



**Agricultural Land Commission**  
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Burnaby, British Columbia V5G 4K6  
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March 29, 2010

Reply to the attention of Ron Wallace  
ALC File: #51176

Michael Sportack  
350 Townline Road  
Abbotsford, BC  
V2T 6C9

Dear Sir:

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

Please find attached the Minutes of Resolution # **2308/2010** 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.

Please submit the following to the Commission before commencing the project:

- A \$100,000 security deposit which will be returned upon successful completion of the project.
- The security deposit may be in the form of one of the following: Letter of Credit, Safekeeping Agreement or Certified Cheque.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in purple ink, appearing to read 'Erik Karlsen', is written over the 'Per:' line and extends downwards into the 'Enclosure' line.  
Erik Karlsen, Chair

Enclosure: Minutes/Letter of Credit – example/Safekeeping Agreement – example

cc: City of Abbotsford (File # 4520-20/SRP#1479)



**A meeting was held by the Provincial Agricultural Land Commission on March 25, 2010 in Langley, B.C.**

<b>PRESENT:</b>	Sylvia Pranger Michael Bose John Tomlinson Tony Pellett	Chair, South Coast Panel Commissioner Commissioner Staff
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**For Consideration**

Application: #51176  
 Applicant: Linda Sportack  
 Agent: Michael Sportack  
 Proposal: To remediate, reclaim and improve the current unusable state of the subject property to a condition suitable for agricultural use. An Agrologist report was prepared by Bruce McTavish, P.Ag. for this project. This report provides justification for the proposal and direction to the owner for the proper stripping, removal and filling procedures.

Legal: Lot 9, Section 6, Township 16, NWD, Plan 36652  
 Location: 394 Townline Road, Abbotsford

**Site Inspection**

A site inspection was conducted on March 24, 2010. Those in attendance were:

- Sylvia Pranger                      Chair, South Coast Panel
- Michael Bose                        Commissioner
- John Tomlinson                      Commissioner
- Tony Pellett                         Staff
- Michael Sportack                    Applicant
- Bruce McTavish                     Consulting Agrologist

The Commissioners and staff met with the proponents, viewed the property and discussed the project.

**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.

#### Subclasses

A soil moisture deficiency

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

W excess water

### **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 recognized the current limitations of the property for agriculture, and believed the proposal would improve the property for agriculture if done according to the recommendations and professional standards outlined in the report prepared by Bruce McTavish, P.Ag.



**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 improve the site for agriculture if done to the professional standards as outlined in the report prepared by Bruce McTavish, P.Ag.
4. That the proposal is consistent 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 allowed subject to the following conditions:

- The project is to be in substantial compliance with the procedures outlined in the report prepared by Bruce McTavish, P.Ag.
- A \$100,000 security deposit which will be returned upon successful completion of the project.
- That Bruce McTavish will oversee the project, provide yearly monitoring reports and upon final completion of the project, provide a closure report.
- The project must be completed within two (2) years from the date of this decision.
- 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. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

**CARRIED**

**Resolution # 2308/2010**