



Agricultural Land Commission
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September 10, 2009

Reply to the attention of Ron Wallace
ALC File O-38289

Tidball Construction Ltd.
25166 – 56th Ave,
Langley, BC V4W 1B2

Attention: George Tidball

Re: Request for Reconsideration

This is further to your letter of June 10, 2009 in which you asked the Provincial Agricultural Land Commission to allow the use of a Concession Stand to operate during the horse shows/events.

The Commission has reconsidered the matter and has attached the Minutes of Resolution # 725/2009 outlining its latest decision.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a white background.

Erik Karlsen, Chair

cc: Township of Langley (SO000538)
BC Assessment, Langley

Enclosure: Minutes



A meeting was held by the Provincial Agricultural Land Commission on July 30, 2009 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

PRESENT:	Erik Karlsen	Chair of the Commission
	Sylvia Pranger	Chair, South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Tony Pellett	Staff

For Consideration

A letter from George Tidball was received requesting that the Commission support the use of a Concession Stand on the grounds of the equestrian facility. The Concession Stand would only operate during horse shows/events.

Application:	O-38289
Applicant:	George Tidball
Agent:	N/A
Original proposal:	To deposit approximately 2000 cubic meters of fill over 0.5 ha of the subject property to create a parking lot. The property is being used as an equestrian centre and the extra parking will be for guests.
Original decision:	Allow as proposed due to the current use of the property. There would be no impact to agriculture with this application.
Current proposal:	To construct a Concession Stand on the property to be operated only during horse shows/events.
Legal:	Parcel C, NE1/4, Section 15, township 11, NWD
Location:	24550 – 72 nd Avenue, Langley

Context

The proposal was considered under Section 33 of the Agricultural Land Commission Act (the "Act") which states:

- S33(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, or
 - (c) a recommendation by a facilitator under section 13 relating to a dispute warrants a reconsideration of the original decision.

The proposal is new but the Commission believed the proposal could be reviewed as a reconsideration of this application.

Discussion

The Commission has no objection to the proposed request to use a concession stand provided it is only used during horse shows/events. It was noted the property is fully

developed as an equestrian centre and is also used for a series of non-farm use events throughout the year which was approved in a 2003 application.

IT WAS

MOVED BY: Commissioner Pranger

SECONDED BY: Commissioner Bose

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 the request for the use of a concession stand on the subject property be approved.

AND THAT the approval is subject to the following conditions:

- That the concession stand be used only during horse shows/events.
- That the concession stand be in substantial compliance with the proposed plan submitted with the application.
- Approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED
Resolution