



Agricultural Land Commission
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January 31, 2012

Reply to the attention of Eamonn Watson
ALC File: 51951

Balbir Grewal
34715 Farmer Road
Abbotsford, BC
V2S 8E2

Dear Mr. Balbir Grewal:

Re: Application to deposit soil in the Agricultural Land Reserve, 34714 Farmer Road, Abbotsford

Please find attached the Minutes of Resolutions # 483/2011 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to be 'B. Underhill', written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: City of Abbotsford (4520-55/SRP#1536)

EW/51951d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

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

COMMISSION MEMBERS PRESENT:

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

COMMISSION STAFF PRESENT:

Brian Underhill	Executive Director
Eamonn Watson	Land Use Planner

APPLICATION ID: # 51951

PROPOSAL: The applicant is proposing to place 7000 cubic meters of fill on the subject property. The existing organic soil would be stripped and stockpiled, and replaced after fill has been deposited. Completion of the fill project will facilitate the planting of blueberries on the subject property.

(Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

Owner: Balbir Singh Grewal and Amarjit Kaur Grewal
Date of Acquisition: October 26, 2004
Parcel ID: 013-335-391
Title No. BW491264
Legal Description: Parcel "D" (Explanatory Plan 10265), North West Quarter, Section 2, Township 16, New Westminster District
Civic Address: 34715 Farmer Road, Abbotsford
Size: 2.0 ha
Area in ALR: 2.0 ha
Current Land Use: Residence
Farm Classification: No
(BC Assessment)

SITE INSPECTION MEETING:

A site inspection meeting was conducted on October 3rd, 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 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.

Agricultural Capability

Based on the information contained in Map 92G/1c (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: O4W Improved Rating: (O3WL)

Note: These ratings cover the entirety (or 2.0 ha) of the subject properties.

The agricultural capability of the soil of the subject properties are:

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.

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

L degree of decomposition - permeability

W excess water

Site Specific Reports

The Commission considered the *Fill Placement Plan* (the "P.Ag Report") received with the application regarding the subject property.

Report Prepared By: Madrone Environmental Services Ltd.

Authors: Eryne Croquet, B.Sc., P.Ag. and Gordon Butt, M.Sc., P.Ag.

Date Prepared: June 29, 2011

The P.Ag. Report provided a description of the subject property, confirmed the agricultural capability and further explained that the subject property suffers from excess water limitations.

The P.Ag. Report overviewed soil management recommendations stating that “with the proper drainage and lime and fertilizer application” the soils on the subject property would be suited for a number of agricultural crops. The P.Ag. Report also outlined the fill placement proposal for the subject property.

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. Although the subject property is located along to the ALR boundary, the adjacent properties to the North and East are actively used for agriculture and as a result the Commission believes that there are no 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. During the site inspection, the Commission observed that the adjacent property to the North was actively producing blueberries. This adjacent property appeared to be at a lower elevation than the subject property, utilizing the drainage ditch between the two properties and successfully producing blueberries. The Commission believes, in this instance, the importation of soil would be inconsistent with the goal of preserving agricultural land and the proposal would negatively impact existing or potential agricultural use of surrounding lands.

The Commission did review the justification provided for soil deposition with the application. However, the Commission believes that the importation of soil should only be considered in situations where all other options, more specifically conventional drainage methods, to alleviate limitations to agricultural lands have been demonstrated to be unsuccessful. The deposition of soil should not be a primary method to remediate limitations to agricultural capability of recently cleared agricultural land.

DECISION:

IT WAS
MOVED BY: Commissioner Bert Miles
SECONDED BY: Commissioner Jim Johnson

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

- The land under application is suitable for agricultural use;
- The proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land; and,
- Although the P.Ag. Report addresses deficiencies to the agricultural capability of the subject property; soil deposition should not be a primary method to resolve these issues.

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 FINALLY 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 # 483/2011