



Agricultural Land Commission

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December 6, 2011

Reply to the attention of Tony Pellett
File #52538

Ministry of Transportation & Infrastructure
Pacific Gateway Branch
PO Box 9850 STN PROV GOVT
VICTORIA BC V8W 9T5

Attention: Brad Glazer, Senior Project Manager

Re: Mufford / 64 Avenue at Highway 10 Project

The Provincial Agricultural Land Commission wishes to thank you and your team for the effort to conduct a thorough analysis and collaborative consultation leading to submission of the application to dedicate and construct the Mufford Crescent overpass and the associated modifications to Glover Road and that part of 64 Avenue lying between Glover Road and 216 Street.

Attached you will find the Commission's decision on the application. The Commission looks forward to further collaboration as the project goes forward.

Yours truly

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read 'Richard Bullock', is written over a thin horizontal line.

Richard Bullock, Chair

TP/
52538d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 24, 2011 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
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Tony Pellett	Regional Planner
Eamonn Watson	Land Use Planner
Brian Underhill	Executive Director
Colin Fry	Executive Director

APPLICATION ID: 52538

PROPOSAL: Replace Mufford Crescent level crossing with overpass of Roberts Bank Rail Corridor, and complete associated modifications to Glover Road and to that part of 64 Avenue between Glover Road and 216 Street

Submitted pursuant to section 6 of BC Regulation 171/2002 (ALR Use, Subdivision and Procedure Regulation)

PROPERTY INFORMATION: See Appendix 'A'

PROPERTY OWNER INFORMATION: See Appendix 'B'

Earlier in the day the Commissioners noted above met with representatives of the Roberts Bank Rail Corridor Program (BCRCP). Attending on behalf of the BCRCP were:

Brad Glazer	Senior Project Manager, Pacific Gateway Branch
Ross Coates	Project Manager, Mufford/64 th Avenue at Highway 10 Project
Dave Wood	Property Negotiator
Pat Brisbin, P.Ag.	Project Agrologist
Marni Fedoruk	Pacific Gateway Branch

The presenters, Brad Glazer, Ross Coates, Dave Wood and Pat Brisbin supplied paper copies of their presentation, then gave a detailed presentation of the rationale and expected impacts (positive and negative) of the proposed overpass and modified road alignments. They explained the collaborative procedure they had followed and outlined some of the next steps emphasizing the desirability of proceeding quickly with Mufford Crescent preloading.

COMMISSION CONSIDERATION:

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

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are generally interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

In his presentation, Agrologist Pat Brisbin explained that although the BC Land Inventory assigns improved ratings as high as Class 1, the lack of irrigation potential will not allow the land to be improved higher than Class 2. Most of the land under application can be improved or has already been improved to Class 2D.

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

Subclass

D undesirable soil structure (recognizing that the topsoil is underlain by desiccated clay)

Assessment of Potential Impact on Agriculture

The Commission assessed the impact of the proposal against the long term goal of preserving agricultural land. The proposed project would alienate ± 7 ha of farmland, but the proposed drainage improvements would allow increased agricultural production. In balance, the Commission believes the proposal would not have a negative impact on existing or potential agricultural use of lands in the affected area.

Other Factors

The Commission took note that there are no realistic prospects for relocation of Roberts Bank rail traffic away from the existing Roberts Bank Rail Corridor and that decisions made prior to the designation of the Agricultural Land Reserve have led inexorably to the current situation in which first, it is urgently necessary in the broader public interest that an east-west grade separation of the corridor be provided near the north border of Langley City and second, all other options have been examined and no reasonable alternatives have been found. By a decision process recorded as Resolution #2676/2010, the previous ALR application (#O-38498) failed to gain Commission approval. With regard to the current application the Commission noted the proposed road alignments occupy less land and result in fewer farm severances than the previously proposed alignments.

The Commission believes the current proposal is vastly superior to the previous proposal as it accommodates the much needed grade separation over the railway while at the same time minimizing the impact to the ALR. Moreover, the Commission commends the proponents for factoring in the importance of preserving agricultural land when developing the latest proposal.

CONCLUSIONS:

1. That the Roberts Bank Rail Corridor predates the ALR;
2. That there are no other reasonable alternatives for providing the much needed grade separation over the rail corridor to serve the essential safety improvement; and
3. That when implemented, the proposed drainage improvements will maintain and improve the agricultural potential of the affected farmland despite the loss of 7.1 ha.

IT WAS

MOVED BY: Commissioner Pranger

SECONDED BY: Commissioner Dyson

THAT the application be approved as submitted;

AND THAT the approval be subject to the following conditions:

- Topsoil removed to allow preloading or to enhance agricultural drainage shall remain on the property from which it was taken except that where the owner does not wish to retain the topsoil its disposition shall be at the discretion of Agrologist Pat Brisbin subject to periodic reporting to the Commission;
- Where only a small remnant of property remains after acquisition of land for the project, that remnant must be consolidated, or held for consolidation, with one or more adjacent parcels;
- In all other matters related to achieving the intended result of the project, the collaborative approach exhibited thus far should be followed and must be reported to the Commission on a regular basis.

This decision does not relieve the manager or managers of the project of the responsibility to comply with applicable Acts, regulations, relevant bylaws of the local government, or decisions or orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 419/2011