



Agricultural Land Commission
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November 8, 2007

Reply to the attention of Jennifer Carson
ALC File: O-37589

Jann Enterprises Ltd
c/o 7615 - 128th Street
Surrey, BC
V3W 4E6

Dear Mr. Binning:

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

Please find attached the Minutes of Resolution # 553/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:


Erik Karlisen, Chair

cc: The Corporation of the City of Surrey (15166-0400)

Enclosure: Minutes



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 6, 2007 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Tony Pellett	Staff
	Ron Wallace	Staff
	Jennifer Carson	Staff
	Colin Fry	Staff

For Consideration

Application: # O- 37589
Applicant: Jann Enterprises Ltd
Proposal: The landowner is proposing to deposit 13,000m³ of soil for flood-proofing an area of 0.3 ha for the construction of a residence and accessory facilities.
Legal: PID: 009-632-311
Lot 2, Section 27, Township 1, New Westminster District, Plan 10880, Except Parcel "A" (Bylaw Plan 610311)
Location: 15166 - 40th Avenue, Surrey

Site Inspection

A site inspection was conducted on September 24, 2007. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Tony Pellett Staff
- Jennifer Carson Staff
- Jagdeep Binning Applicant
- Mr. Binning Applicant's son

The Commission understood from the applicant and his son that they plan to build their house approximately 100 feet from the road and plan to fill approximately 0.3 ha of the property with pre-load to allow for flood protection for their home and accessory buildings. The Commission was concerned with the amount of fill already present on the property, which seemed to extend from the adjacent property.

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.

Organic Soils - Organic soils are grouped into seven classes, designated as O1 to O7. The organic soil class definitions are equivalent in terms of their relative capabilities and limitations for agricultural use to those defined for mineral soil.

Subclasses

- L degree of decomposition - permeability
- 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 Commission did not agree with filling 0.3 ha of the 1.3 ha property for the purpose of a house and ancillary buildings. The Commission believes that the legislation allowing up to 0.2 ha of the property to be filled for such purposes is more than adequate. Furthermore, the Commission believes the proposal would impact existing or potential agricultural use of the subject property and 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 adversely impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Bose
SECONDED BY: Commissioner Tomlinson

THAT the application be refused.