



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

February 15, 2008

Reply to the attention of Martin Collins
ALC File: #H-36459

Peter Kenward
McCarthy Tetrault LLP
PO Box 10424 Pacific Centre
Suite 1300, 777 Dunsmuir St.
Vancouver, BC V7Y 1K2

Dear Sir

Re: Reconsideration request

Please find attached the Minutes of Resolution #19/2008 outlining the Commission's decision as it relates to the above noted application. It is your responsibility to notify your clients accordingly.

If you have any further questions about this decision please contact Martin Collins at 604-660-7021.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a light blue horizontal line.

Erik Karlsen, Chair

cc: Columbia Shuswap Regional District (LC2331-F) - attention Marcin Patchinski

i\36459d2

BR

Settlement Centre designation (preferred) or that the text for the designation be amended to recognize and encourage an agricultural future on ALR lands. The Commission made its decision after discussing the draft OCP with the Electoral Area Director (Deslisle) and local government staff on November 7, 2007.

Mr. Kenward argues in his letter that the Commission had a meeting and based its decision on the application on information that the applicant did not have notice of, or access to. The Commission recalled that its information gathering process (i.e. discussions with local government and other provincial staff pertaining to commenting on an OCP) are not governed by regulation. While the Commission considered its actions to be within the bounds of administrative fairness required by the *Agricultural Land Commission Act* and *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*, it appreciated the applicant's concern that a decision was made on the application prior to the adoption of the OCP, a contradiction with the Commission's June 1, 2006 statements.

In view of the above, the Commission was prepared to accede to the applicant's requests outlined in the December 21, 2007 letter.

IT WAS

MOVED BY: Commissioner Irvine

SECONDED BY: Commissioner Sidhu

THAT a reconsideration is warranted.

AND 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 Resolution # 577/2007 refusing the exclusion of 27.7 ha be rescinded.

AND THAT the Commission will make a decision on the exclusion application upon the adoption of the Electoral Area 'F' OCP.

AND FINALLY THAT after the OCP is adopted, the applicant will have an opportunity to review information, schedule a meeting, and make submission(s) to the Commission before a decision is made on the application.

CARRIED

Resolution #19/2008