



Agricultural Land Commission
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June 9, 2010

Reply to the attention of Ron Wallace
ALC File: # 51732

Bass Coast Project Ltd.
P.O. Box 106
BRACKENDALE BC V0N 1H0

Attention: Andrea Helleman

Re: Application for Non-Farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **2457/2010** outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client (Ali Aboufathi) accordingly.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'KBU', is written over the printed name 'Brian Underhill'.

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Squamish-Lillooet Regional District

RW/
51732d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on June 7, 2010 by means of electronic communication.

PRESENT: Sylvia Pranger Chair, South Coast Panel
 Michael Bose Commissioner
 Tony Pellett Staff

For Consideration

Application: # 51732
Applicant: Ali Abolfathi
Agent: Bass Coast Project Ltd.
Proposal: To gain temporary access through the ALR to facilitate a proposed 4-year repeat of the music festival held by Bass Coast Project Ltd. on July 24 and 25, 2009. As for 2009, a temporary security gate (with portable toilet) will be installed at the entrance to the subject property for the four day period including the music festival dates each year.
Legal: PID: 004-942-191
 District Lot 994 Gp.1 NWD
Location: Mile 16.5, Squamish Valley Road, Upper Squamish Valley

Site Inspection

A site inspection was conducted on April 22, 2009. Those in attendance were:

- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Tony Pellett Staff
- Ali Abolfathi Applicant

Ali Abolfathi explained that the proposed music festival is on non-ALR land, with the sole access being by way of his campground. The intention is that festival-goers will use his campground and recycling facilities. The Commission observed the existing camping facilities, which Tony Pellett confirmed are as previously approved and inspected.

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Discussion

Assessment of Agricultural Suitability

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commissioners had no objection to the proposed use given the activity is temporary and would have no significant impact on the ALR.

IT WAS

MOVED BY: Commissioner Pranger

SECONDED BY: Commissioner Bose

THAT the application be allowed subject to

1. no more ALR land being used to accommodate the concert than was used in 2009, and
2. the posting of security in the amount of \$50,000 to be used to restore the land for future agricultural use after the last concert event, or to be repaid on submission of a report from a professional agronomist competent in land reclamation certifying that the land has been restored for future agricultural use—with repayment being made annually if the report is submitted annually, in which case the security must be posted again at least one month before the following year's concert;

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.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities (including those involving the use of Crown land) that have jurisdiction under an enactment.

CARRIED

Resolution # 2457/2010