



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 66327

Application Status: N/A

Applicant: Salinder Kullar

Agent: Aspyr Homes

Local Government: District of North Cowichan

Local Government Date of Receipt: 12/02/2022

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Farm use (Removal of Soil & Placement of Fill)

Proposal: Purpose of this proposal is to advise the ALR that 3 ancillary buildings and a pool will be constructed on this land. All soil that is excavated from the footprint of the ancillary buildings will remain on the land; any soil not used for backfill will be distributed in the low areas of the land. No soil will leave the land.

Benefit of this development will be having the owners future-proof the expansion of future farming operations, provide storage of their young Palm Tree plants, tools and machinery needed to maintain the farm.

In 2018, the owners began cultivating Windmill Palm trees at their current residence with the intention of moving them to the Herd Road property. Young palm trees require indoor storage during winter and have currently filled garage bays at their current residence during the winter months. They will start moving the most mature palms in a designated area on their acreage as of Summer 2022, and will store the young palms in bays of the new detached ancillary buildings. They currently have approximately 40 Palm Trees in various stages of growth, and plan to increase the number after construction.

The owners are currently examining the viability of a small vineyard on their property. The previous property owners mentioned a soil analysis was completed and had indicated ideal growing conditions for grapes. They currently grow a small vegetable garden at their current residence and intend to expand their vegetable crops within the year to include cucumbers, squash, carrots, potatoes, onions and corn.

The reasons for pool: In 2019, the owner, Salinder Kullar had major open heart surgery resulting in 3 mechanical heart valves and the implementation of a CRT (specialized pacemaker). Salinder's recovery from surgery has been slow and her cardiologists have her on a special daily exercise program specifically walking against the water in a pool. The proposed pool will be shallow and will allow for her doctors specified exercise program.

NOTE: Removal of material proposal dimensions is for the ancillary buildings (garage 1, 2 and pool shed) and pool only. A side note; the full project footprint, including the house, all ancillary buildings, pool, driveway and septic are under 1000sqm2. Volume of materials to be removed is approximate and overinflated.

Agent Information

Agent : Aspyr Homes

Parcel Information

Parcel(s) Under Application

1. Ownership Type : Fee Simple

Parcel Identifier : 008-334-463

Legal Description : PARCEL A (DD 67328I) OF SECTION 9, RANGE 7, SOMENOS DISTRICT, EXCEPT: PLANS 504 BL, 45592, AND EPP1597

Parcel Area : 2.6 ha

Civic Address : 2441 HERD RD, Duncan BC

Date of Purchase : 09/12/2016

Farm Classification : Yes

Owners

1. Name : Salinder Kullar

Address :

6797 Hampton Place

Duncan, BC

V9L 6X7

Canada

Phone : (250) 715-8181

Email : sallystang@shaw.ca

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

The current farming activities on the land consists of growing, harvesting and baling of hay.

As of Summer 2022 the owners will start moving pots of palm trees from their current residence to their Herd Rd property and will be continuing to expand the number of trees over the next several years.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

Cleaning of the overgrown grass around the fencing to maintain cleanliness of the property.

The owners initiated Municipality intervention of the Herd Road drainage ditch in front of their property (approximately 500 foot frontage) allowing for proper road water and rain water run off. The ditch was filled with brush and discarded garbage blocking the free run off of water.

Regular fertilizing, mowing and baling enhances the continued growth of the farm grass.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

There is no non-agricultural uses that currently take place on the parcel.

Adjacent Land Uses

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North

Land Use Type: Agricultural/Farm

Specify Activity : House, house villa, barn and buildings

East

Land Use Type: Agricultural/Farm

Specify Activity : Property includes House, barn, riding stable and riding range, garage/shed, gardens.

Haying is contracted twice yearly by the same farmer who does the haying for our property. Note: our driveway at 2441 Herd Road is the only available access point for the property to the east capable of allowing farm equipment access.

