



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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January 31, 2012

Reply to the attention of Eamonn Watson  
ALC File: 51624

Greenline Management Ltd.  
11579 – 196B Street  
Pitt Meadows, BC  
V3Y 1P2

Dear Mr. Lee Mackenzie:

Re: **Agricultural Land Commission application to deposit soil, 913 – 264 Street, Langley**

Please find attached the Minutes of Resolution # 480/2011 outlining the Commission's decision with respect to the above mentioned application. As agent, it is your responsibility to notify your client accordingly.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact the Township of Langley.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Township of Langley (SO000655)

EW/51624d1



## PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 27<sup>th</sup>, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

### COMMISSION MEMBERS PRESENT:

Jennifer Dyson	Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Richard Bullock	Commissioner

### COMMISSION STAFF PRESENT:

Brian Underhill	Executive Director
Eamonn Watson	Land Use Planner

### APPLICATION ID: # 51624

**PROPOSAL:** The proposal is to re-grade and deposit fill over two portions of the 8 ha subject property, totalling 2.9 ha. The proposed land works are intended to improve the fertility, aridity, stoniness and topography limitation of the land and prepare the subject property for blueberry production. Madrone Environmental Services Ltd. (Madrone) was retained by the applicant to conduct a soil assessment of the subject property and the proposed placement of fill to improve the agricultural capability of the subject property.  
(Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

### PROPERTY INFORMATION:

**Owner:** Mohinder Singh Paul and Pritam Kaur Paul  
**Date of Acquisition:** July 13, 1984  
**Parcel ID:** 000-599-671  
**Title No.** X79137E  
**Legal Description:** South Half Lot 3, Section 12, Township 10, New Westminster District, Plan 6097  
**Civic Address:** 913 264 Street, Aldergrove  
**Size:** 8.0 ha  
**Area in ALR:** 8.0 ha  
**Current Land Use:** Two residences, barn, greenhouses, accessory building and pasture.  
**Farm Classification:** Yes  
(BC Assessment)

### SITE INSPECTION MEETING:

A site inspection meeting was conducted on October 3<sup>rd</sup>, 2011 following which a report was prepared. The site inspection meeting report was approved by Commissioner Sylvia Pranger on October 25, 2011.

Section 14(2) of the *Agricultural Land Commission Act* provides that a member of the Commission who was not present at a meeting to determine an application or other matter may vote on the application or matter only if a summary of the meeting is given to the member before the vote. The site inspection meeting report, approved by Commissioner Sylvia Pranger on October 25, 2011, constitutes a written record of the site inspection meeting and has been provided to all Commission members recorded above.

**COMMISSION CONSIDERATION:**

**Context**

Section 6 of the *Agricultural Land Commission Act* identifies the purposes of the Commission as: (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.

**Agricultural Capability**

Based on the information contained in Map 92G/1d and 92G/2a (Scale 1:25,000) of the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system, the agricultural capability ratings are identified as being:

Unimproved Rating: 4AP Improved Rating: (3APT)

**Note: These ratings cover approximately 60% (or 4.8 ha) of the subject property.**

Unimproved Rating: 5:5TA 5:7T Improved Rating: (5:5T 5:7T)

**Note: These ratings cover approximately 40% (or 3.2 ha) of the subject property.**

**Class and Subclass Descriptions**

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**

A soil moisture deficiency  
P stoniness  
T topography

**Site Specific Reports**

The Commission also considered the *Fill Sampling and Proposed Placement of Fill on Agricultural Land* (the "P.Ag. Report") received with the application regarding the subject property.

Report Prepared By: Madrone Environmental Services Ltd.  
Author: Sonia Meili, B.Sc., A.Ag. and Gordon Butt, M.Sc., P.Ag.  
Date Prepared: November 30, 2009

The P.Ag. Report provided a description of the subject property as well as an overview of the proposed fill and recommendations.

### **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 Potential Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission does not believe that the proposed soil deposition on the subject property would impact existing or potential agricultural use of surrounding lands.

The proposed soil deposition is intended to alleviate problems addressed in the P.Ag. Report (see above) affecting the subject property. The Commission believes that the importation of soil in conjunction with the re-grading would be an appropriate method to increase the agricultural capability of the subject property.

### **DECISION:**

#### **IT WAS**

**MOVED BY:** Commissioner Bert Miles  
**SECONDED BY:** Commissioner Jim Johnson

THAT the application to deposit soil be approved for the following reasons:

- The land under application is suitable for agricultural use;
- The proposal will not impact the agricultural use of surrounding lands; and,
- The use of imported soil and re-grading would appropriately address agricultural capability issues affecting the subject property.

AND THAT the approval is subject to the following conditions:

- Soil deposition must be in substantial compliance with the P.Ag. Report submitted with the application;
- Filling and associated activities must be restricted to the area designated in the P.Ag. Report submitted with the application;
- The proposed filling and associated activities must be completed by within two (2) years of the date of the decision letter;
- Soil material must be of a good agricultural quality and free of any contaminants;
- Project area must be prepared and filled in an appropriate manner consistent with the P.Ag. Report submitted with the application;
- Project areas must be reclaimed in an appropriate manner consistent with the P.Ag. Report submitted with the application;

- Soil must not be stripped, moved, stockpiled or replaced during conditions of adverse soil moisture content. The movement or manipulation of soil must be done when the soil is below field capacity. There must be no movement or manipulation of soil when the soil is frozen or powdery dry.
- No soil material will be removed from the subject property;
- The submission of a soil deposition work plan prepared by a Qualified Professional and approved by the Commission;
- That the soil deposition be overseen by a Qualified Professional;
- The posting of a financial security in the form of an Irrevocable Letter of Credit (the "ILOC") with the Commission, the amount of the ILOC should be submitted by a Qualified Professional and approved by the Commission prior to proceeding with any aspect of the soil deposition. The security is required to ensure compliance with the terms and conditions of this approval and to provide funds to reclaim the land in event the applicant does not fulfill their obligations as set forth herein; and,
- The submission of a closure report prepared by a Qualified Professional upon completion of the project.

AND THAT approval to deposit soil on the subject property is granted for the sole benefit of the applicant and in 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, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

**CARRIED**  
**Resolution # 480/2011**