



Agricultural Land Commission
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07 February 2011

Reply to the attention of Tony Pellett
ALC File: 37779

1306094 Alberta Ltd.
#128, 6330 London Road
RICHMOND BC V7E 0A7

Attention: Glen Bury

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **41/2011** outlining the Commission's decision as it relates to your request for a time extension. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: *KA Pellett*

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Sharon Fletcher, director of Planning—District of Mission

TP/
37779 d2

On 05 August 2010 the Commission reviewed a request from 1306094 Alberta Ltd. advising that is prepared to undertake additional measures to benefit agriculture, requesting an opportunity to meet and discuss progress made to date, and requesting reconsideration of the decision under Resolution #118/2009. The Commission noted no new information in the request, thus determined that it could not reconsider.

On receipt of advice from 1306094 Alberta Ltd. that the intent of its request had been to meet with the Commission and determine whether the Weinfurter property was the only option (and that the reconsideration request was submitted so as not to miss the deadline in the event that reconsideration was required), the Commission agreed to meet with Glen Bury and his consultant Kirk Miller on January 31, 2011 at the offices of the Commission. At the meeting it was determined that the applicant's current intention was to seek equivalent land for inclusion in the Lower Mainland and capable of being accessed by road. Because the delay in scheduling the meeting had reduced the time available before the two-year deadline the Commission was requested to extend the deadline.

IT WAS

MOVED BY: Commissioner Bose

SECONDED BY: Commissioner Tomlinson

THAT on the Commission's own initiative and on the evidence that there have been delays and confusion for which the applicant was not accountable, the Commission reconsider Resolution #118/2009's two-year time limit on inclusion into the ALR of land suitable for agriculture;

AND THAT no persons are affected by the reconsideration;

AND THAT the two-year time limit be extended by two months to no later than 4:30 p.m. Friday 04 November 2011 (two years and two months from the decision letter date);

AND THAT consistent with the intent of Resolution #118/2009 the following conditions must be met to the satisfaction of the Commission, failing which the conditional approval granted by that resolution will expire:

- any proposal to include land into the ALR must be accompanied by the report of an agrologist acting within his or her registered competency demonstrating that the long term productivity of the land to be included is equivalent to or greater than that of the Weinfurter property;
- lands proposed for inclusion into the ALR need not be contiguous but must be within the ALR and accessible by road;
- if non-contiguous lands are proposed for inclusion into the ALR, the agrologist report must show whether the overall suitability for agriculture may thereby be reduced;
- if it is proposed that the productivity requirement be met by undertaking improvements without which the land could not meet that requirement, the agrologist report must include a full cost estimate suitable for establishment of bonding; and
- if the proposal involves any covenant in favour of the Commission or jointly in favour of the Commission and the local government, a draft of the covenant must accompany the proposal.

CARRIED

Resolution # 41/2011