



# City of Richmond

Schedule 1 to the Minutes of the  
General Purposes Committee  
Meeting of Monday, January 21,  
2013.

TO: MAYOR & EACH  
COUNCILLOR  
FROM: CITY CLERK'S OFFICE

Michelle Jansson

**Memorandum**  
Law & Community Safety Department

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**To:** Mayor and Council  
**From:** Phyllis L. Carlyle  
General Manager, Law and Community Safety  
**Re:** Fill Deposit Activities at 9360 Finn Road  
**Date:** January 21, 2013  
**File:**

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In regards to recent events surrounding fill deposit activities at 9360 Finn Road, please find attached documents for your review:

- Agricultural Land Commission Document:  
*Re: Importation of Fill – 9360 Finn Road, Richmond*
- Letter from McTavish Resource & Management Consultants Ltd.
- Drawing: *Location of All Weather Access Road 9360 Finn Road, Richmond, BC*

Please feel free to contact me with any questions or concerns.

Sincerely,

Phyllis L. Carlyle  
General Manager, Law and Community Safety

PLC:sf

pc: George Duncan, CAO



**Agricultural Land Commission**

133 – 4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

January 18, 2013

ALC File: 49945

CANADA FUTURE INVESTMENT CO. LTD.  
1825 FOSTER AVENUE  
COQUITLAM, BC, V3J 7K8  
(Delivered by Registered Mail)

BILL JONES HORTICULTURE INC.  
308 – 8171 COOK ROAD  
RICHMOND, BC, V6Y 3T8  
(Delivered by Personal Service)

Dear Sirs:

**Re: Importation of Fill – 9360 Finn Road, Richmond**

In my capacity as Compliance and Enforcement Officer for the Agricultural Land Commission (the "ALC"), I have conducted investigations in relation to various complaints submitted to the ALC with respect to activities being conducted at the property located at 9360 Finn Road, Richmond.

Based on my investigations to date, I have determined the following:

1. Canada Future Investment Co. Ltd. (Incorporation No. 0633844) is the registered owner of 9360 Finn Road, Richmond which is situated in the Agricultural Land Reserve (ALR). The property is legally described as ~~legally described as:~~

PID: 003-593-118

Lot 6, Except: Firstly: Part Subdivided by Plan 41056; Secondly: Part Subdivided by Plan 80324; Section 15, Block 3 North, Range 6 West, New Westminster District, Plan 38989

(Hereinafter referred to as the "Property")

2. Minde Jiang, Tingtian Jiang, Xingjun Xu are listed as directors of Canada Future Investment Co. Ltd.
3. The Property is leased to Bill Jones Horticulture Inc. (Incorporation No. 0934976).
4. William Jones and David Johnston are listed as directors of Bill Jones Horticulture Inc.
5. Mr. Jones has also been authorized by Tingtian Jiang to act as agent on behalf of Canada Future Investment Co. Ltd. for all issues dealing with the land preparation of the Property to support nursery production.
6. Following an inspection of the Property, including the farm road currently under construction, I note that the road is being constructed with concrete and asphalt debris.

7. That a farm development plan has been prepared by the Mr. Bruce McTavish, P.Ag. of McTavish Resource & Management Consultants Inc. dated October 25, 2012 (the "Plan").

Based on the foregoing information and information submitted in the Plan, the current activities relating to the construction of the farm access road on the Property do not conform to the Plan which was uses as the basis for assessing whether or not the proposed land preparations were consistent with the *Act* and/or *Regulations*.

Furthermore, the use of concrete and asphalt debris is inconsistent with other agricultural guidelines and construction practices, such as those set by the BC Cranberry Growers' Association and Ministry of Environment's guidelines for the use of recycled concrete and asphalt within the agricultural context.

ACCORDINGLY, PURSUANT TO SECTION 50 OF THE ACT, I HEREBY ORDER THAT YOU AND YOUR AGENTS, REPRESENTATIVES, EMPLOYEES AND ANY OTHER PERSONS ACTING ON YOUR BEHALF, TO IMMEDIATELY CEASE ALL ACTIVITIES ASSOCIATED WITH THE IMPORTATION AND DEPOSITION OF FILL MATERIALS, ON THE PROPERTY.

