



Agricultural Land Commission
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March 26, 2008

Reply to the attention of Ron Wallace
ALC File: MM-37752

John & Susanne Luzia
28532 Myrtle Avenue
Abbotsford, BC V4X2P4

Dear Sir/Madam:

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

Please find attached the Minutes of Resolution # 60/2008 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', written over a horizontal line.

Erik Karlsen, Chair

cc: City of Abbotsford (4520-20/SRP#1343)

Enclosure: Minutes



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on February 19, 2008 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
	Ron Wallace	Staff
	Tony Pellett	Staff

For Consideration

Application: # MM- 37752
Applicant: John & Susanne Luzia
Proposal: The proposal is to deposit 38,000 m³ of topsoil over the back 1 ha of the property at a depth of 7 meters. The back of the property slopes down towards a creek at the back of the property. The purpose is to turn unusable land into land that will be used for grazing cattle or growing crops (hay etc).
Legal: PID: 013-594-958
Lot 11, Section 4, Township 14, New Westminster District, Plan 1934
Location: Myrtle Avenue

Site Inspection

A site inspection was conducted on 19 February 2008. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- John Tomlinson Commissioner
- Ron Wallace Staff
- Tony Pellett Staff
- Susanne Luzia Applicant
- John Luzia Applicant

The Commissioners and staff met with the applicants and viewed the back portion of the property proposed for filling. The subject property at approximately the midway point towards the back slopes off significantly to the property line. Beyond the property line is a fish bearing creek. The Commissioners asked whether any consideration has been given to the possible impact of the fill on the fish in the creek and whether DFO or the Ministry of Environment has been contacted. Mr. Luzia indicated that beyond the proposed silt fence to be located 5 meters back from the creek along the back of the property, there was no additional consideration taken or contact with any agency regarding the fish in the creek.

It was also noted the adjacent property to the west has similar topographic characteristics with the subject property (i.e. back part of the property slopes down to the creek). Any filling of the subject property would impact the adjacent property to the west.

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 agricultural capability of the soil of the subject property is

Class 1 – Land in this class either has no or only very slight limitations that restrict its use for the production of common agricultural crops.

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.

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

Class 7 – Land in this class has no capability for arable or sustained natural grazing

Subclasses

D	undesirable soil structure
T	topography
W	excess water

Assessment of Impact on Agriculture

The Commission noted that the area of the property proposed for filling has agricultural capability ratings of Class 5 and 7 as noted above. The Commission believes that the placement of topsoil as proposed would not adequately improve the subject area for agriculture and further, it noted that there could be damage to the aquatic habitat in the creek at the back of the property.

Conclusions

1. That the proposal will not adequately improve the subject area for agriculture.

2. That the proposal could adversely impact the adjacent property to the west.
3. That the proposal could potentially damage the aquatic habitat in the creek at the back of the property.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Tomlinson

SECONDED BY: Commissioner Pranger

THAT the application be refused.

CARRIED

Resolution # 60/2008