



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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Fax: 604-660-7033  
www.alc.gov.bc.ca

January 5, 2005

Reply to the attention of Martin Collins

Michele Cook, Mark Savage  
PO Box 4911  
Smithers, B.C. V0J 2N0

Dear Sir/Madam:

Re: Application # B-35232  
DL 411, Range 5, Coast District

Following the August 19, 2004 submission from Land and Water B.C., the Provincial Agricultural Land Commission (the "Commission") has now made a decision on your application. The Commission noted that the original subdivision application has been changed. Land and Water B.C. is now offering to lease 8 ha of DL 411 for a five year term with a purchase option upon satisfactory completion of the other tenure conditions. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission writes to advise that it allowed the amended application for a five year lease of an 8 ha portion of DL 411 subject to the following conditions:

- the 8 ha leasehold area being in substantial compliance with the attached plan,
- compliance 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. The Commission suggests you contact the Regional District of Bulkley Nechako at your earliest convenience.

The decision noted above is recorded as Resolution # **594/2004**.

The Commission also advises that it is prepared reconsider the application upon the completion of the five year lease agreement to ascertain whether a subdivision of the leasehold area is warranted (based on successful completion of Land and Water B.C. conditions, and the agricultural development of the property).

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Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the leasehold plan is acceptable it will authorize the Registrar of Land Titles to accept the application for deposit of the plan. Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

  
K. B. Miller, Chief Executive Officer

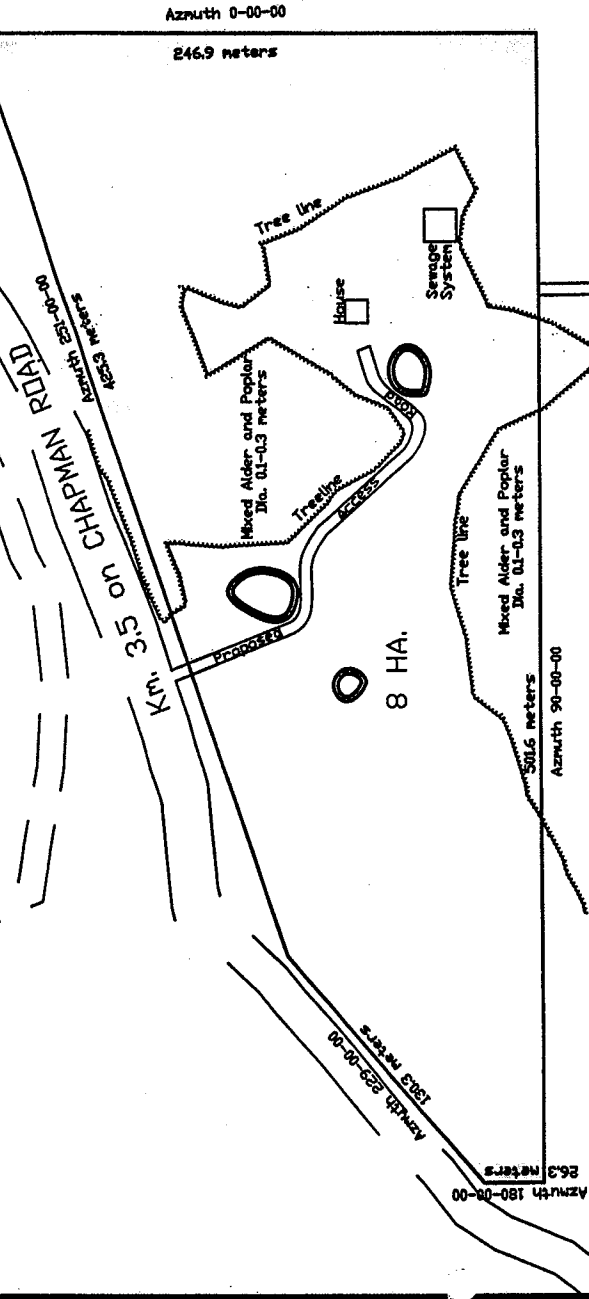
cc: Leah Sheffield, District Agrologist, Smithers  
Regional District of Bulkley Nechako File: 973  
Land and Water BC Ltd, PO Bag 5000, Smithers, BC V0J 2N0

