



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
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www.alc.gov.bc.ca

April 1, 2011

Reply to the attention of Terra Kaethler  
ALC File: 51998

Harp S. Hoonjan  
Platinum Projects Ltd  
2230-138<sup>th</sup> St  
West Vancouver, BC  
V4A 4G6

Dear Sir:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # **114/2011** outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'B. Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Township of Langley #AL100196

TK/  
51998d1



# MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

**A meeting was held by the Provincial Agricultural Land Commission on March 10, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.**

<b>PRESENT:</b>	Richard Bullock	Chair
	Sylvia Pranger	Vice-Chair, South Coast Panel
	John Tomlinson	Commissioner
	Mike Bose	Commissioner
	Tony Pellett	Staff
	Terra Kaethler	Staff

## For Consideration

A letter from Platinum Projects was received requesting that the Commission reconsider its decision recorded as Resolution #2790/2010. It indicated that some of the information presented in the original application was not accurate. Further, it was proposed that a covenant or bond be posted to secure the back portion of the properties for agriculture and that the agricultural area be consolidated.

Application: 51998  
 Applicant: Parmjit Badesha  
 Agent: Harp S. Hoonjan, Platinum Projects Ltd.  
 Proposal: SUBDIVISION - to subdivide 2 parcels totaling 8.06 ha into seven suburban residential lots ranging in size between 0.37 ha to 5.54 ha.

Legal: Parcel 1: 026-703-661  
 Lot A, District Lot 318, New Westminster District Group 2, Plan BCP23876  
 Parcel 2: 026-703-696  
 Lot D, District Lot 318, New Westminster District Group 2, Plan BCP23876

Location: 76A to 7800 block of 232nd Street, Langley

## 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 information that was not available or considered at the time of the original decision had been provided and as such reconsidered the application.

### Reconsideration Meeting

A meeting was held to discuss the reconsideration request on March 10, 2010. Those in attendance were:

- Richard Bullock                      Chair
- Sylvia Pranger                        Vice-Chair, South Coast Panel
- John Tomlinson                        Commissioner
- Tony Pellet                            Staff
- Terra Kaethler                        Staff
- Harp Hoonjan                         Agent

The agent presented his rationale for reconsideration and clarified the proposal. The proposal of a covenant on a portion of the subject lands was discussed. The Commission expressed concerns that the proposal was not in the best interest for agriculture.

### Discussion

The Commission reviewed its previous decision of Resolution #2790/2010, which refused the subdivision on the grounds that the subject properties have good potential for agriculture, based on their agricultural capability and suitability, and that the proposal would adversely impact potential agricultural use the subject properties and surrounding lands. The Commission did not believe that any subdivision is warranted on the subject properties.

The Commission was of the view that the new information did not warrant a change in their original decision.

### **IT WAS**

**MOVED BY:**                      Commissioner Tomlinson

**SECONDED BY:**                Commissioner Pranger

THAT Resolution #2791/2010 be confirmed.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- 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.*
- (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.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration, that the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter, and that if the applicant sells or transfers the property within one (1) year of the decision the new owner is not eligible to submit a request for reconsideration.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

**CARRIED**  
**Resolution # 114/2011**