



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

November 12, 2009

Reply to the attention of Martin Collins
ALC File: 38994/45967

Ivan and Alma Brown
PO Box 64
Fauquier, B.C.
V0G 1K0

Dear Sir/Madam:

Re: Application to Include land into the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 1275/2009 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

Enclosure: Minutes

cc: Regional District of Central Kootenay (4035-20-A0908K-02990.000)

MC//38994d1

Assessment of Impact on Agriculture

The Commission also assessed the impact of the inclusion proposal against the long term goal of preserving agricultural land. The Commission did not believe that there was a significant agricultural benefit arising from including a 1.7 ha parcel into the ALR.

Furthermore the Commission did not believe that the development of a kennel breeding operation warranted the ALR designation.

Conclusions

1. That the land under application has limited agricultural capability and is unsuitable for agricultural uses.
2. The purpose of the inclusion is to enable the operation of a dog kennel.
3. Though dog kennels are permitted in the ALR, the Commission does not consider dog kennels to be an agricultural activity.

IT WAS

MOVED BY: Commissioner C. Purdy

SECONDED BY: Commissioner J. Thibeault

THAT the application to include the 1.4 ha subject property into the ALR be refused.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.33 (1) *On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*
- (a) evidence not available at the time of the original decision has become available,*
 - (b) all or part of the original decision was based on evidence that was in error or was false.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

CARRIED

Resolution # 1275/2009