



November 26, 2012

Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

ALC File: # 52178

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

Attention: Lee Mackenzie

Re: Application to Conduct a Non-Farm Use on Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution # 350/2012 as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly. The Commission draws your attention to sections 33(1) of the *Agricultural Land Commission Act*.

Section 33(1) of the *Agricultural Land Commission Act* provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

- 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.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Further correspondence with respect to this application should be directed to Eamonn Watson (Eamonn.Watson@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #350/2012

cc: City of Abbotsford (4520-55/SRP#1558)

EW/52178d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on September 20, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #52178.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Ron Wallace	Land Use Planner
Eamonn Watson	Land Use Planner
Brian Underhill	Executive Director
Colin Fry	Executive Director

PROPOSAL

To place fill to alleviate issues of topography, poor drainage and stoniness. An estimated 140,000 cubic meters of peat will be excavated and stockpiled. The excavated and other low-lying areas will then be backfilled with 250,000 of structural fill. The top 0.6 meters of the reclaimed soil profile will be comprised of 50% imported topsoil and 50% stockpiled peat. The maximum fill depth above current ground elevation would be 3 meters. The proposed fill is expected to improve the agricultural capability of the subject property from Class 4 and 5 to Class 1 and 2.

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

SITE INSPECTION

A site inspection was conducted on October 3, 2011 at the subject property. Those in attendance included Commissioner Pranger, ALC Staff Ron MacLeod and Eamonn Watson, Vic Korajian and Lee Mackenzie.

LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
 - (a) to preserve agricultural land;
 - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and

(c) 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.

COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. Site specific report prepared by Madrone Environmental Services Ltd., "*Proposed Fill Placement Project, 30129 Marshall Road Extension, Abbotsford*", dated August 13, 2012.

Conclusion: Although the site specific report indicates that the proposed placement of fill would provide improvements to the agricultural capability of the subject property, the Commission believes the use of 250,000 m³ of "structural fill" is excessive and not necessary to utilize the area for agricultural purposes.

2. The use of large volumes of fill to alleviate limitations to agricultural capability, such as topography and excess water.

Conclusion: The Commission does not believe that the placement of a large volume fill, especially structural fill, is an appropriate solution to limitations to agricultural capability. Farm land is not without its limitations, and as a result the Commission believes that the importation of large volumes of fill is inappropriate and inconsistent with the objectives of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Dyson
SECONDED BY: Commissioner Thibeault

THAT the request be refused.

CARRIED

Resolution #350/2012