



Agricultural Land Commission
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September 10, 2008

Reply to the attention of Ron Wallace
ALC File: MM-37752

John & Susanne Luzia
28532 Myrtle Avenue
Abbotsford, BC V4X2P4

Dear Madam/Sir:

Re: Application for Non-Farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 536/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: City of Abbotsford (4520-20/SRP#1343)

Enclosure: Minutes

Discussion

The Commission reviewed the report prepared by R.G. (Bob) Holtby, P.Ag., dated July 14, 2008. While Mr. Holtby believed the proposal would improve the land for agricultural purposes, he did not provide enough detailed description of how the project should be done. The Commission is prepared to support the proposal subject to the addition of the following information from Mr. Holtby:

- A detailed description of the land including, but not limited to, topographic features, watercourses, drainage patterns, current land use, etc.
- A detailed description on the overall agricultural objective of placing fill on land in the ALR.
- The volume and type of fill
- The location of the fill source
- An assessment of the potential impacts of placing fill as they relate to watercourses, drainage patterns, and adjacent properties.
- Cross section and profile maps showing the existing and proposed fill areas.

It should be noted that the submission of the above information is needed to properly assess your proposal and that the submission of the above information in no way guarantees your proposal will be approved. Once the above information has been received, the Commission will further consider your application.

Conclusions

1. That the report prepared by R.G. (Bob) Holtby, P. Ag. provides support that the proposal would improve the land for agricultural purposes.
2. That the Commission requires a comprehensive professional report to properly assess the proposal.

IT WAS

MOVED BY: Commissioner Tomlinson

SECONDED BY: Commissioner Pranger

THAT the application be refused.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- 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.*
- (2) The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

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 # 536/2008