



**AGRICULTURAL LAND COMMISSION FILE 54554**

**REASONS FOR DECISION OF THE CHIEF EXECUTIVE OFFICER**

**Application submitted pursuant to s. 21(2) of the *Agricultural Land Commission Act***

**Applicant:**

**David Koehn  
Julia Koehn  
(the "Applicants")**

**Application before the Chief Executive Officer:**

**Kim Grout**

## **THE APPLICATION**

[1] The legal description of the Properties involved in the applications are:

Property 1

Parcel Identifier: 006-513-247

Lot 24, Section 23, Township 12, New Westminster District, Plan 42322

Area: 2.4 ha

Civic address: 25425 Hilland Avenue, Maple Ridge

Property 2

Parcel Identifier: 006-513-263

Lot 25, Section 23, Township 12, New Westminster District, Plan 42322

Area: 1.2 ha

Civic address: 25465 Hilland Avenue, Maple Ridge

(collectively the "Properties")

[2] Pursuant to s. 21(2) of the *ALCA*, the Applicants are applying to adjust the boundaries between a 1.2 ha and 2.4 ha parcel to create 2.6 ha and 1.0 ha parcels. This boundary adjustment will allow the westerly parcel to be able to access a portion of the easterly property that is currently isolated due to topography. The proposed lot line will follow a ravine on the Properties (the "Application").

## **DELEGATION OF DECISION-MAKING TO THE CHIEF EXECUTIVE OFFICER (CEO)**

### **[3] Chief executive officer may approve some applications**

27(1) The commission, by resolution, may establish criteria under which the following may be approved by the chief executive officer:

- (a) specified types of applications for exclusion, subdivision or non-farm use;
- (b) applications with respect to specified regions of British Columbia.

(2) The commission must put the criteria established under subsection (1) in writing and make them available for inspection during ordinary business hours.

(3) An application that meets the criteria established under subsection (1) may be approved by the chief executive officer on the terms that the chief executive officer

may impose.

- (4) If the chief executive officer considers that the application does not meet the criteria specified under subsection (1) or for any other reason does not wish to approve the application under subsection (3), the application must be referred to the commission for a decision.
- (5) An approval of an application by the chief executive officer under subsection (3) is a decision of the commission for the purposes of this Act.
- (6) The chief executive officer may not exercise a power that has been delegated to a local government, a first nation government or an authority by an agreement entered into under section 26.

[4] On June 27, 2011 the Commission delegated decision-making to the CEO by Resolution #016N-2011 (File: 140-60/ALC/CEO/APPL). In accordance with section 27 of the ALCA the Commission has specified that the following applications may be decided by the CEO.

**Criterion 14**

**Exclusion, subdivision, non-farm use and inclusion applications that are not consistent with any of the existing approved criteria (Criteria 1 - 13) but nonetheless are minor in nature, and in the opinion of the CEO the interests of the Commission would be unaffected by an approval of the application.**

**DECISION**

- [5] This Application addresses the topographical constraints of the Properties, and as such the proposed boundary adjustment will not have an adverse impact on agriculture.
- [6] After reviewing the entire file material, I am satisfied that the proposal is consistent with Criterion # 14 of Resolution #016N/2011 and approve the Application.
- [7] Approval is subject to the following conditions:
  - the subdivision be in substantial compliance with the plan submitted with the application; and
  - The subdivision must be completed within three (3) years from the date of the letter communicating this decision.



[8] 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.

[9] Decision recorded as Resolution #14/2016.

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**I CERTIFY THAT THIS IS A TRUE RECORD OF THE DECISION**

A handwritten signature in black ink, appearing to read 'K. Grout', written over a horizontal line.

**Kim Grout, Chief Executive Officer**

**January 20, 2016**

**Date Released**

ALC Application ID 54554  
Boundary Adjustment Approved by Resolution #14/2016

