



**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

September 15, 2009

Reply to the attention of Brandy Ridout  
ALC File: #T-39031

Richard Shoesmith  
3710A-28th Street  
Vernon, BC, V1T9X2

Dear Mr. Shoesmith:

**Re: Application to Subdivide Land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution #781/2009 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in purple ink, appearing to read 'Erik Karlsen', is written over the 'Per:' label.

Erik Karlsen, Chair

Enclosure: Minutes

cc: Regional District of North Okanagan (08-1023-F-ALR)

BR/  
39031d1



### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. It did not believe that removing land from an agricultural parcel to add to a residential lot for a non-agricultural reason (building a new house) was more beneficial to agriculture than the current lot configuration.

### **Conclusions**

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will not be more beneficial for agriculture than the existing lot configuration.

### **IT WAS**

**MOVED BY:** Commissioner Mayer

**SECONDED BY:** Commissioner Sidhu

THAT the application to undertake a lot line adjustment between a 0.3 ha lot and a 25.8 ha lot to create a 0.6 ha lot and a 25.5 ha lot to allow for the construction of a new residence and septic system on the proposed 0.6 ha lot 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 #781/2009**