



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

January 4, 2011

Reply to the attention of Ron Wallace
ALC File: D-38306

Lorne & Lynn Landry
Box 635
100 Mile House, BC
V0K 2E0

Dear Sir/Madam:

Re: Request for Reconsideration

This is further to your letter of September 8, 2010 in which you asked the Provincial Agricultural Land Commission to reconsider Resolution #578/2008.

The Commission has reconsidered the matter and has attached the Minutes of Resolution # 2841/2010 outlining its latest decision.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'B. Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

cc: Cariboo Regional District (4035-20-G260)

Enclosure: Minutes

RW/38306d2



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 10, 2010 at Kamloops, B.C.

PRESENT:	Gordon Gillette	Chair, Interior Panel
	Lucille Dempsey	Commissioner
	Roger Mayer	Commissioner
	Ron Wallace	Staff

For Consideration

A letter from Lorne Landry was received requesting that the Commission reconsider its decision recorded as Resolution #578/2008. It indicated that the proposed subdivision is intended to improve the overall agricultural production of the properties. The applicant indicated that the proposed subdivision would allow them to concentrate their efforts and securing funding to develop the northern portion of the property most suitable for agriculture.

Application:	D-38306
Applicant:	Lorne & Lynn Landry
Original proposal:	To subdivide the 120 ha property into an 88 ha property and a 32 ha property.
Original decision:	Refused
Current proposal:	To subdivide the 120 ha property into an 88 ha property and a 32 ha property.
Legal:	District Lot 716, Lillooet District
Location:	West of 108 Mile Resort on Tad Lake

Context

The proposal was considered under Section 33 of the Agricultural Land Commission Act (the "Act") which states:

- S33(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
- evidence not available at the time of the original decision has become available,
 - all or part of the original decision was based on evidence that was in error or was false, or
 - a recommendation by a facilitator under section 13 relating to a dispute warrants a reconsideration of the original decision.

The Commission believed that the applicant had provided evidence that was not available at the time of the original decision and so reconsidered the application.

Discussion

The Commission carefully considered the letter requesting reconsideration of the application. However, the Commission maintained its belief that the subject parcel has more agricultural potential as a single unit and that subdivision would negatively impact the agricultural opportunities available to the subject property in the long-term.

The intent of the Act is to preserve and protect agricultural lands and farm communities in the long-term and the Commission felt that subdivision of the subject property was not in keeping with that mandate.

IT WAS

MOVED BY: Commissioner Mayer

SECONDED BY: Commissioner Dempsey

THAT for the purposes of Section 33(2) of the *Agricultural Land Commission Act*, there are no persons it considers affected by the reconsideration.

AND THAT the decision to refuse the application to subdivide the 120 ha property into an 88 ha property and a 32 ha property be confirmed.

And that as it now has been over a year since the Commission's original decision the Commission considers this application to be closed. Any further proposals involving the subject property must be made by way of a new application.

CARRIED

Resolution # 2841/2010