



Agricultural Land Commission
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January 2, 2014

ALC File: 53236

Dale Anderlini and Ben Anderlini
955 – 248th Street
Langley, BC
V4W 2B8

Dear Messrs. Anderlini:

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

Please find attached the Minutes of Resolution #351/2013 as it relates to the above noted application.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which 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 is to be directed to Eamonn Watson (Eamonn.Watson@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #351/2013

cc: Township of Langley (Folder No.:SO000883), Attention: Mike Morin

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 27, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53236.

COMMISSION MEMBERS PRESENT:

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

COMMISSION STAFF PRESENT:

Eamonn Watson	Land Use Planner
Colin Fry	Executive Director

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

To place 28,575 m³ of fill on three (3) distinct areas of the subject property totaling approximately 3.8 ha for the purposed of developing a vineyard and/or hops production.

PROPERTY INFORMATION:

Owner: Benjamin Edward Anderlini

Legal: PID: 013-291-530
North Half of the South Half of the South East Quarter, Section 10, Township 10,
Except: South 25 Links, New Westminster District

Location: 955 – 248th Street, Langley

Size: 16.2 ha

SITE INSPECTION

The Commission initially reviewed the application during its meeting on October 2, 2013 following which a site visit was schedule to inform its review of the proposal.

A site inspection of the subject property was conducted on November 5, 2013. Those in attendance included the Commissioner Pranger, Eamonn Watson (ALC Land Use Planner) and Dale Anderlini (Agent).

Mr. Anderlini escorted a tour of the subject property, specifically the three (3) areas where soil deposition is proposed. In addition, Mr. Anderlini showed the recently planted hops located north of the farm buildings and residence on the subject property. The importation of soil is intended to aid the expansion of hops production on the subject property.

Section 14(2) of the *Agricultural Land Commission Act* provides that a member of the Commission who was not present at a meeting to determine an application or other matter may vote on the application or matter only if a summary of the meeting is given to the member before the vote. Commissioner Pranger gave a verbal summary of the site inspection to all Commission members recorded above.

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

The improved agricultural capability ratings identified on BCLI map sheet 92G.008 for the subject property are Class 3 and Class 4.

Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

The limiting subclasses associated with this parcel of land are A (soil moisture deficiency), D (undesirable soil structure), T (topography) and W (excess water).

Conclusion:

The subject property has good agricultural capability and in its present size, could support a range of crops. Although the BCLI land capability and the site inspection both indicate some limitations to the agricultural capability of the subject property, agricultural land is generally not without limitation. No evidence was provided to the Commission that would

suggest other agricultural practices (drainage, ditching, leveling, etc.) have been utilized or shown to be ineffective to alleviate these issues.

2. The use of imported soil to address agricultural limitations that could potentially be addressed using other agricultural land management practices.

Conclusion:

Although the Commission supports the further development of the subject property for agricultural production, there did not appear to be any utilization of, or investigations into, other practices that could alleviate or mitigate limitations on the subject property related to excess water.

IT WAS

MOVED BY: Commissioner Thibeault

SECONDED BY: Commissioner Gillette

THAT the request to place 28,575 cubic metres of fill on the subject property be refused.

CARRIED

Resolution #351/2013