South

Land Use Type: Agricultural/Farm

Specify Activity : House, barns, equipment buildings, livestock, haying

West

Land Use Type: Agricultural/Farm

Specify Activity : Property includes house, large equipment building, 2 additional smaller storage buildings, stable with horses, fenced horse area. Haying is contracted twice yearly by the same farmer who does the haying for our property. Note our driveway at 2441 Herd Road is the only available access point for the property to the west capable of allowing farm equipment access.

Proposal

1. Have you submitted a Notice of Work to the Ministry of Energy and Mines?

Yes

Notice of Work Tracking/Reference Number

N/A to our land per Avtar Sundher

2. Are you submitting this application as a follow-up to a Notice of Intent (NOI)?

Yes

Notice of Intent (NOI) ID

65028

3. What is the purpose of the proposal? Describe any benefits to agriculture that the proposal provides.

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4. Removal of Material Proposal Dimensions

Total material removal area (0.01 ha is 100 m²) 0.00001 ha

Maximum depth of material to be removed 0.00001 m

Volume of material to be removed 0.00001 m³

Estimated duration of the project 1 Years 2 Months

5. Describe the type of material proposed to be removed.

No removal of any native materials. All excavated soil to be redistributed on the property.

6. Placement of Fill Proposal Dimensions

Total fill placement area (0.01 ha is 100 m²) 0.0988 ha

Maximum depth of material to be placed as fill 1 m

Volume of material to be placed as fill 295 m³

Estimated duration of the project 1 Years 2 Months

7. Describe the type of fill proposed to be placed.

The fill that will be brought in will be aggregate material, such as concrete for foundation, Geotechnical Engineer-approved crushed gravel + sand for under slab placement for ancillary buildings; it will serve as base structural material to the slab flooring.

Proposed permeable paver stones for the pathways around the ancillary buildings, pool deck and pool shed.

All excavated top soil will be native to the land and redistributed amongst the property to help with drainage, sloping low valleys and soil for future plantation beds.

8. Briefly describe the origin and quality of fill. Has the fill been assessed by a qualified professional to verify its agricultural suitability? If yes, please attach the assessment report in the "Upload Attachments" section.

The aggregate fill will be provided by local yards in the District of North Cowichan. The fill was assessed by

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a Geotechnical Engineer and has received approval for the crushed gravel + sand. The incoming fill will only serve as a structural base for the buildings.

9. Has a Professional Agrologist reviewed the project and provided a written report? If yes, please attach the Professional Agrologist report in the "Upload Attachments" section.

No

10. What alternative measures have you considered or attempted before proposing to remove material and place fill?

No alternative measures are possible. BC Building Code and the District of North Cowichan both require the slab to have a base of sand and crushed gravel to serve as structural integrity for the buildings and air flow for the exhaust of radon gas.

11. Describe any processing to take place on the parcel(s) and the type of equipment to be used for the removal of material and placement of fill.

Excavator and slinger will place the fill into the locations required. Once complete, the machinery will be removed from site.

Concrete trucks and boom trucks used to place concrete foundation.

Any parts of machinery that could contain oil and gas that require cleaning will be done outside of the property to avoid any hazardous material discharge.

12. What steps will be taken to reduce potential negative impacts on surrounding agricultural lands?

Soak the soil to avoid excessive dust. Safe use of the machinery and ensure maintenance is up to date to ensure no machinery oils or gasses are leaked and or discharged. Ensuring safe usages of machinery completed by certified operators.

13. Describe all proposed reclamation measures. If a reclamation plan from a qualified professional is available, please summarize the reclamation and attach the full plan in the "Upload Attachments" section.

All excavated soil to be redistributed over the land as natural nutrient soil. This measure ensures that the soil stays on the land and can be used by the property.

Applicant Attachments

- Agent Agreement - Aspyr Homes
- Site Plan / Cross Section - 66327
- Other correspondence or file information - Palm Tree Growth
- Proposal Sketch - 66327
- Certificate of Title - 008-334-463

ALC Attachments

None.

Decisions

None.

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