



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

January 19, 2010

Reply to the attention of Ron Wallace
ALC File: MM-37964

Rick and Cathy Meeres
48235 Briteside Road
Chilliwack, BC V4Z 1H2

Dear Sir/Madam:

Re: Request for Reconsideration

This is further to your letter of April 12, 2009 in which you asked the Provincial Agricultural Land Commission to reconsider Resolution #300/2008.

The Commission has reconsidered the matter and has attached the Minutes of Resolution # 2005/2009 outlining its latest decision.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Erik Karlsen, Chair

cc: City of Chilliwack (ALR00185)

Enclosure: Minutes/Sketch Plan



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 2, 2009 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

PRESENT: Sylvia Pranger Chair, South Coast Panel
Michael Bose Commissioner
Ron Wallace Staff
Tony Pellett Staff

ABSENT: John Tomlinson Commissioner

For Consideration

A letter from Rick and Cathy Meeres was received requesting that the Commission reconsider its decision recorded as Resolution #300/2008. It indicated that the request for subdivision was for the purpose of allowing their son and his family to own their own property and to help build and develop a beef farm together. The development of the farm would also require leasing several properties in the local area for pasture rotation. It was stated that the proposed subdivision would better enable his son to get into farming and maximize the farming potential of the property.

Application: # MM – 37964
Applicant: Rick and Cathy Meeres
Original proposal: To subdivide the 6.12 ha subject property into two lots; one lot at 4.09 ha and one at 2.03 ha.
Original decision: Refuse as the Commission believed the property has more potential for agriculture as a single unit and that subdivision would negatively impact the agricultural opportunities available to the subject properties in the long term.
Current proposal: To reconsider the proposal to subdivide the 6.12 ha subject property into two lots as previously requested. The applicant would retain the larger parcel and provide the smaller parcel to a family member (his son). The two properties would then be used as a beef farm operation with the leasing of several properties in the local area for pasture. The applicant claims that the proposed subdivision for a family member would allow for the beef farm operation to be managed to its full potential.
Legal: Lot A, District Lot 722 and 723, New Westminster District, Group 2, Plan BCP7933
Location: 48235 Brideside Road, Chilliwack

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 Commission believed that the applicant had provided evidence that was not available at the time of the original decision and so reconsidered the application.

Discussion

The Commission reviewed the letter from the applicant requesting reconsideration of the proposed subdivision of the property into two parcels. In light of the new information the Commission believed the proposed subdivision would result in the maximum utilization of the property for agriculture.

IT WAS

MOVED BY: Commissioner Bose
SECONDED BY: Commissioner Pranger

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 subdivision of the property into two lots; one lot at 4.09 ha and one at 2.03 ha be approved.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- The subdivision must be completed within three (3) years from the date of this decision.

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