In conclusion, I draw your attention to section 55 of the *Agricultural Land Commission Act* which provides you with the ability to appeal this order. **A notice of appeal must be delivered to the Commission not more than 60 calendar days after the written determination, decision, order or penalty is personally served.** I have enclosed a copy of the Commission's *Practice Directives* regarding appeals. Please note that the 60 day appeal period does not relieve you of the responsibility to comply with the terms of this order.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Thomas Loo  
Agricultural Compliance and Environment Officer

TL/  
File#49945\_SWO\_FinnRd



**McTAVISH  
RESOURCE & MANAGEMENT  
CONSULTANTS LTD.**

January 19, 2013

Agricultural Land Commission  
133 – 4940 Canada Way  
Burnaby, B.C. V5G 4K6

Re: 9360 Finn Road, Richmond, B.C.  
Lot 6 Except: Part Subdivided by Plan 41056; Secondly; Part Subdivided by Plan  
80324; Section 15, Bloc 3 North, Range 6 West, New Westminster District, Plan  
38989.

(Hereinafter referred to as the property)

ALC File: 49945

Attn: Thomas Loo  
Enforcement Officer

Based on the meeting with yourself and Colin Fry on January 18, 2013; Bill Jones Horticulture Inc. the farm lessee (Incorporation # 0934976) fully agrees to the following actions which will take place as soon as possible to remediate the road that is under construction on the property.

- a) The existing road will have the material pulled back and all asphalt, metal, or any other non concrete or gravel material removed and stockpiled in the farm yard adjacent to the existing barn,
- b) Asphalt will be processed in the farm yard area, and broken into pieces that are approximately 3/4 inches or smaller and used only for road surfacing,
- c) Any metal or other material not appropriate for road construction will be removed from the site to an appropriate disposal facility,
- d) Concrete will be broken into pieces that will typically be 18 inches (46cm) minus and placed at the base of the road on the subsoil following the BC Ministry of Agriculture Guidelines for Cranberry Berm Construction.<sup>1</sup>

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<sup>1</sup> BC Ministry of Agriculture and Lands, December 2006 Order No. 820.200.1 Strengthening Farming Factsheet. Guidelines for Farm Practices Involving Fill. Page 6 of 15.



Furthermore Bill Jones Horticulture Inc. agrees that:

All road construction on the property will be consistent with the direction given by the Agricultural Land Commission during our meeting of January 18, 2013. This direction is; that the all weather access road that is under construction be consistent with The BC Ministry of Agriculture Guidelines titled "Guidelines for Farm Practices Involving Fill" specifically page 6 of 15 section V, description of berm and road building for Cranberries which states: "*The berm profile typically consists of a layer of soil/woodwaste/structural fill at the bottom, topped with an optional geotextile fabric, followed by an 45 cm layer of coarse material (e.g. rock or broken concrete), and then topped with a 15 cm layer of fine material (e.g. crushed rock (e.g. ¾ inch minus or ground asphalt).*"

And section VI which states that:

*"Fill placed 6 metres wide and up to 60 cm deep would be typically suitable for other types of farm roads. The length and location of the road would vary depending on the site."*

The remediation work and further road construction will be closely monitored by Bruce McTavish, P.Ag., RPBio to ensure that the activities taking place are compliant with all requirements of the Agricultural Land Commission and consistent with the BC Ministry of Agriculture Guidelines as referenced in this document.

Regards,



Bruce McTavish P.Ag., RPBio.

