



**Agricultural Land Commission**

133 – 4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
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August 22, 2012

Reply to the attention of Lily Ford  
ALC File: #52748

Franz Carton  
c/o Four Corners Urban Design & Town Planning  
21711 – 126<sup>th</sup> Avenue  
Maple Ridge, BC  
V2X 4N8

Dear Mr. Carton:

**Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution #297/2012 outlining the Commission's decision as it relates to the above noted application. The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act*:

**SECTION 33(1) - RECONSIDERATION OF DECISIONS**

Section 33(1) of the *Agricultural Land Commission Act* provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

- 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 as such is not 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:

  
Brian Underhill, Executive Director

Enclosure: Minutes

cc: Regional District of East Kootenay

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## PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on July 20, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

### COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Gordon Gillette	Vice Chair
Jim Collins	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jerry Thibeault	Commissioner

### COMMISSION STAFF PRESENT:

Lily Ford	Land Use Planner
Colin Fry	Executive Director

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### APPLICATION: # 52748

**PROPOSAL:** Subdivision of a 182 ha parcel into three 8 ha parcels, one 24 ha parcel, one 9.5 ha parcel for potential consolidation with a neighbouring parcel under separate ownership, and a 124 ha remainder to be consolidated with an adjacent 16.6 ha parcel.

*(Submitted pursuant to section 21(2) of the Agricultural Land Commission Act.)*

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### 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 concluded as follows:

1. The parcel has agricultural capability and has been used as a ranch for many years.
2. There are no external factors that render the land unsuitable for agricultural use.
3. Subdivision would adversely impact the agricultural potential of the subject property, which is more useful undivided.
4. The proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

**IT WAS**

**MOVED BY:** Commissioner Collins  
**SECONDED BY:** Commissioner Dowswell

THAT the application be refused.

**CARRIED**

**Resolution # 297/2012**