



Agricultural Land Commission
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May 18, 2012

Reply to the attention of Eamonn Watson
ALC File: 52458

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

Dear Mr. Mackenzie:

Re: Application to deposit soil in the Agricultural Land Reserve, 29383 Maclure Road

Please find attached the Minutes of Resolution # **176/2012** outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosure: Minutes

cc: City of Abbotsford (4520-55/SRP#1640)

EW/52458d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 20, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

COMMISSION MEMBERS PRESENT:

Jennifer Dyson	Chair
Sylvia Pranger	Commissioner
Jim Johnson	Commissioner
Richard Bullock	Commissioner

COMMISSION STAFF PRESENT:

Brian Underhill	Executive Director
Gordon Bednard	Land Use Planner

APPLICATION ID: # 52458

PROPOSAL: Soil Change - Place Fill. The placement of 655,000 cubic metres of combined structural fill and topsoil to level the property to facilitate the planting of blueberries. Fill would be from 2-8 m deep over a 13.3 ha portion of the 16.6 ha subject property and the project would take 3 years.
(Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

Owner: Jerry Linden Wettstein
Date of Acquisition: December 23, 1986
Parcel ID: 005-790-786
Title No. Z235818E
Legal Description: South Half of the South East Quarter, Section 27, Township 13, Except: Firstly: West 60 Rods as Shown Red on Sketch Deposited in Absolute Fees Parcels Book Volume 10 Folio 671 as #587F; Secondly: Part on Plan 15227; Thirdly: Part Subdivided by Plan 20273, New Westminster District
Civic Address: 29383 Maclure Road, Abbotsford
Size: 16.6 ha
Area in ALR: 16.6 ha
Current Land Use: Formerly dairy production – currently grazing land
Farm Classification: Yes
(BC Assessment)

SITE INSPECTION MEETING:

A site inspection was not conducted; the Commission reviewed the file material and deemed it had sufficient information to make a decision regarding the application.

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/1d (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: 5:3TAW 3:4T 2:5W Improved Rating: (5:3T 3:4T 2:3DW)

Note: These ratings cover approximately 80% (or 13.3 ha) of the subject property.

Unimproved Rating: 7:5W 3:2TAW Improved Rating: (7:3DW 3:2T)

Note: These ratings cover approximately 20% (or 3.3 ha) of the subject property.

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
D undesirable soil structure
T topography
W excess water

Site Specific Reports

The Commission also considered the *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.

Authors: Victoria Stevens, B.Sc., A.Ag. and Gordon Butt, M.Sc., P.Ag., P.Geo.

Date Prepared: March 14, 2011

The P.Ag. Report provided information regarding the subject property, including a description of the soil, along with a description of the proposed soil deposition.

Although the P.Ag. Report explained that the proposed filling would improve the agricultural capability of the subject property; the Commission believes that the importation of soil should only be implemented in situations when other crop options have been demonstrated to be unsuccessful. The deposition of soil should not focus on the specific requirements of a singular crop, such as blueberries.

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 that 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 proposed soil deposition against the long term goal of preserving agricultural land. The Commission believes that the subject property is capable of being use for agriculture in its current state. As such, the Commission believes the proposal, in its entirety, would be inconsistent with the objectives of the *Agricultural Land Commission Act* to preserve agricultural land.

DECISION:

IT WAS

MOVED BY: Commissioner Jennifer Dyson

SECONDED BY: Commissioner Richard Bullock

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

- The land under application has agricultural capability and is appropriately designated as ALR;
- The land under application is suitable for agricultural use; and,
- The proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land and encourage farming.

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 # 176/2012
