



**Agricultural Land Commission**  
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July 29, 2010

Reply to the attention of Ron Wallace  
ALC File: 51615

Paul & Denise Rathnam  
6480 Tall Road  
Abbotsford, BC  
V4X 1T9

Dear Sir/Madam:

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

Please find attached the Minutes of Resolution # **2585/2010** outlining the Commission's decision as it relates to the above noted application.

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

- A \$25,000 security deposit which will be returned upon successful completion of the project.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over the 'Per:' label.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: City of Abbotsford (4520-20/SRP#1403)

RW/  
51615d1



A meeting was held by the Provincial Agricultural Land Commission on July 22, 2010 in Langley, B.C.

<b>PRESENT:</b>	Richard Bullock	Chair
	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	Ron Wallace	Staff
	Tony Pellett	Staff

<b>ABSENT:</b>	John Tomlinson	Commissioner
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**For Consideration**

Application: 51615  
 Applicant: Paul & Denise Rathnam  
 Proposal: To place fill (±40,000 m<sup>3</sup> of structural soil and topsoil) on ±2.8 ha portion of the 5.37 ha property for the purpose of improving the land for agricultural use. The applicant has also obtained permission from the City of Abbotsford to extend the fill across ±0.8 ha of City owned land located below an existing dyke at the north end of the subject property.  
 Due to the current poor drainage creating muddy conditions for the horses in the proposed fill area, the owner feels that the addition of fill is needed to make the area suitable for pasturing horses.

Legal: Lot 1 Except: Parcels "A" and "B" (Statutory Right of Way Plan 44482); District Lot 118 Group 2 New Westminster District Plan 8682

Location: 6480 Tall Road, Abbotsford

**Site Inspection**

A site inspection was conducted on July 6, 2010. Those in attendance were:

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

The Commission drove on the property and viewed the existing buildings and initial fill deposit, but was unable to contact owners Paul or Denise Rathnam.

A second site inspection was conducted on July 19, 2010. Those in attendance were:

- Sylvia Pranger                        Chair, South Coast Panel
- Paul Rathnam                         Applicant

Commissioner Pranger and the applicant viewed the proposed fill site and discussed the project to improve the land for agricultural use.

### **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 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
- T topography
- 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 Victoria Stevens, B.Sc., A. Ag. of Madrone Environmental Services Ltd.

### **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 Madrone Environmental Services Ltd.
4. That the proposal is consistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

### **IT WAS**

**MOVED BY:** Commissioner Pranger

**SECONDED BY:** Commissioner Bose

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 Madrone Environmental Services Ltd.
- A \$25,000 security deposit which will be returned upon successful completion of the project.
- That a qualified professional Agriologist (or another professional with specialized knowledge in soil structure and hydrology) will oversee the project, provide monitoring reports every three (3) months, and upon completion of the project a closure report.
- That the source of the fill be logged and inspected to ensure that it meets the criteria for agricultural use.
- That the City of Abbotsford provide confirmation that the proposed work will aid in the reinforcement of the Fraser River dyke.
- That the project 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 # 2585/2010**