



Agricultural Land Commission

133 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
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June 5, 2012

Reply to the attention of Ron Wallace
ALC File: 52514

Marc Schroeder
PO Box 1025
Oliver, BC
V0H 1T0

Dear Sir:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 205/2012 outlining the Commission's decision as it relates to the above noted application. The Commission draws your attention to section 33 of the *Agricultural Land Commission Act*:

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.*

A revised proposal does not constitute new information and will not be considered by the Commission as a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Regional District of Okanagan-Similkameen (C11-05718.000)



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 17, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner

COMMISSION STAFF PRESENT:

Ron Wallace	Land Use Planner
Colin Fry	Executive Director

APPLICATION ID: #52514

PROPOSAL: To subdivide the subject property into two lots of approximately 20 ha and 23 ha. The applicant is seeking approval for subdivision in order to settle with an ownership partner who has requested to be bought out, or provided with land. (Submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*)

COMMISSION CONSIDERATION:

Section 6 of the *Agricultural Land Commission Act* identifies the purposes of the Commission 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.

After review of all file information presented the Commission has concluded as follows:

1. There are no external factors that render the land unsuitable for agricultural use. The presence of non-ALR land to the north and south of the subject property does not impede the use of the land for agriculture;
2. That the proposal will adversely impact agriculture by fragmenting useful agricultural land into two parcels. It is believed the subject property has greater potential for agriculture as one parcel than as the proposed two parcels.
3. The proposal will raise expectations for further parcelization of ALR lands in the immediate area;
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Bullock

SECONDED BY: Commissioner Miles

THAT the application to subdivide the subject property into two lots of approximately 20 ha and 23 ha be refused.

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 # 205/2012