



**Agricultural Land Commission**  
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March 20, 2019

ALC File: 53097

**North Pender Island Local Trust Committee**  
**DELIVERED ELECTRONICALLY**

Dear Peter Grove:

**Re: Reconsideration Request – ALC Resolution #368/2016**

A meeting of the Executive Committee of the Agricultural Land Commission (“the Executive Committee”) was held on February 7, 2019 as it relates to the request for reconsideration of Resolution #368/2016 (Application #53097). All members of the Executive Committee were in attendance.

The Executive Committee received correspondence dated October 25, 2018 requesting reconsideration of its decision recorded as Resolution #386/2016. The request received from the North Pender Island Local Trust Committee is for the Executive Committee to reconsider the use of the proposed waste transfer facility on the subject property.

The Executive Committee considered your request for reconsideration pursuant to section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

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.

After reviewing the file material and the request for reconsideration, the Executive Committee found that your submission did not constitute evidence that was not available at the time of the original decision and that could not have been obtained earlier through the exercise of reasonable diligence. In addition, Policy P-08: Request for Reconsideration states that a request for reconsideration will not be made more than one year after the date of the letter transmitting the Commission's original decision. The original decision was transmitted on February 14, 2014 (Resolution #413/2013). Further, Resolution #368/2016 was transmitted on November 8, 2016. The Executive Committee concluded that the request for reconsideration did not meet the requirements for reconsideration pursuant to s. 33(1) of the *Agricultural Land Commission Act* and ALC Policy P-08.

Further correspondence with respect to this application is to be directed to Aimee McGowan at [ALC.Island@gov.bc.ca](mailto:ALC.Island@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Jennifer Dyson, Chair

cc: Islands Trust (File: NP-ALR-2012.1)  
Michael Burdett and Anne Burdett

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