



Agricultural Land Commission

201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

December 3, 2019

ALC C&E File: 136340

ELECTRONIC MAIL

ATTN: STEVEN KINGSNORTH

BC1144124
2483 RHINESTONE ROAD
WEST KELOWNA, BC
V4T 2W1

CIVIL-X CONTRACTORS INC., INC.NO. BC1144124
2483 RHINESTONE RD
WEST KELOWNA, BC
V4T 2W1

Dear Property Owner(s),

Unauthorized Commercial Activity in the Agricultural Land Reserve

CIVIC ADDRESS: 4995 Trepanier Road, Peachland
LEGAL: THAT PART OF LOT 1 DISTRICT LOT 911 OSOYOOS DIVISION YALE
DISTRICT PLAN 1290 SHOWN ON PLAN B4244 EXCEPT PLAN KAP52560
PID: 001-766-686
(the "Property")

This letter serves to inform you that the Agricultural Land Commission (the "ALC") has received information that alleges you are operating a commercial business namely, CIVIL-X CONTRACTORS INC., INC.NO. BC1144124 on the Property.

On October 23, 2019 the ALC was conducting an inspection at an adjacent property that your company was working on, during the inspection the subject of your property came up and in that discussion the ALC was informed that you will be selling the property so that you can be in compliance with the ALC and CORD. You have until June 30, 2020 to get your property sold or you must arrange to remove your business off the property unless a NFUA has been made prior to that date specified in this letter.

As an Official for the ALC I must inform that you can also make a NFUA for the commercial business operating on the property know as CIVIL-X CONTRACTORS INC.

Commission records indicate that the Property is within the Agricultural Land Reserve (the "ALR") and therefore is subject to the *Agricultural Land Commission Act* (the "ALCA") *Agricultural Land Reserve Use Regulation* (the "Use Regulation").

Be advised that pursuant to s. 20(1) and of the ALCA:

20(1) "A person must not use agricultural land for a non-farm use unless permitted by under section 25 or 45 of the regulations.

1. cease the aforementioned non-farm use activity immediately; and
2. not continue if and until permitted under application decision; and
3. submit a non-farm use application by March 1, 2020

Applications are submitted electronically through the ALC Application Portal, accessed using a Basic or Business BCeID account. Information about the ALC Application process instructions for submitting an application to the Panel and access to the Application Portal can be found on the ALC's website at: <http://www.alc.gov.bc.ca/alc/content/applications-and-decisions>

Please advise me of the Application ID once your application has been submitted.

Based on the above information, I consider that the activity taking place on the Property to be in contravention of the ALCA and Use Regulation. A lack of timely response to this letter may result in further action which may include the recommendation of a monetary penalty under Section 54 and/or an order to remediate the Property to a suitable agricultural standard under section 52 (1) of the ALCA.

This letter 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.

Furthermore; please contact me upon receipt of this letter. I can be reached at Dave.Birchmore@gov.bc.ca or 604-833-4242. I look forward to hearing from you to resolve this matter in a timely fashion.

Sincerely,

Dave Birchmore

Dave Birchmore
ALC Compliance and Enforcement Officer

cc: Todd Cashin
cc Diane Merenick

CORD
CORD

via email
via email