



Agricultural Land Commission
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www.alc.gov.bc.ca

January 10, 2013

ALC File: #52977

A & P Fruit Growers Ltd.
390 Mount Lehman Road
Abbotsford, BC
V4X 2L4

Attention: Sukhminder Bath

Re: Application to Place Fill on Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #429/2012 as it relates to the above noted application.

Further correspondence with respect to this application is to 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 horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #429/2012

cc: City of Abbotsford (4520-55/SRP#1705)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 22, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #52977.

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

COMMISSION STAFF PRESENT:

Eamonn Watson	Land Use Planner
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PROPOSAL

The applicant is proposing the placement of structural soil and topsoil on the subject property over an area where agricultural buildings were removed to facilitate the planting of additional berries. City of Abbotsford staff calculated the approximate area to be 1 ha and the required volume of fill to be approximately 8,000 m³ to an approximate depth of 1 metre.

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

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. To assess the agricultural capability of the subject property, the Commission referred to BC Land Inventory (BCLI) mapping, 'Land Capability Classification for Agriculture in B.C.'

system. The improved agricultural capability rating applicable to the subject property is primarily:

Class 1 – Land in this class either has no or only very slight limitations that restricts its use for the production of common agricultural crops.

Conclusion:

The subject property is comprised of land with good agricultural capability.

2. The use of fill to rehabilitate an area of the subject property that previously was the site of agricultural buildings.

Conclusion:

Despite the commencement of this rehabilitation prior to receiving the appropriate authorization, the Commission believes in this instance the use of fill to rehabilitate the former building area is acceptable.

IT WAS

MOVED BY: Commissioner Bullock
SECONDED BY: Commissioner Gillette

THAT the request be approved as proposed subject to the following conditions:

- Fill may only be placed within the area of the subject property where the agricultural buildings were removed;
- Filling and associated activities must be completed within six (6) months from the date of the decision letter communicating this decision;
- Fill material must be of a good agricultural quality and be free of contaminants;
- No soil material is to be removed from the subject property; and
- The submission of a closure report prepared by a qualified professional upon completion of the project that assesses the agricultural capability of the filled area, the final area, depth and volume of fill and the agricultural quality of the imported fill material.

AND FINALLY THAT this decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution #429/2012