



Agricultural Land Commission
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October 11, 2005

Reply to the attention of Gordon Bednard

Mary Jane Silverman
2487 - 224 St.
Langley, BC - V2Z1P5

Dear Madam:

Re: Application #O-36234

PID: 013-261-509

South Half of the South Half of the South East Quarter Section 19, Township 10,
Except Part Subdivided by Plan 42428, New Westminster District

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to place 15-20,000 cubic metres of fill material (clay and topsoil) on a 1.5 ha area of the above property. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*.

Due to scheduling difficulties, the Commission was unable to meet with your agent at the property, however, with the permission of Mr. Hall, the Commission walked the area under application on the eastern end of your lot which was readily accessible.

It was noted that while there may have been agriculture practiced on the property in the past, it was apparent that little agricultural use was presently underway. The Commission considered that the property was essentially flat in the area proposed for fill placement and there appeared to be ample opportunity to move existing soils around on the property to address any need to eliminate minor undulations. It was also noted that you have proposed no specific agricultural development which would require the filling of any portion of the land.

For these reasons, the Commission refused your application as proposed. While refusing the present application, please note that the Commission would reconsider the application upon receipt of a report from a professional agrologist detailing the agricultural need for the fill placement, the benefit to the overall agricultural utility of the property which would be realized by the fill placement, and proposing a placement, monitoring and security schedule which would assure the Commission that some agricultural benefit would be derived from the project.

The decision noted above is recorded as Resolution # 518/2005.

Yours truly,
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:


Erik Karlsen, Chair

cc: Township of Langley Attn: Phil Lemay file# SO000342
Tyan Construction Ltd Attn: Bryan Hall, #201-6270-205th St., Langley V3A 4P7
GB/lv/36234d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on September 15, 2005 at Richmond, B.C.

PRESENT: Peter Dhillon Chair
 Carol Paulson Commissioner
 Walter Dyck Commissioner

STAFF: Gordon Bednard, Regional Research Officer
 Tony Pellett, Planner

For Consideration

Gordon Bednard presented a staff report prepared by Simone Magwood dated September 1, 2005 regarding application #O- 36234.

Site Inspection

A site inspection was conducted on September 14, 2005. Those in attendance were:

- Commissioners Dhillon, Paulson, & Dyck
- Agricultural Land Commission Staff: Gordon Bednard, Regional Research Officer and Tony Pellett, Planner

As the Commission was early in getting to the site, neither the applicant nor the agent were available for discussion of the application. The Commission did, however, tour the area proposed for fill placement which was readily accessible at the front of the property. It was noted that while there may have been agriculture practiced on the property in the past, it was apparent that little agricultural use was presently underway.

Commission Discussion

The Commission considered that the property was essentially flat in the area proposed for fill placement and there appeared to be ample opportunity to move soils around on the property to address any need to eliminate minor undulations. It was also noted that the applicants have proposed no specific agricultural development which would require the filling of any portion of the land.

IT WAS

MOVED BY: Commissioner Carol Paulson

SECONDED BY: Commissioner Walter Dyck

THAT the staff report be received and the application be refused. The Commission would reconsider the application upon receipt of a report from a professional agrologist detailing the agricultural need for the fill placement, the benefit to the overall agricultural utility of the property which would be realized by the fill placement, and proposing a placement, monitoring and security schedule which would assure the Commission that some agricultural benefit would be derived from the project.

CARRIED

Staff Report
Application # O – 36234 – 0
Applicant: Mary Jane Silverman
Agent: Tyan Construction Ltd.

DATE PREPARED: September 1, 2005

TO: Chair and Commissioners – South Coast Panel

FROM: Simone Magwood, Regional Research Officer

PROPOSAL: To place 15 000 m³ - 20 000 m³ of fill on 1.5 ha of the 13.3 ha property.

This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The applicant is applying to place clay topped with topsoil over 1.5 ha of the 13 ha property to a depth of 1-2m. It is expected that the project will take a year. There is no specific agricultural benefit to the proposal listed. The applicant states that the property currently undulates and the fill will result in a more consistent contour.

Local Government:

Township of Langley

Legal Description of Property:

PID: 013-261-509

South Half of the South Half of the South East Quarter Section 19, Township 10, Except Part Subdivided by Plan 42428, New Westminster District

Location of Property:

2487 - 224th Street, Langley

Size of Property:

13.3 ha (The entire property is in the ALR).

Present use of the Property:

Vacant

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/2(a)
The majority of the property is identified as having Prime Dominant ratings.

PREVIOUS APPLICATIONS:

Application #17399-0

Applicant: Silverman, Mary Jane
Decision Date: March 7, 1984
Proposal: To construct a new residence and to retain the existing house for farm help.
Decision: Refused on the grounds that the Commission wished to maintain maximum agricultural options for the property, including soil and non-soil bound uses. It was felt the additional dwelling would prove to be detrimental to the property as the size and nature of the farm operation did not warrant full-time farm help.

Application #17399-1

Applicant: Silverman, Mary Jane
Decision Date: June 04, 1984
Proposal: See above
Decision: That the request to retain the existing two bedroom dwelling as accommodation for a horse trainer/farm help on the subject property be allowed. If, in the event the dwelling ceases to be occupied by a tenant who is involved in the Silvermans' farm operation, the dwelling must then be either destroyed or removed from the subject property.

STAFF COMMENTS:

Staff recommend a site visit to determine if there is an agricultural benefit to this proposal.

END OF REPORT

Signature

Date

Sept 2/05