



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

March 14, 2006

Reply to the attention of Gordon Bednard

Matcon Civil Constructors Inc.
4481 - 232nd Street
Langley, BC V2Z 2S2

Dear Sirs:

Re: Application # O - 36190
North East 1/4 of North West 1/4, Section 10, Township 10,
New Westminster District

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to deposit up to 65 000 m³ of fill on the 3.8 ha property. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on September 14, 2005 at the property. The Commission found the meeting and site visit informative. The Commission also appreciates receipt of a drainage plan for the property which addressed concerns regarding water management on the land following fill placement.

The Commission writes to advise that it approved your application subject to:

- the project must adhere to the operational conditions as outlined in the rehabilitation report prepared by C&F Land Use Consultants dated July 22, 2005;
- the project must be supervised by a qualified registered professional who must submit yearly reports (on the anniversary date of this letter) to the Commission regarding the work accomplished and planned, and listing any deficiencies which should be addressed by the operator;
- a final closure report must be submitted to the Commission attesting to the completion of the project as per the outcomes specified in the rehabilitation report;
- the drainage plan as described in the report prepared by C&F Land Use Consultants dated January 11, 2006 must be implemented during the term of the project, and be fully functional at closure;
- the project must be completed within 4 years from the date of this letter as outlined in the above rehabilitation plan;
- a security in the form of an irrevocable letter of credit, to the benefit of the Agricultural Land Commission, in the amount of \$200,000, must be received by the Commission prior to the commencement of any fill activity on the property and is intended to ensure the above conditions are met to the satisfaction of the Commission;
- compliance 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. The Commission suggests you contact the Township of Langley at your earliest convenience.

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The decision noted above is recorded as Resolution # **60/2006**.

Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Township of Langley Attn: Phil Lemay
Sangha Gurbaksh, 16282 - 96th Avenue, Surrey, BC V4N 2C1

GB/lv/Encl. - rehabilitation and drainage plans
36190d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on February 2, 2006 at Langley, B.C.

PRESENT: Carol Paulson Commissioner
Walter Dyck Commissioner

ABSENT: Peter Dhillon Chair

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

For Consideration

Gordon Bednard presented his staff report dated August 31, 2005 regarding application #O-36190.

Also presented were letters from neighbours and others objecting to the proposed fill operation, a proposed drainage plan, and the site rehabilitation plan.

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
- M. Miller and R. Herbert – Matcon
- P. Albrecht, C. Roberts, P. LeMay – Township of Langley
- Sanga, Harchan and Jaswant Gurbaksh - Owners

The Commission viewed the property and discussed the proposal with the applicants, their agents and representatives from the Township.

Commission Discussion

The Commission considered that if the project was carried out under the supervision of a qualified registered professional, followed the procedures and practices outlined in the rehabilitation report as submitted September 14, 2005, and received the benefits of the installation of drainage as per the report submitted January 11, 2006, there would be an increase in the overall agricultural utility of the land. To ensure that the project proceeds as planned, the Commission felt it prudent to require a security in the amount of \$200,000 to be posted with the Commission as an Irrevocable Letter of Credit.

IT WAS

MOVED BY: Commissioner Walter Dyck

SECONDED BY: Commissioner Carol Paulson

THAT the staff report be received and the application be approved as above. This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED

Staff Report
Application # O – 36190 – 0
Applicant: Sangha Gurbaksh
Agent: Matcon Civil Constructors Inc.

DATE PREPARED: August 31, 2005

TO: Chair and Commissioners – South Coast Panel

FROM: Simone Magwood, Regional Research Officer

PROPOSAL: To deposit 65 000 m³ of fill on the 3.8 ha property. The proposed depth of fill varies from 0 – 2.0 m.

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

BACKGROUND INFORMATION: (Aug 2005)

The project is proposed to last for 2-3 years. The applicant submitted an agrologist report with the application and the following information is taken from the report. The site is forested and does not appear to have been cultivated for at least 50 years. A portion of the property in the NE corner was subject to gravel extraction in the past and has not been rehabilitated. The proposal is to clear the property and rehabilitate the site by filling with soil fill and imported topsoil to raise the ground and provide improved drainage.

The plan for the site is outlined as follows:

1. The site will be cleared and the native topsoil layer will be stripped and stockpiled on site. The estimated volume of native topsoil is 12 000 m³.
2. Imported clean fill will be used to develop a subgrade allowing the grade to be raised and provide a gentle 5% slope for drainage. The subgrade will be established at an elevation 60cm below the proposed final grade.
3. Clean topsoil will be used to blend the native soil and establish a growing medium on the surface at least 60 cm in depth. The plan for the site is for the final agricultural capability to be Class 4A unimproved which could be improved to Class 2A with irrigation.

The application also included a timeline which states that the work will be carried out in two phases of approximately 1.6 ha in size and that rehabilitation shall be substantially completed on the first phase before commencing work on the second phase.

The application states that a perimeter drainage ditch or swale will be constructed at all points necessary to control drainage water originating from the filled area and the remainder of the property during and after the work is completed. Ditches and swales shall discharge into adequate settling ponds or soak-aways so as to prevent silty water leaving the site, discharging into the existing ditches or promoting erosion.

The intended final use of the property is as an active farm operated by the owner as a tree farm.

Local Government:

Township of Langley

Legal Description of Property:

PID: 024-157-627

North East 1/4 of North West 1/4, Section 10, Township 10, New Westminster District

Location of Property:

24100 block of 16th Avenue, Langley

Size of Property:

3.8 ha (The entire property is in the ALR)

Present use of the Property:

Forested

Surrounding Land Uses:

WEST: Residential (ALR)
SOUTH: Residential (ALR)
EAST: 242nd Street (ALR)
NORTH: 16th Avenue (ALR)

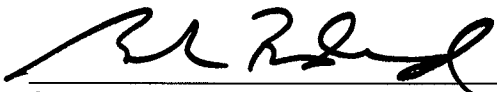
Agricultural Capability:

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

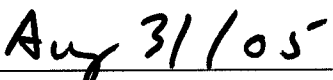
PREVIOUS APPLICATIONS:

Application #27045-0
Applicant: Township of Langley
Decision Date: October 22, 1992
Proposal: Fill application
Decision: Allowed

END OF REPORT



Signature



Date