



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

December 13, 2013

ALC File: # 53135

Aspen Grove Property Services
104-1001 102 Avenue
Dawson Creek BC
V1G 2B9

Attention Anne Clayton

Re: Application to Subdivide Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of a meeting held by the Agricultural Land Commission on November 28, 2013 related to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Further correspondence with respect to this application should be directed to Gordon Bednard.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosure(s): Minutes of November 28, 2013 meeting regarding application # 53135

cc: Peace River Regional District File # 188/2012

53135m1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 28, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to the Request for Reconsideration of Application #53135.

COMMISSION MEMBERS PRESENT:

Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Martin Collins	Regional Planner
Gordon Bednard	Land Use Planner
Lindsay McCoubrey	Land Use Planner

REQUEST FOR RECONSIDERATION

The Commission received e-mail correspondence dated November 21 and 22 requesting reconsideration of its decision recorded as Resolution #221/2013, by which, the proposal to subdivide a 13 ha residential property for the owner's daughter from the 52 ha property was refused as presented, and an alternate subdivision was offered subject to conditions.

Owner:	Wayne Nels Hansen
Agent:	Aspen Grove property Services / Anne Clayton
Original Proposal:	Subdivision of a 13 ha lot from the NE corner of the subject property for the owner's daughter. (Submitted pursuant to section 21(2) of the <i>Agricultural Land Commission Act</i>)
Original Decision:	Refuse as proposed but alternate lot size approved with conditions.
Current Request:	Reconsider the original proposal for 13 ha due to access issues (too steep), and the desire to keep the caretakers lot area outside the ALR (land no good for farming).
Legal:	PID: 004-549-791 The South West ¼ of Section 28, Township 78, Range 15, West of the 6 th Meridian, Peace River District, Except Parcel A (78826M) and Plans A1774, 7680, 9915, 14988, 18881 and BCP28249
Location:	Dawson Creek (north)

LEGISLATIVE CONTEXT FOR COMMISSION RECONSIDERATION

Section 33 (Reconsideration of decisions) of the *Agricultural Land Commission Act* states:

- 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.
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DECISION REGARDING THE REQUEST FOR RECONSIDERATION

The request and the file material were reviewed by the Commission and it was determined that the applicant's submission did not contain new evidence that was unavailable at the time of its original decision, nor did the applicant provide evidence that the decision was based on information that was in error or false. As such, the submission does not meet the requirements of Section 33 of the *Agricultural Land Commission Act* and therefore reconsideration is not appropriate.

The original decision under Resolution #221/2013 remains in effect.