



Agricultural Land Commission
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November 9, 2015

ALC File: 53940

Cindy Diane Moreno
1268 – 216th Street
Langley, BC V2Z 1R2

Dear Ms. Moreno:

Re: Request for Reconsideration– ALC Resolution #226/2015

A meeting of the Executive Committee of the Agricultural Land Commission (“the Executive Committee”) was held on October 26, 2015 as it relates to your Request for Reconsideration of the Decision recorded as Resolution #226/2015. All members of the Executive Committee were in attendance.

The Executive Committee received correspondence dated September 25, 2015 requesting reconsideration of the Decision of the South Coast Regional Panel recorded as Resolution #226/2015, by which, the application to construct a second permanent residence on the subject property was refused. You provided a letter that outlines some additional details with respect to the additional residence and your intended use of the subject property as the basis for the Request for Reconsideration.

The Executive Committee considered your Request for Reconsideration pursuant to section 33(1) of the *Agricultural Land Commission Act* (the “ALCA”) which 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...

The Executive Committee does not believe you have demonstrated that all or part of the original decision was based on evidence that was in error or was false. Although your letter provided some additional detail regarding the subject property and the proposed second permanent residence, the Executive Committee does not believe that this constitutes new evidence or provides a substantially different understanding of the proposed non-farm use or use of the subject property than the information available at the time of the decision.

As a result, the Executive Committee concluded that the Request for Reconsideration did not meet the requirements of s. 33(1) of the ALCA and therefore must be dismissed.

Should you consider the use of a manufactured home pursuant to s. 3(1)(b)(ii)(A) of BC Regulation 171/2002 (*Agricultural Land Reserve Use, Subdivision and Procedure Regulation*), please note that this section does not establish a maximum area as it relates to a personal

garden that may be associated with a manufactured home. However, the placement of a manufactured home on the subject property is subject to local government zoning and the Township of Langley may impose restrictions in this regard.

Further correspondence with respect to this application should be directed to Eamonn Watson at (Eamonn.Watson@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Colin J. Fry, Chief Tribunal Officer

cc: Township of Langley – Attention: Teresa Frederick (Folder No: AC000064)
20338 65 Avenue, Langley, BC V2J 3J1

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