



Agricultural Land Commission
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May 27, 2008

Reply to the attention of Ron Wallace
ALC File: O-37992

Serjit and Belbindar Gill
3948 - 272 Street
Aldergrove, BC V4W1R7

Dear Sir/Madam:

Re: Application to Deposit Fill Within the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 287/2008 outlining the Commission's decision as it relates to the above noted application.

The Commission makes note of the unauthorized fill that has occurred prior to its approval. It does not condone this illegal activity and should any additional unauthorized fill occur, the Compliance and Enforcement staff within the Commission will be notified to rectify the situation.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: Township of Langley (SO000319)

Enclosure: Minutes



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on April 10, 2008 in Langley, B.C.

PRESENT:	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	Ron Wallace	Staff
	Tony Pellett	Staff

Absent

Commissioner John Tomlinson was absent from the site inspection and meeting.

For Consideration

Application: # O- 37992
Applicant: Serjit and Belbindar Gill
Proposal: To deposit fill (clay and top soil over ±0.28 ha of the subject property in order to level low lying areas that are subject to standing water. The proposal is to add approximately 2800 cubic meters of fill to make the site more productive for blueberries.
Legal: PID: 013-343-475
Parcel A, North 1/2, North West 1/4, Section 29, Township 13, Reference Plan 7451, New Westminster District, EXCEPT Parcel "One" (Reference Plan 15278)
Location: 3948 - 272 Street, Aldergrove

Site Inspection

A site inspection was conducted on April 10, 2008. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- Ron Wallace Staff
- Tony Pellett Staff
- Serjit Gill Applicant

The Commissioners noted there has been a history of illegal filling occurring on the property as reported by the Township of Langley. The applicant indicated that he had already added the fill (top soil) over approximately 0.3 ha of the subject property for the purposes of expanding his blueberry farm.

The Commissioners expressed their concern that filling was done without authorization and that no further fill should occur without its authorization.

Discussion

Assessment of Agricultural Capability

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land

Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Subclasses

D undesirable soil structure
T topography
W excess water

Assessment of Agricultural Suitability

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission noted from the onsite that the proposed filling had already occurred prior to its approval. The Commission was prepared to accept the filling that has occurred to date as it appears to have improved the site for blueberry production.

However, the Commission stressed that it does not condone the unauthorized fill that has occurred prior to its approval. The Commission will not accept any more unauthorized filling of the property and should this occur, the Compliance and Enforcement staff within the Commission will be notified to rectify the situation.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposed fill will improve the subject area for agriculture.

IT WAS

MOVED BY: Commissioner Bose

SECONDED BY: Commissioner Pranger

THAT the application be allowed to retain the existing fill that has been applied to the subject property. The Commission will not accept any more unauthorized filling of the property.

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Application # O-37992

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 # 287/2008