



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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July 6, 2012

Reply to the attention of Martin Collins
ALC File 52582

Chris and Laura Harp
741 Creekside Road
Penticton, BC
V2A 2C5

Dear Sir/Madam:

Re: Request for Reconsideration

This is further to your letter of May 9, 2012 in which you asked the Provincial Agricultural Land Commission to reconsider Resolution #160/2012.

The Commission has reconsidered the matter and has attached the Minutes of Resolution # 233/2012 and a sketch plan 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: City of Penticton – 3865 Valleyview Road

Enclosure: Minutes/Sketch Plan

- (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

The Commission, after viewing the site concurred that the 0.4 ha proposed for subdivision had no capability for agricultural development, and that its subdivision from the ~4 ha cultivated remainder would not negatively affect agriculture.

IT WAS

MOVED BY: Commissioner J. Johnson

SECONDED BY: Commissioner B. Miles

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 to subdivide a 0.4 ha lot from the 4.4 ha property be approved.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.

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 #233/2012