



Agricultural Land Commission
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December 18, 2009

Reply to the attention of Ron Wallace
ALC File #MM-38882

City of Abbotsford
32315 South Fraser Way
Abbotsford, BC V2T 1W7

Attention: Ron Hintsche, Senior Planner

Re: Request for Reconsideration

This is further to your letter of September 24, 2009 in which you asked the Provincial Agricultural Land Commission to reconsider Resolution #521/2009.

The Commission has reconsidered the matter and has attached the Minutes of Resolution # 1765/2009 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: 

Erik Karlsen, Chair

cc: BC Assessment Authority, Abbotsford

Enclosure: Minutes

3. PID: 006-953-204
Parcel "A" (Reference Plan 6424) of Lots 2, 5, 6 and 7, District Lots 412 & 413, Group 2 New Westminster District Group 2, Plan 649A, EXCEPT Firstly: Parcel "One" (Explanatory Plan 11601) Secondly: Part Shown on Plan 11938
4. PID: 003-751-473
Lot 13, District Lots 412 & 413, Group 2 New Westminster District, Plan 66275
5. PID: 006-953-786
Parcel "A" (Reference Plan 690) of Lot 1, District Lot 412 Group 2 Mew Westminster District, Plan 645A, EXCEPT part on Plan 12600

Location: Glenmore and Gladwin Roads, Abbotsford

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 the City of Abbotsford provided new information about the application that justified its reconsideration.

Discussion

Further to the Commission's review of this application, it has no objections to the revised proposal to simplify the boundary realignment to involve only those parcels necessary to complete the project.

IT WAS

MOVED BY: Commissioner Pranger

SECONDED BY: Commissioner Karlsen

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 expansion of the sewage treatment facility as outlined above be approved.

AND THAT the approval is subject to the following conditions:

- The subdivision must be in substantial compliance with the revised subdivision plan dated September 16, 2009;
- the subdivision must be completed within three (3) years from the date of this decision; and

- approval for non-farm use is granted for the sole benefit of the City of Abbotsford and its sewage treatment partners, and is non-transferable.

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 1765/2009