



**Agricultural Land Commission**  
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March 22, 2012

Reply to the attention of Eamonn Watson  
ALC File: 52522

John Paul  
3911 Mt Lehman Road  
Abbotsford, B.C.  
V4X 2N1

Dear Sir:

**Re: Application for Non-Farm Uses in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 46/2012 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: 

Brian Underhill, Executive Director

Enclosure: Minutes

cc: City of Abbotsford, File: 3040-20/A11-011

MC/52522d1



## 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:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Jim Johnson	Commissioner

### COMMISSION STAFF PRESENT:

Martin Collins	Regional Planner
Eamonn Watson	Land Use Planner
Brian Underhill	Executive Director

### APPLICATION ID: #51725

**PROPOSAL:** To develop a commercial composting facility and soil mixing and sales facility on the 8.2 ha property. All the composting activity is proposed to take place on existing hard (debilitated) surfaces of this former dairy farm.

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

### PROPERTY INFORMATION:

#### PROPERTY 1

**Owner:** Matway Farms Ltd.  
**Date of Acquisition:** October, 2008  
**Parcel ID:** 005-071-801  
**Title No.** BB717425  
**Legal Description:** Lot 12, Section 1, Twp 14, DL's 45 & 407, Group 2, NWD, Plan 52711  
**Civic Address:** 5205 Bates Road, Abbotsford  
**Size:** 8.2 ha  
**Area in ALR:** 8.2 ha  
**Current Land Use:**  
**Farm Classification:**  Yes  No  
(BC Assessment)

### 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 1/d (Scale 1:25,000) of the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system, the agricultural capability ratings for the property are identified as being:

Unimproved Rating: O4W Improved Rating: (O3WL)

**Note: These ratings cover approximately 50% ( 4.2 ha) of the property.**

Unimproved/Improved Rating: 5:5T 3:7T 2:4T

**Note: These ratings cover approximately 50% (4 ha) of the property. Portions of this area are covered by structures. This is the area proposed for composting uses.**

### 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

The limiting subclasses are as follows:

O	Organic soil conditions
L	degree of decomposition - permeability
T	topography
W	excess water

## **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. The subject property lies in an agricultural area and surrounding farm properties are of similar size, and affected by similar soils and topography.

The Commission noted that the property was formerly used as a small dairy operation and contained many structures. It did not believe the presence of these structures alienated the use of the upland portion of the property for agriculture. This area could be used for greenhouse production or other types of livestock confinement agriculture. The Commission was also concerned that the lowland portion of the property was not being used for agriculture, and that the proposed composting use, if permitted, would become the dominant land use on the property.

## Assessment of Potential Impact on Agriculture

The Commission also assessed the impact of the proposal against its mandate of preserving agricultural land. The Commission appreciated that the production of Class A compost was permitted use in the ALR provided at least 50% of the compost measured by volume is used on the farm. The Commission was concerned that although the composting activity would only take place on lands that currently have limited cropping potential, the development of an industrial land use in the ALR would have a disruptive influence on adjoining and nearby farm parcels. It is the Commission's experience that non-farm activity has the effect of alienating nearby lands due to increased traffic, noise, odors (in the case of composting facilities) and heightened expectations. This is not to suggest that large scale farm operations cannot have similar impacts, only that industrial uses in the agricultural landscape changes the perspective about ALR land and attracts speculation that similar or complementary industrial activity could be expanded on the property (on much higher capability lands), or located on nearby ALR properties.

In addition the Commission was concerned that the industrial use would result in the ~4 ha portion of the property, that has good capability for soil based agriculture, would either be underutilized for agriculture, or come under pressure to be used for additional industrial composting purposes. The Commission believed the use of these high capability organic soils for composting would be inappropriate.

### Other Factors

The Commission noted that Abbotsford Council forwarded the application with a recommendation of support. The Commission recalled allowing a similar composting proposal in 2010 in the City Abbotsford (file 51710) but was unaware how this facility complemented, or competed with, the proposed facility. The Commission recognized that there may be pressures in the community to address the disposal/conversion of confinement livestock manure and other "green" municipal waste into useable soil amendment product(s). This issue warrants further analysis as to the scale of waste streams, current disposal methods, and a regional consensus about how and where animal (and other "green") waste nutrients should be handled and applied.

The Commission believed that this composting activity could be undertaken within an industrial area, and did not necessarily have to be located within the ALR

### CONCLUSIONS:

1. That the property under application has agricultural capability, is appropriately designated as ALR and is suitable for agricultural use.
2. That the proposal has potential to negatively impact agriculture.
3. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

### IT WAS

**MOVED BY:** Commissioner Jennifer Dyson  
**SECONDED BY:** Commissioner Jim Johnson

THAT the application be refused on the grounds that composting can be located on lands outside the ALR.

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 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 #46/2012**