



**Agricultural Land Commission**  
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Burnaby, British Columbia V5G 4K6  
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[www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

February 22, 2013

ALC File: #52915

Shirley Cann  
c/o 14265 Trites Road  
Surrey, BC  
V3X 3E7

Dear Ms. Cann:

**Re: Application to Place Fill on Land in the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution #418/2012 as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly.

Further correspondence with respect to this application is to be directed to Eamonn Watson ([Eamonn.Watson@gov.bc.ca](mailto:Eamonn.Watson@gov.bc.ca)).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to be 'Brian Underhill', written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #418/2012

cc: Township of Langley (File #SO000781)

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## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 21, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #52915.

### COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

### COMMISSION STAFF PRESENT:

Eamonn Watson	Land Use Planner
Brian Underhill	Executive Director
Colin Fry	Executive Director

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### PROPOSAL (Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

To place approximately 1,150 m<sup>3</sup> of fill over a 0.81 ha project area with an approximate depth of 0.91 m. The purpose of the proposed fill placement is to improve the land, reduce current flooding and provide proper drainage to allow for increased use for crops and livestock.

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### PROPERTY INFORMATION:

#### Property 1

**Owner:** Paramjit Singh Chahal and Baljeet Kaur Chahal

**Legal:** PID: 013-279-696  
South Half of the South Half of the North East Quarter of the North East Quarter,  
Section 13, Township 11, Except: Part Subdivided by Plan 11829, New Westminster  
District

**Location:** 7027 – 264<sup>th</sup> Street, Langley

**Size:** 3.0 ha

## **Property 2**

**Owner:** Shawn Ryan Hall

**Legal:** PID: 009-978-585  
Lot 2, Section 13, Township 11, New Westminster District, Plan 11829

**Location:** 7007 – 264<sup>th</sup> Street, Langley

**Size:** 1.1 ha

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### **LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION**

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
- (a) to preserve agricultural land;
  - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
  - (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.
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### **COMMISSION CONSIDERATION**

After considering the information the Commission concluded as follows:

To assess the agricultural capability of the property, the Commission referred in part to BC Land Inventory (BCLI) mapping, 'Land Capability Classification for Agriculture in B.C.' system. The improved agricultural capability ratings applicable to the subject property are:

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

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both

The subclass limitations are (D) undesirable soil structure, (T) topography and (W) excess water.

**Conclusion:** The property is comprised of land with good agricultural capability.

**Conclusion:** The proposed placement of fill utilizes a small volume of imported soil to alleviate limitations caused by excess water identified by the applicant and on the BCLI mapping. The Commission has no objections to the proposed placement of fill provided appropriate conditions are in place.



**IT WAS**

**MOVED BY: Commissioner Gillette**

**SECONDED BY: Commissioner Collins**

THAT the request to place fill be approved subject to the following conditions:

1. Filling must be in substantial compliance with the site plan prepared by Neale Engineering Ltd., date June 24, 2011, submitted with the application;
2. The total volume of imported fill must not exceed 1,150 m<sup>3</sup>;
3. Filling and associated activities must be completed within one (1) year from the date of the decision letter communicating this decision;
4. Fill material must be of a good agricultural quality and be free of contaminants;
5. Soil must not be stripped, moved, stockpiled or replaced during conditions of adverse soil moisture content. The movement or manipulation of soil must be done when the soil is below field capacity. There must be no movement or manipulation of soil when the soil is frozen or powdery dry;
6. No soil material will be removed from the subject property;
7. The approval, by the Commission, of a fill placement plan, prepared by a qualified professional, prior to the start of the proposed works. The Commission requires written confirmation from the applicants identifying the qualified professional;
8. The project must be overseen by the qualified professional who must provide a status report at the halfway point of the project;
9. The submission of a closure report prepared by the qualified professional upon completion of the project; and
10. The posting of a financial security in the form of an Irrevocable Letter of Credit (the "ILOC") with the Commission. The qualified professional must recommend the amount of the ILOC for review and approval by the Commission prior to proceeding with any aspect of the fill project. The security is required to ensure compliance with the terms and conditions of this approval and to provide funds to reclaim the land in the event the applicants do not fulfill their obligations as set forth herein.

AND THAT approval to place fill on the subject property is granted for the sole benefit of the applicants and in non-transferable.

AND FINALLY THAT 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 #418/2012**

Commissioners Johnson and Dyson were opposed to the decision.