of BC Regulation 171/2002 (*Agricultural Land Reserve Use, Subdivision and Procedure Regulation*).

BACKGROUND INFORMATION:

Local Government:

City of Abbotsford

Legal Description of Property:

1. PID: 007-729-847
North 1/2 of the South West 1/4 of the North East 1/4, Section 26, Township 13, New Westminster District
2. PID: 012-239-941
Parcel C, Section 26, Township 13, Reference Plan 11431, New Westminster District
3. PID: 013-342-568
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4. PID: 006-160-042
North 1/2 of the South East 1/4 of the North East, Section 26, Township 13, New Westminster District, Except Part Subdivided By Plan 16028

Location of Properties:

3754 Ross Road, 3595 & 3707 Mount Lehman Road, Abbotsford

Affected area of Properties:

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

Present use of the Properties:

Residential purposes, rangelands, pastures and blueberry production.

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G1d
The majority of the property is identified as having Prime Dominant ratings.

PREVIOUS APPLICATIONS:

Application #35445-0

Applicant: Abbotsford
Decision Date: July 20, 2005
Proposal: Exclusion.
Decision: Allowed partial exclusion with conditions.

Application #36869-0

Applicant: BC Hydro & Power Authority
Decision Date: August 30, 2006
Proposal: To establish a new substation in the Mt. Lehman area in the City of Abbotsford.
Decision: Allowed subject to buffering (6' chain link with barb wire, single row cedars) along western boundary.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Review of the application and recommendations from the City of Abbotsford have been requested, however, they have not yet been received.

ATTACHMENTS:

1. Base Map
2. Aerial Photograph
3. Letter from applicant
4. Sketch of proposal

END OF REPORT


Signature


Date