



Provincial Agricultural Land Commission - Staff Report

Application: 51840

Applicants: Fraser Valley Aggregates Ltd, Bentley Aviation Ltd, First Effort Investments Ltd
Agent: Sanderson Planning Ltd
Local Government: City of Abbotsford

Proposal: To exclude 8.1 ha of the 18.4 ha subject property from the ALR for the purpose of residential development. The remaining 10.3 ha would be subdivided from the remainder of the property and will remain in the ALR and be rehabilitated for future agricultural practices.

BACKGROUND INFORMATION

The application outlines the reasons that exclusion of the northern portion of the property is appropriate based on it being unsuitable for agricultural practices. These factors include:

-There are a variety of physical limitations rendering nearly 80% of the existing soils being designated with the unimproved classification of Classes 4 to 7.

-"The native soils have irregular shapes and dissimilar soils which are not conducive to similar soil management."

- "The triangular shape of this portion of the property and proximity of existing urban development restrict effective and economic agricultural practices in the northern portion of the property."

The application goes on to explain that they have proposed an "ALR buffer along the southern and western borders of the area for exclusion. A 6m buffer where the property border Langley is also proposed as part of an existing easement."

"Two vehicular access routes are currently proposed; a northern access through the Township of Langley property utilizing an existing easement" and an "east-central access from Station Road through an existing road right of way".

PROPERTY INFORMATION

PID: 023-605-511
Legal Description: Lot 1 Section 20 Township 13 New West Minister District Plan LMP30537
Property Area: 18.4 ha
ALR Area: 18.4 ha
Purchase Date: January 8, 2003
Location: 2663 Station Road
Owners: Bentley Aviation Ltd, First Effort Investments Ltd, Fraser Valley Aggregates Ltd

LAND USE

Current Land Use:

Contains one residence and several dilapidated outbuildings. The applicant writes that "the property is largely fallow with abandoned swamp grass and brush vegetation. There is a small treed area in the southeast corner along the eastern boundaries, the southern area has been subject to aggregate extraction and backfilling and now forms of low depression with a small pond adjacent to the unopened Simpson Road allowance, which defines the southern boundary,"

Surrounding Land Uses:

North: Two residential lots in the northern tip, three rural residential lots in the northeast (in ALR); urban residential subdivision in the northeast (not in ALR)
East: Equestrian farm at sound end (in ALR); two rural residential lots in the centre east (in ALR); a rural residential hobby farm and auto wrecking and parts recycling yard east of the two rural residential lots
South: Simpson Road unopened Right-of-Way and a poultry farm to the south (in ALR)
West: Langley Township boundary with forested area east and west of Bertrand Creek immediately adjacent to subject property, three rural parcels at the south end including a nursery at the south-west corner of the property (in ALR); Township of Langley former sewer treatment, now used as a water treatment works yard, (not in ALR)

PROPOSAL DETAILS

Exclusion Area: 8.1 ha

Agricultural Capability:

The majority of the area under application is rated as: Prime Dominant

Source: BCLI

Mapsheet: 92G/1d

Subdivision - ALR Area: 18.4 ha

Number of Lots	ALR Area of Lot (ha)
1	8.1
1	10.3

Agricultural Capability:

The majority of the area under application is rated as: Prime Dominant

Source: BCLI

Mapsheet: 92G/1d

PREVIOUS APPLICATIONS

Application ID: 35563

Legacy #: 20080

Applicant: Fraser Valley Aggregates Ltd

Proposal: CLOSED ALL INFORMATION MOVED TO FILE 13527

Note: This application was cancelled.

Application ID: 34740

Legacy #: 13527

Applicant: Reinhold & Klaudia Neumann

Proposal: Extraction of 305,000 cu meters soil to improve agricultural capability

Decision:

Resolution #	Decision Date	Decision Description
2005/1981	October 28, 1981	Allowed with conditions

Application ID: 19282

Legacy #: 03507

Applicant: R & K Neuman

Decision:

Resolution #	Decision Date	Decision Description
5863/1977	March 11, 1977	Application refused.

Application ID: 14944

Legacy #: 33030

Applicant: Fraser Valley Aggregates Ltd

Proposal: deposit 330,000 m3 of excavation material up to a maximum depth of 4m

Decision:

Resolution #	Decision Date	Decision Description
215/2000	April 26, 2000	The Commission refused the request to place approximately 330,000 m3 of fill on the property as proposed. However, the Commission was willing to further review a revised proposal featuring the recommendations of its soils specialist.

RELEVANT APPLICATIONS

RELEVANT APPLICATIONS

Application ID: 50992

Applicant: Tammie New

Proposal: To exclude the 0.3 ha property from the ALR.

Note: Concurrent application to the north of the subject property.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Designation: Agricultural

OCP Compliance: No

Zoning:

Zoning Designation: Agricultural One Zone (A1)

Minimum Lot Size: 8.0 ha

Zoning Compliance: No

Comments and Recommendations:

Board/Council

Forward to the Commission with endorsement for support with subject conditions.

Planning Staff

Recommend support with subject conditions.

ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

- The improved ratings of the agricultural capability of the property are identified as prime dominant (Class 2, 3 and 5) with the limitations of topography, soil moisture deficiency, undesirable soil structure, excess water and soil moisture deficiency within the BCLI mapping. However, as there has been extraction activity on the property, the P.Ag (Brian French) who reviewed the property found 7.0 ha of the area proposed for exclusion to have improved ratings of Class 3 and 4 and 1.0 ha of Class 5 to 7 land. It is the opinion of this Agrologist that "it is very unlikely that this property will ever be farmed given the location and physical limitations." Please see the attached letter of June 9, 2010 for further information. The full soils onsite report for the Abbotsford property can be found in the application file.
- The applicants have owned the property since January 2003.
- The subject property had a gravel pit on it. The applicant is proposing to fund the rehabilitation of the southern portion of the property with some of the sales made through the development of the northern area proposed for exclusion.
- The City of Abbotsford Council has made the recommendation of supporting the exclusion application on the condition that the applicants "(a) provide a Letter of Credit for \$525,000 to secure for the rehabilitation of the subject property" to a good agricultural capability, (b) inclusion of the 16.6 ha property (33205 Bell Road) into the ALR and (c) "registration of a Section 219 "right to farm" covenant on title of the lands to be excluded".
- Although the adjacent properties to the east and south are not under application at this time, approval of exclusion on the subject property could lead to exclusion applications from adjacent property owners. There is currently an exclusion application for the property directly north of the subject property (#50992) as well as an exclusion application directly west of the subject property (#51765, in Langley). Abbotsford Staff also made the point that this application cannot be looked at in isolation, as, excluding the concurrent application (#50922) there are eight other properties that could feasibly also apply for exclusion. Allowing these applications would result in a net loss of an additional 10.5 ha from the ALR.
- According to the report written by Brian French, P.Ag., approximately 15.3 ha of the 16.6 ha proposed for inclusion were found to be improvable to Class 3 and 4 with normal farm development practices. He further indicates that bringing 300 and 500mm of topsoil to mix with the existing topsoil would improve the agricultural capability to Class 1 with irrigation.
- For a better understanding of the history of the application, please see the Local Government Staff Report as well as the attached.
- Should a better understanding of the property be required, staff could plan a site visit to this property or the property proposed for inclusion.

ATTACHMENTS

51840 applicant submission.pdf
51840 lg report.pdf

END OF REPORT

Prepared by: Jennifer Carson