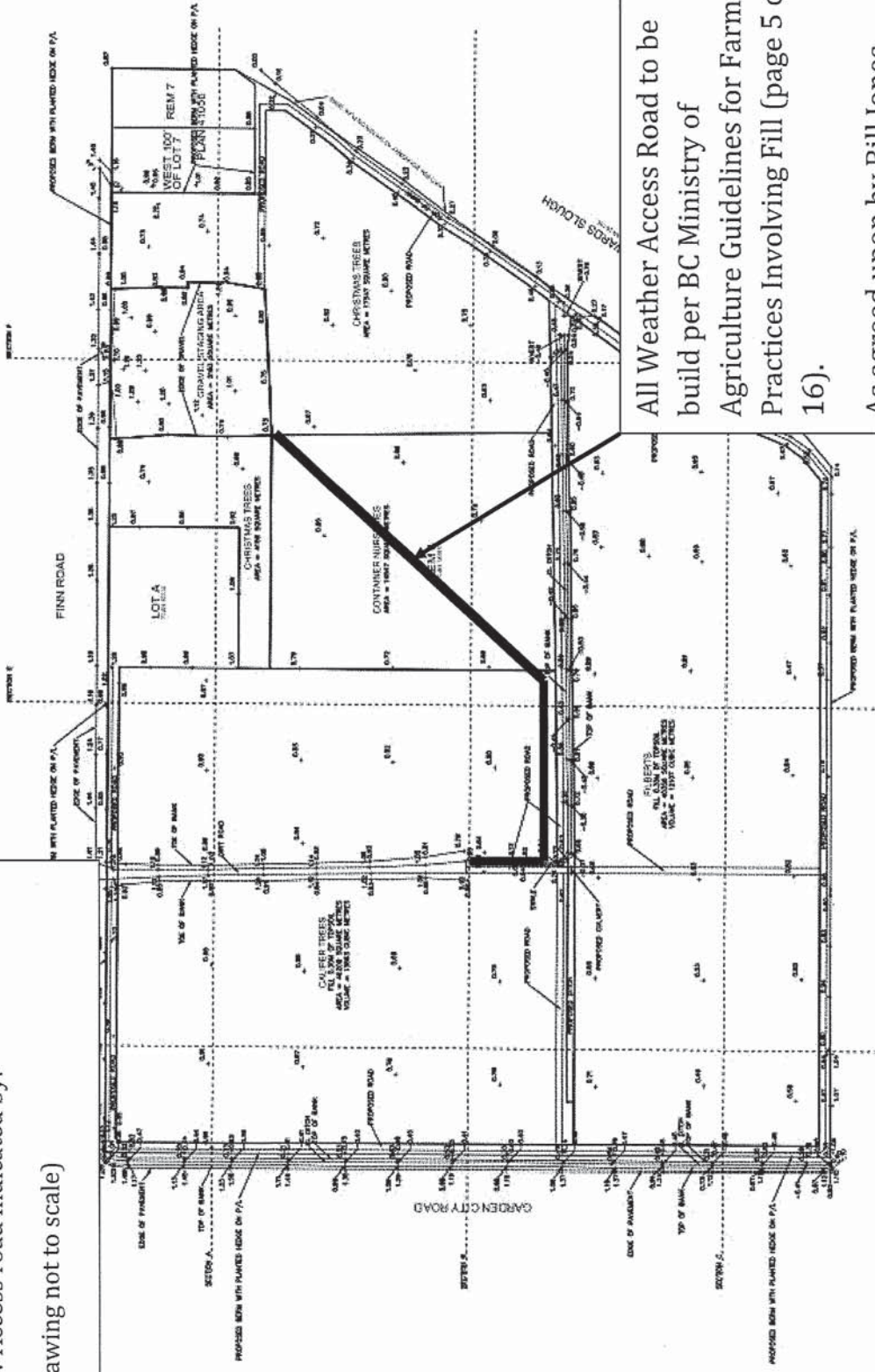
CC Colin Fry, Executive Director Agricultural Land Commission  
Bill Jones, President of Bill Jones Horticulture Inc.



Location of All Weather Access Road  
9360 Finn Road, Richmond, B.C.

New Access road indicated by: **—**

(Drawing not to scale)



All Weather Access Road to be build per BC Ministry of Agriculture Guidelines for Farm Practices Involving Fill (page 5 of 16).

As agreed upon by Bill Jones Horticulture Inc. and the Agriculture Land Commission in the meeting of January 18, 2013.