



**Staff Report**  
**Application # O – 38651**  
**Applicant: Jang and Satwinder Dhaliwal**

**DATE RECEIVED:** November 19, 2008

**DATE PREPARED:** January 14, 2009

**TO:** Chair and Commissioners – South Coast Panel

**FROM:** Ron Wallace, Land Use Planner

**PROPOSAL:** The subject property totals approximately 7.9 ha and the field has recently been re-graded and is unused, in preparation for blueberries. The application is to process a Stop Work Order that was placed on the property August 13, 2008. The applicant states that the 3 loads of illegal fill were dumped on the property without his knowledge.

This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

A relatively small amount of fill material has been illegally added to the property. No professional report has been prepared for this application.

It should be noted that Bertrand Creek, a fish bearing creek, traverses the property. The Department of Fisheries and Oceans sent a letter to the owner of property owner indicating that the filing is in violation of the federal Fisheries Act and that it is critical that recently deposited soils be removed.

**Local Government:**

The Corporation of the Township of Langley

**Legal Description of Property:**

North East  $\frac{1}{4}$  of the North West  $\frac{1}{4}$  Section 12, Township 10, New Westminster District,  
EXCEPT Firstly: West  $\frac{1}{4}$ , Secondly: East  $\frac{1}{4}$

**Purchase Date:**

2007-06-18

**Location of Property:**

25928 - 16th Avenue, Langley.

**Size of Property:**

7.9 Ha (The entire property is in the ALR).

**Present use of the Property:**

A vacant field in preparation for blueberry plants.

**Surrounding Land Uses:**

**WEST:** Cow pasture  
**SOUTH:** Cow pasture  
**EAST:** Nut Orchard  
**NORTH:** 16th Avenue

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92G.008  
The majority of the property is identified as having Prime Dominant ratings.

**Official Community Plan and Designation:**

N/A

**Zoning Bylaw and Designation:**

N/A

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

All soil deposit permits are issued in accordance with the Township of Langley's Soil Deposit and Removal Bylaw 2007 No. 4578.

**STAFF COMMENTS:**

Staff recommends that the Commission consider the following:

- Under the Land Capability Classification for BC the property is rated as Class 3T, 3TD and 3DW – (T – topography limitations; D – undesirable soil structure limitations and W – excess water limitations).
- Staff recommends an on-site to determine if the existing fill material should be removed or whether it can be retained and incorporated into the existing soil.

**ATTACHMENTS:**

1. ALC Context Map
2. AgCap Map
3. Map of proposed soil deposit
4. Photos of illegal fill on property

**END OF REPORT**

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**Signature**

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**Date**