



NOTICE OF INTENT

To Place Fill or Remove Soil For Specified Farm or Non-farm Use under the Agricultural Land Commission Act

The removal of soil and placement of fill for specified farm and non-farm uses are exempt from the requirement to file an application under the Agricultural Land Commission Act providing that certain requirements are met. Part 3 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation specifies the notification requirements and the farm uses and non-farm uses involving the placement of fill and removal of soil that qualify for exemption.

If your proposal does not qualify for exemption, an application for non-farm use to place fill or remove soil under section 20 of the *Agricultural Land Commission Act* is required.

The information required by this form and the documents you provide with it are collected to process an application under the *Agricultural Land Commission Act* and regulation. This information will be available for review by any member of the public. If you have any questions about the collection or use of this information, contact the Commission and ask for the staff member handling the application.

Provincial Agricultural Land Commission
Room 133, 4940 Canada Way, Burnaby, BC V5G 4K6
Telephone: (604) 660-7000 Fax: (604) 660-7033
www.alc.gov.bc.ca

Instructions

Proposals to place fill or remove soil must fall under one of the following specified farm uses or specified non-farm uses in order to qualify for exemption from filing an application under the *Agricultural Land Commission Act*.

Specified farm uses (Section 4 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation):

- a) the construction, maintenance and operation of a greenhouse on an area of land if the area occupied by the greenhouse is greater than 2% of the area of the parcel;
- (b) the construction, maintenance and operation of a farm building or structure, for use in an intensive livestock operation or for mushroom production, if the area occupied by the farm building or structure is greater than 2% of the area of the parcel;
- (c) the construction, maintenance and operation of an aquaculture facility if the area occupied by the aquaculture facility is greater than 2% of the area of the parcel;
- (d) the construction, maintenance and operation of a composting facility for the production of Class A compost as defined in the Organic Matter Recycling Regulation, BC Reg. 18/2002 or compost from agricultural waste, if the area occupied by the facility is greater than 2% of the area of the parcel;
- (e) a turf farm.

Specified non-farm uses (Section 5 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation):

- (a) aggregate extraction if the total volume of material removed is more than 500 m³;
- (b) peat extraction;
- (c) placer works including the exploration, development and production of placer minerals as defined in the *Mineral Tenure Act*;
- (d) the construction, maintenance and operation of a composting facility for the production of managed organic matter.

Notice Requirements

A person who intends to place fill or remove soil for specified farm uses or specified non-farm uses must file a Notice of Intent with the Agricultural Land Commission at least 60 days before engaging in the intended use.

Within 30 days of receiving the Notice of Intent, the Chief Executive Officer of the Agricultural Land Commission:

- May provide written confirmation that the removal of soil or placement of fill is exempt from the requirement to file an application under section 20 of the *Agricultural Land Commission Act*;
- May require the submission of a non-farm use application under section 20 of the *Agricultural Land Commission Act*;
- May request additional information.

If the Chief Executive Officer requires additional information, the applicant has 30 days to submit an amended notice. Following receipt of the amended notice, the Chief Executive Officer has 45 days to respond.

Please submit the Notice of Intent to:

Provincial Agricultural Land Commission
133 - 4940 Canada Way
Burnaby, BC V5G 4K6
Telephone (604) 660-7000 Fax (604) 660-7033

A copy of the Notice of Intent must also be submitted to the local government.

The following documents must also accompany the Notice of Intent:

- Certificate of Title or Title Search Print
- Map or sketch showing the proposal
- Photographs
- Agent authorization (if using agent)

Please Note: Your proposal may also require the approval of other local, provincial or federal authorities.

