



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

June 23, 2020

ALC File: 60681

SENT BY ELECTRONIC MAIL
millennialhomesltd@gmail.com

Attention: Davinder Garcha, Agent

Dear Mr. Garcha,

Order Under Section 20.3(2)(c) of the Agricultural Land Commission Act

Re: Notice of Intent to place fill on land in the Agricultural Land Reserve
PID: 018-026-915
Legal Description: Lot 1 District Lots 911 And 1311 Osoyoos Division Yale District Plan KAP48672
Civic Address: 4980 Trepanier Road, Peachland, BC
(the "Property")

On April 1, 2020 the Chief Executive Officer (CEO) of the Agricultural Land Commission received a Notice of Intent (NOI) pursuant to section 20.3(1)(c) of the *Agricultural Land Commission Act* (ALCA) to place fill on the Property (the **Proposed Fill Placement** Activities). The CEO also received a fee of \$150 with respect to the NOI pursuant to subsection 20.3(1)(c)(ii).

Additional information was requested from you on April 1, 2020 and on June 3, 2020 you completed the provision of the additional information that had been requested.

As delegate CEO pursuant to section 20.3(6) of the ALCA, I understand the following about the Proposed Fill Placement Activities from the NOI and accompanying documents:

- The landowners of the Property are Harpreet Nagara, Iqbal Saran and Davinder Garcha (955867 BC Ltd.).
- Davinder Garcha is acting as agent on behalf of all of the landowners.
- The property is 12.8 ha (12,800 m²).
- The total area of the Proposed Fill Placement Activities is 8.2 ha (8,200 m²).
- The purpose of the Proposed Fill Placement Activities is to create suitable land for a cherry orchard and contain irrigation water runoff.
- The type of material proposed to be placed on the Property is topsoil and subsoil.
- The proposed volume of materials to be placed on the Property is 50,000 m³.
- The proposed depth of material to be placed on the Property is a maximum of 1 m.
- The proposed duration of the Proposed Fill Placement is one year and six months.

Upon review of the NOI, I have determined that a substantial amount of fill has already placed on the Property prior to receiving ALC authorization. Therefore, as CEO delegate I am unable to grant approval for this activity through a retroactive NOI.

For this reason, a Soil or Fill Use application and approval of the Commission is required in accordance with section 20.3(5) of the ALCA before the Proposed Fill Placement is undertaken.

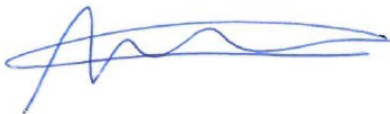
I therefore order, pursuant to section 20.3(2)(c) of the ALCA, that you must not engage in the Proposed Fill Placement unless the Soil or Fill Use application required above has first been approved by the Commission.

If you wish to pursue the Proposed Soil Removal and Fill Placement Activities, you may initiate the Soil or Fill Use application process by submitting the required form and paying the requisite fees: (\$300) to the local government (Regional District of Central Okanagan). The remainder of the application fee (\$1,050) will only be required if your local government forwards the above noted application to the Agricultural Land Commission. The application can be submitted through the [ALC's Application Portal](#). Information on application process can be found on the ALC website under [Applications and Decisions](#).

Any further correspondence with respect to this letter should be directed to the undersigned at (Avtar.Sundher@gov.bc.ca).

As agent, it is your responsibility to advise your client of this correspondence.

Sincerely,



Avtar S. Sundher
Delegate of the Chief Executive Officer

cc: Brittany Lange, Regional District of Central Okanagan (Brittany.Lange@rdco.com)