



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 11, 2009

Reply to the attention Ron Wallace
ALC File: #O-37990

James Steele
11929 - 24th Street
Maple Ridge, BC V4R 1H9

Dear Mr. Steele,

Re: Reconsideration of Resolution #221/2008

This is further to your letter dated June 7, 2009 (including the letter from Fraser Stamp-Vincent, Commercial Account Manager, Bank of Montreal dated November 5, 2008 and the letter from Mike Welte, Relationship Manager, Farm Credit Canada dated October 16, 2008) and the letter from Brian Bonny, Director of Provincial Affairs, Canadian Federation of Independent Business dated June 5, 2009 requesting reconsideration of the Agricultural Land Commission (the "Commission") decision to refuse the above subdivision application. The following is an excerpt from the *Agricultural Land Commission Act* describing the requirements for reconsideration of Commission decisions:

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.

All the above correspondence was presented to the South Coast Panel. It believes the information provided does not constitute evidence that was not available at the time of the original decision. Nor did it believe that evidence previously considered was in error or false. As such, the Commission is not in a position to grant your request.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: The City of Pitt Meadows (6635-20-2007-09-P)
David Steele & Leslie Luca - c/o 11929 -248th Street, Maple Ridge, BC V4R1H9
Brian Bonney 625 Howe Street, Suite 1430 Vancouver, BC V6C 2T6



PROVINCIAL AGRICULTURAL LAND COMMISSION
Request for Reconsideration

Application: #O-37990
Applicant: James Steele
Agent:
Property:
Location: 18241 Green road, Pitt Meadows
Original Proposal: To subdivide the 25.5 ha property into three parcels.
Original Decision: Refused.
Resolution: #221/2008

Basis for Reconsideration

New information, see attached.

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

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

Sylvia Pranger _____

John Tomlinson _____

Mike Bose _____

Pranger

Michael Bose

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

If a 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. _____
4. _____
5. _____

Date Reviewed:

30 July 2009

Witnessed By:

K Pellett
Tony Pellett,
ALC Land Use Planner