



**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

April 21, 2011

Reply to the attention of Tony Pellett  
ALC File 36954 (ID43457)

Datum Properties Ltd  
#101, 21616 52 Avenue  
LANGLEY BC V2Y 1L7  
Attention: Glenn S. Bell

**Re: Request for Reconsideration**

This is further to your letter of March 30, 2011 in which you asked the Provincial Agricultural Land Commission to reconsider Resolution #528/2008.

The Commission has reconsidered the matter and has attached the Minutes of Resolution # 169/2011 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: 

Brian Underhill, Executive Director

cc: Township of Langley (AL100121)

Enclosure: Minutes

TP/  
35964d3



A meeting was held by the Provincial Agricultural Land Commission on April 21, 2011 by electronic means.

<b>PRESENT:</b>	Sylvia Pranger	Commissioner and Chair of the South Coast Panel
	Michael Bose	Commissioner
	John Tomlinson	Commissioner
	Tony Pellett	Staff

**For Consideration**

A letter from Glenn Bell of Datum Properties Ltd. was received requesting that the Commission reconsider its decision recorded as Resolution #528/2008. It indicated that a way has now been found to achieve the originally requested 5 lots without any adverse impact on agricultural suitability of the land to the east. By removing one existing building, the most northerly two of the lots created in accordance with that resolution would be reconfigured into three lots. The Township of Langley had indicated that it was prepared to allow the additional lot.

Application:	36954 (ID43457)
Applicant:	Glenn Bell
Original proposal:	Create 5 lots
Original decision:	Allow 4 lots, with buffering and fencing of the east boundary
Current proposal:	Create 5 lots without loss of buffering
Legal:	Lots A & B, Plan BCP43704
Location:	22950 80 Avenue, Langley

**Site Inspection**

A site inspection was conducted for the original application on December 20, 2006. Those in attendance at that time were:

- Erik Karlsen                      Chair of the Commission
- Sylvia Pranger                    Commissioner and Chair of the South Coast Panel
- Lorne Seitz                        Commissioner
- John Tomlinson                  Commissioner
- Michael Bose                     Commissioner
- Terra Kaethler                  Staff
- Tony Pellett                       Staff

**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**

It was the consensus of the Commissioners that the creation of one additional lot as currently proposed would have no discernible impact on agriculture. As chair of the South Coast Panel, Commissioner Sylvia Pranger expressed the view that under the special circumstances exhibited by this proposal it is appropriate to waive the deadline ordinarily imposed on reconsideration requests.

**IT WAS**

**MOVED BY:** Commissioner Tomlinson

**SECONDED BY:** Commissioner Bose

THAT for the purposes of Section 33(2) of the *Agricultural Land Commission Act*, there are no persons it considers to be affected by the reconsideration,

AND THAT the request for one extra lot be approved as proposed, that is with no disturbance of the existing buffer and fence on the eastern boundary of the current Lot B.

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 # 169/2011**