



**PROVINCIAL AGRICULTURAL LAND COMMISSION**  
**Request for Reconsideration**

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**Application:** #C - 38408  
**Applicant:** Standlund, Hali  
**Agent:** Noble, Darren  
**Property Location:** 1590 Wain Rd, North Saanich  
PID: 011-289-147  
Lot 4, Section 19, Range 1 West, North Saanich District, Plan 46824

**Original Proposal:** To deposit fill to create three (3) terraces which would be developed for orchards and landscaping. The maximum total area of the proposal is 1.0 ha.

**Original Decision:** That the application be approved, subject to the following conditions:

- That the amount of fill brought on to the property be limited to a maximum of 3000 cubic meters
- That no fill brought on to the property include structural fill or impermeable clay material
- That any topsoil removed for the proposal be salvaged and replaced to enhance the productive agricultural capability of the property
- That an Irrevocable Letter of Credit (LOC) be posted with the Commission in the amount of \$50,000 to ensure the property is developed in accordance with the proposal to enhance agricultural use on the property. The LOC is to be returned upon the completion of the project to the satisfaction of the Commission.
- The proposal must be completed within three (3) years from the date of this decision.

**Resolution:** #786/2008

**Basis for Reconsideration Request:**

Requesting that the Commission reduce the amount of the Letter of Credit required to \$ 5,000-10,000, based on a revised proposal for less fill and earlier completion date of the project.

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**Statutory Provision for Reconsiderations:**

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

**Attachments:**

- Email from applicant (3/13/09), with attached plan
- Minutes of #786/2008
- ALC Context Map

**Review**

After reviewing the applicants' submission and the file material the Commissioners were canvassed to determine if they believe the requirements of section 33 have been met. The Commissioners concluded as follows:

1. Does the information provided represent evidence not available at the time of the original decision?

YES  NO

2. Does the information provided represent evidence that all or part of the original decision was based on evidence that was in error or was false?

YES  NO

**Decision**

I agree to the reconsideration      I do not agree to the reconsideration

Lorne Seitz \_\_\_\_\_

Jennifer Dyson \_\_\_\_\_

David Craven \_\_\_\_\_

**(Note: A minimum of two (2) Commissioners are needed to grant or deny reconsideration)**

If reconsideration is granted, did the Commission identify any person that it considers is affected by the reconsideration.

YES  NO

**Person(s) Considered Affected**

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

**Date Reviewed:** \_\_\_\_\_

**Witnessed By:** \_\_\_\_\_

**Roger Cheetham  
Regional Planner**

