



**Agricultural Land Commission**

201 – 4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
[www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

December 10, 2019

ALC C&E File:135810

**REGISTERED MAIL/ELECTRONIC MAIL**

Devinder Garcha  
2640 McKenzie Road  
Penticton, BC  
V2A 6H7

Harpreet Kaur Nagra  
14569 75A  
Surrey, BC  
V3S 8T9

Iqbal Kaur Saran  
5927 232 Street  
Langley, BC  
V2Z 2R2

0955867 BC Ltd.  
14395 76A Avenue  
Surrey, BC  
V3W 1N8

Dear Property Owner(s),

**RE: Unauthorized Placement of Fill**

**CIVIC ADDRESS: 4980 TREPANIER RD PEACHLAND BC V0H 1X2**  
**LEGAL: Lot 1, Plan KAP48672, District Lot 911 & 1311, Osoyoos Div of**  
**Yale Land District**  
**PID: 018-026-915**  
**(the "Property")**

This letter serves to inform you that the Agricultural Land Commission (the "ALC") inspected the Property in question on October 23, 2019, the inspection confirmed that several hundred loads have been deposited onto the Property without CORD or ALC approval.

On November 12, 2019 the ALC and CORD held a meeting at the property to discuss the issues on the Property with the (PO)'s representatives Devinder Garcha and Stephen Kingsnorth.

0955867 BC Ltd. - 135810

Commission records indicate that the Property is within the Agricultural Land Reserve ("ALR") and therefore is subject to the *Agricultural Land Commission Act* (the "ALCA") and the *Agricultural Land Reserve Use Regulation* (the "Use Regulation").

The ALC is giving you the following 3 options; you have until February 20, 2020 to make a choice of the following 3 options.

Options:

- 1) Make a Non-Farm Use Application for the placement of the fill by February 20, 2020; provide a survey to the ALC on how much fill has been deposited as well as the truck logs on the depositing of the fill

Applications are submitted electronically through the ALC Application Portal, accessed using a Basic or Business BCeID account. Information about the ALC Application process instructions for submitting an application to the Panel and access to the Application Portal can be found on the ALC's website at: <http://www.alc.gov.bc.ca/alc/content/applications-and-decisions>

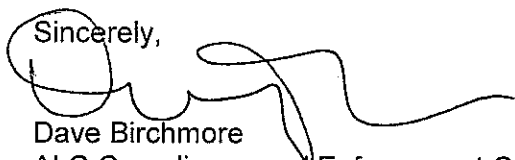
- 2) Remove all the fill deposited on the ALR portion of the Property by July 30, 2020; provide a survey to the ALC on how much fill has been deposited as well as the truck logs on the depositing of the fill
  - 3) Remove all the fill deposited on the ALR portion of the Property by July 30, 2020 and place it on the non ALR portion; provide a survey to the ALC on how much fill has been deposited as well as the truck logs on the depositing of the fill. You will need to have CORD approval for this option
- Please provide me with the NFUA application once it's been made
  - You must respond to this letter by February 20, 2020 choosing one of the options provided
  - Once any of these options are met, remediation of the property must be made within 90 days of the completed project

A lack of timely response to this letter may result in further action which may include the recommendation of a monetary penalty under Section 54 and/or an order to remediate the Property to a suitable agricultural standard under section 52 (1) of the ALCA.

*This letter 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.*

If you would like to discuss this letter further please contact me at [Dave.Birchmore@gov.bc](mailto:Dave.Birchmore@gov.bc) or 604-833-4242. I look forward to hearing from you to resolve this matter in a timely fashion.

Sincerely,



Dave Birchmore  
ALC Compliance and Enforcement Officer

cc: Todd Cashin

CORD

via email