



PROVINCIAL AGRICULTURAL LAND COMMISSION
Request for Reconsideration

Application: #O-37810
Applicant: Peter and Lillian Riley ✓
Agent: Grant Sanborn of H.G. Sanborn & Associates Inc.
Property: lot 2, Section 6, Township 12, NWD, Plan LMP21855
Location: 21980 – 100 avenue, Langley, BC
Original Proposal: To subdivide the 3.98 ha property into one lot of 1.7 ha and one lot of 2.28 ha.

The applicants indicate that the subject property had not been farmed until they planted a Christmas tree farm in 2002. The applicants wish to continue with the farm but because their kids have grown and moved out, their house is too big for two people. They would like to sell the north part of the property, where the house is located, and build a smaller house on the south part, where the Christmas trees are planted.

Original Decision: The Commission noted the property has good agricultural capability (while recognizing there are some limitations as described above) and that the current size makes for a suitable agricultural property. It felt the proposed subdivision would significantly reduce the overall agricultural potential and viability of the property.

Resolution: #96/2008

Basis for Reconsideration

A letter dated May 30, 2008 from Grant Sanborn (agent for the applicant) which is attached for review. It was noted the Commission may not have been aware of an approval provided to a nearby property for a similar proposal. The other point is that the proposal is in keeping with the Township of Langley zoning and bylaw regulations (i.e. Small Farms/Country Estates designation). The last issue relates to the proposed location of the new home and to confirm that 2.2 ha will remain as a Christmas tree farm operation. The attached copy of the plan shows the areas under production, the proposed lot configuration and the location of the new home.

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.

Staff Comments

The above noted letter and plan is attached for review. The Commission was aware of the previous applications involving the subject property and the surrounding area during its initial review of the application. The Commission was also aware of the local zoning and bylaw regulations and that Council was in support of the application.