



Agricultural Land Commission
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December 9, 2010

Reply to the attention of Terra Kaethler
ALC File: 38997

Western House Moving Inc.
24536 50th Ave
Langley, BC

Dear Sir:

Re: Application to Place Fill onto the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **2790/2010** 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: 

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Central Valley Engineering Services, 28475 King Road, Abbotsford BC V4X1C9
Township of Langley (SO000609)

TK/38997d1



A meeting was held by the Provincial Agricultural Land Commission on November 2, 2010 at the Sandman Hotel Conference Room, Langley, B.C.

PRESENT:	Richard Bullock	Chair
	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Tony Pellett	Staff
	Terra Kaethler	Staff

For Consideration

Application: 38997
 Applicant: Western House Moving Inc
 Agent: Central Valley Excavating Ltd.
 Proposal: To place 17,000 cubic metres of soil over 0.8 ha of the 4.6 ha property to be reclaimed for agricultural use. The intent of the application is to improve drainage and modify the steep slopes of the north side of the property to improve the agricultural potential of the property for a vineyard or other berry crop.
 Legal: Lot 41, Section 14, Township 10, New Westminster District, Plan 61497, EXCEPT Part Subdivided by Plan 63716
 Location: 2134 248th St, Langley

Site Inspection

A site inspection was conducted on November 2, 2010. Those in attendance were:

- Richard Bullock Chair
- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Tony Pellett Staff
- Michael Falk Agent

The Commission viewed the site, and observed the steep slope along the northern edge of the property. They observed what appeared to be recent soil disturbance and the placement of gravel in a portion of the proposed project area. The agent explained that the property had been cleared of blackberry bushes and leveled, the ditch had been improved and that a retention pond had been built on the property, all efforts to improve the property for agricultural purposes.

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

An Agricultural Assessment and Fill Placement Plan report by Patrick Brisbin, P. Ag., Golder Associates, was submitted on October 29, 2010. The report identifies the agricultural capability rating of the subject property to be unimproved Class 5 and Class 6, due to the past disturbance of soils and the placement of gravel on the property. After successful implementation of the proposed project, the report states that the majority of the property would have Class 2 ratings and be suitable for a variety of crops. A portion of the project area is steeply sloped and would remain Class 6 agricultural capability.

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

Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

The Commission reviewed the report and noted its findings.

Assessment of Agricultural Suitability

The Commission assessed whether 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 was of the view that the agricultural potential of the property could be improved without the placement of additional fill. As such, it did not believe that the placement of additional soil was necessary or beneficial to agriculture.

IT WAS

MOVED BY: Commissioner Tomlinson

SECONDED BY: Commissioner Bose

THAT the application be refused.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.33 (1) *On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*
- (a) evidence not available at the time of the original decision has become available,*
 - (b) all or part of the original decision was based on evidence that was in error or was false.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

CARRIED
Resolution # 2790/2010