MC/lw/Encl.  
l:35232d2

4730 meters West and 6600 meters South of NE Corner DL 411



TELEKWA RIVER



DL 411

Proposed Auxiliary Water License Permit RA

- Proposed Arable Areas
- Existing Bugout or Kettle Lake
- Proposed Building Location
- Existing Tree Lines Mixed Alder and Poplar Approx. Diameter 0.1-0.3 meters

Proposed 8 Ha. Lot  
D.L. 411 Range 5, Coast District

Provincial Agricultural Land Commission  
Application: B-35232  
Resolution # 594/2004

8 ha area approved for lease

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of meetings held by the Provincial Agricultural Land Commission (the "Commission") on October 5<sup>th</sup> 2004 at the Super 8 Hotel, located at 1440 Alaska Highway, Dawson Creek, B.C.

**PRESENT:** Frank Read Chair  
John Kendrew Commissioner  
Harold Kerr Commissioner

**STAFF:** Martin Collins, Planner.

For Consideration

At the October 5<sup>th</sup> 2004 meeting Martin Collins presented Roger Cheetham's report dated September 21, 2004.

Site Inspection

A site inspection was conducted on 19<sup>th</sup> April 2004. Those in attendance were:

- Commissioners Read, Kendrew & Kerr
- Agricultural Land Commission Staff Roger Cheetham, Planning Officer
- Leah Sheffield, Resource Stewardship Agrologist, Ministry of Agriculture, Food and Fisheries
- Pam Hext, Director of Planning, Bulkley-Nechako Regional District
- Mark Savage, Applicant
- Michele Cook

The Commissioners noted that the site has is generally under pasture and appears to have relative deep soils that are suitable for the proposed use. The applicants pointed out the proposed location of the various uses according to the business and development plan and presented the Commission with a copy of the plan, updated on 12<sup>th</sup> April 2004. The Commission noted that there is little development adjacent to the site. The site inspection lasted from approximately 4:15 – 4:45 p.m.

Commission Discussion

The Commission indicated that it had no objection to the proposed 8 ha lease, noting that the lease to purchase agreement would ensure that agricultural development would be undertaken. After the five year leasehold period is completed the Commission will reconsider the application to ascertain whether a subdivision of the 8 ha area is warranted.

**IT WAS**

**MOVED BY:** Commissioner Kendrew  
**SECONDED BY:** Commissioner Kerr

THAT the staff report be received and that the request to lease an 8 ha area (with an option to purchase) be allowed as proposed.

CARRIED



**Staff Report**  
**Application # B – 35232-0**  
**Applicant: Michele Cook and Mark Savage**

**DATE PREPARED:** September 21st, 2004

**TO:** Chair and Commissioners – North Panel

**FROM:** Roger Cheetham, Planning Officer

**PROPOSAL:** To create an 8.0 ha parcel in the middle of District Lot 411 for the purposes of developing an organic market garden. This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

The Commission will recall that the application was considered at a meeting on the 20<sup>th</sup> April 2004 and discussed further during a conference call on the 12<sup>th</sup> May 2004. The Commission tabled the application in order to obtain information from Land and Water BC regarding the possibility of a lease to purchase agreement. Copies of the previous staff report and the minutes of the meeting are attached hereto as Annex. A.

Terry Pratt of LWBC has recently informed the office that a lease to purchase has now been issued to the applicants – see Annex. B.

**STAFF COMMENTS:**

The lease agreement paves the way for the Commission to impose conditions that provide the necessary safeguards to ensure that the site is not acquired without the intended agricultural activity taking place. Any approval should be made subject to the fulfillment of the implementation plan (See Annex. C) which forms part of the Business Plan and Development Plan for the period October 2004 to September 2009 for the property as submitted to Land and Water BC by the applicants.

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- END OF REPORT

  
- Director's Signature

  
Date