



# Provincial Agricultural Land Commission - Staff Report

## Application: 50709

**Applicants:** Cas Seitz, Patricia Desrochers  
**Agent:** Cas Seitz  
**Local Government:** Township of Langley

**Proposal:** Soil Change - To Place Fill. Requesting approximately 5000 cubic metres of topsoil and sod over a 1.15 ha area.

### BACKGROUND INFORMATION

To prevent flooding, water run-off and collection from adjoining properties. Fill to increase the elevation and grade of the hayfield to restore productivity.

### PROPERTY INFORMATION

**PID:** 008-485-330  
**Legal Description:** Lot 6 Section 16 Township 10 New Westminster District Plan 38157  
**Property Area:** 4.2 ha  
**ALR Area:** 4.2 ha  
**Purchase Date:** February 28, 1994  
**Location:** 23634 - 20 Avenue  
**Owners:** Cas Seitz, Patricia Desrochers

### LAND USE

**Current Land Use:**

Equestrian facilities, hay production, main residence, farm help dwelling and ancillary buildings.

**Surrounding Land Uses:**

North: NE - Livestock grazing & NW - Mushroom barn  
East: No Agricultural Use  
South: Horse boarding & training  
West: Livestock grazing

### PROPOSAL DETAILS

**Soil Change Area:** 1.0 ha

**Agricultural Capability:** under application is rated as: Mixed Prime and Secondary

**Source:** BCLI

**Mapsheet:** 92G.008

### RELEVANT APPLICATIONS

## RELEVANT APPLICATIONS

**Application ID:** 45963

**Legacy #:** 38991

**Applicant:** Gursharan and Kuljit Dhaliwal

**Proposal:** The proposal is to import fill to raise the elevation of the northern lowland to meet that of the southern portion of the property. The fill placement will raise the soil elevation in the northern portion by up to 2 meters. In the process it is proposed to alter the drainage through the property and build a wetland in the corner of the property.

**Decision:**

Resolution #	Decision Date	Decision Description
2046/2009	December 8, 2009	Refused on the grounds that the Commission was unconvinced the proposed fill would improve the agricultural capability of the subject property.

**Note:** During the construction of the mushroom barn on the adjacent property, it is likely that some excavated material was placed on the subject property.

**Application ID:** 40510

**Legacy #:** 34918

**Applicant:** Russell & Judith Froc

**Proposal:** Notice of Intent - The Commission received a Notice of Intent to place 3500 cubic meters of top soil over 1.4 ha to convert non productive land to prime pasture grazing area. The intent is to improve the agricultural potential of the property.

**Note:** This Notice of Intent appears to have a stop-work order on it from 2008.

## LOCAL GOVERNMENT INFORMATION

**Comments and Recommendations:**

**Board/Council**

Township of Langley Council support subject application for soil deposit for up to 790 loads of fill.

## ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

-This application was first received by the Commission in Fall 2009. However, it was submitted without a Resolution by Township of Langley's Council, as per Langley's Soil Deposit and Removal Bylaw 2007, No. 4578. Pursuant to Section 20(2) of the ALC Act, soil deposit applications are considered a non-farm use application and as such may not proceed to the Commission unless authorized by a resolution of the Local Government. The Township therefore requested that all soil deposition applications be referred back to its Council and not proceed until Council had considered them. On November 3, 2010, a Council resolution allowing this application to proceed was received.

-The agricultural capability of the area under application is identified as Organic soils, improvable to Class 2 and 3 with limitations of excessive wetness, based on the BCLI ratings.

-A report by David Sahlstrom, P.Ag, was prepared on June 30, 2009. The report identifies the proposal area to be at the bottom of a natural depression, or catchment area. The hay field is subject to yearly flooding, which has increased in recent years due to changes in drainage patterns and the reduced capacity of drainage ditches due to poor maintenance in the near vicinity. The report recommends the proposed fill, provided that the fill material is appropriate topsoil and that the onsite topsoil be stripped and replaced on top of the fill.

-The applicant raised concerns that both approved and non-approved fill projects in the nearby vicinity have caused the increased flooding on the subject property. In particular, the property at 2037 232nd St (Grafton Farms) is a large cranberry under expansion. Various fill projects have been exempted from submitting an application, under our Regulations for farm-use (Part 2, Section 2(4)).

- In a letter dated December 20, 2010, the applicants noted that they would like to also request 635 cubic meters of fill to construct a driveway/training track around the perimeter of the hayfield. It is staff's recommendation that this be considered a permitted farm use under the Regulations related to sections 2(2)(h) and 2(3).

## **ALC STAFF COMMENTS**

-Based on the file information and agrologist report, staff recommend approval of the proposed fill, provided that a professional Agrologist be retained to oversee the project. However, an on-site meeting with the applicant and Agrologist is recommended to assess the drainage issues on the property.

-It is also recommended that the Commission view the development on 2037 232nd Street if time permits.

## **ATTACHMENTS**

50709\_ContextMap20k.pdf  
50709\_AgCapabilityMap.pdf  
50709agreport.pdf  
50709agreport2.pdf  
50709email.pdf  
50709proposal2.pdf

## **END OF REPORT**

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