



Agricultural Land Commission
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September 20, 2007

Reply to the attention of Tony Pellett

City of Powell River
6910 Duncan Street
Powell River BC V8A 1V4
Attention: Stan Westby, CAO

Re: Application #X-36970 to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 445/2007 outlining the Commission's decision as it relates to the above noted application.

Please note that the City, either on its own or in consultation with the Catalyst Paper Corporation or the members of the Sliammon First Nation, is welcome to engage the Commission through a comprehensive community planning process aimed at dealing with unresolved issues around economic development (including agriculture). Any resulting proposals involving the ALR would require a new application or applications rather than reconsideration of Application #X-36970, the file on which is now completed.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

Enclosure: Minutes

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

**Resolution #445/2007
Application # X- 36970**

A meeting was held by the Provincial Agricultural Land Commission on August 30, 2007 in Victoria, BC.

PRESENT:

Lorne Seitz	Chair, Island Panel
David Craven	Commissioner
Don Rugg	Commissioner
John Tomlinson	Commissioner
Erik Karlsen	Commission Chair
Terra Kaethler	Staff
Tony Pellett	Staff
Colin Fry (by speaker-phone)	Staff

For Consideration

Application: # X - 36970

Applicant: City of Powell River

Proposal: To exclude approximately 343 ha in three separate locations within the City of Powell River "to permit development of the land to expand economic opportunities within the community".

Legal:

1. PID: 010-267-409 [owned by PRSC Land Developments Ltd.]
Block 56, D.L.450 Gp.1 NWD, Plan 8096 except part in Plan 12767
2. PID: 026-686-589 [owned by PRSC Land Developments Ltd.]
Lot A, D.L.450 Gp.1 NWD, Plan BCP23890
3. PID: 010-267-361 [owned by Catalyst Paper Corporation]
Block 55, D.L.450 Gp.1 NWD, Plan 8096
except portions in Plans 13475, 14965, 16963 and BCP23890
4. PID: 026-685-621 [owned by PRSC Land Developments Ltd.]
Lot C, D.L.450 Gp.1 NWD, Plan BCP23887
5. PID: 026-685-591 [owned by PRSC Land Developments Ltd.]
Lot A, D.L.450 Gp.1 NWD, Plan BCP23887

Location:

- 1 - 3 Highway 101 [Lund Street] between Wildwood and Sliammon
- 4 south side of Cranberry Street between Timberlane and haul road
- 5 east side of Marine Avenue north of Transfer Station

Site Inspection

A detailed site inspection was conducted on July 5, 2007. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- David Craven Commissioner
- Don Rugg Commissioner
- John Tomlinson Commissioner
- Erik Karlsen Commission Chair
- Jennifer Carson Commission Staff Land Use Planner
- Tony Pellett Commission Staff Regional Planner
- Stan Westby CAO, City of Powell River
- Regina Sadlikova Planner, City of Powell River
- Gordon Butt Agrologist, Madrone Environmental Services Ltd.

During the site visit, the Commission and those in attendance viewed each of the parcels under application in relation to the *Land Capability and Soil Assessment* prepared by Madrone Environmental Services Ltd. The Commission and those in attendance also viewed adjacent farms in the Wildwood area of Powell River and toured to the northwest end of the "Airport Reserve" lands owned by the City of Powell River in the Myrtle Point area of the Powell River Regional District.

Public Information Meeting

The Commission held a public information meeting on the evening of July 5, 2007, at the end of which Commission Chair Erik Karlsen invited additional written comments. The comments made at the public information meeting together with all written or graphic material received by August 29, 2007 and all Commission staff summaries up to August 21 2007 were made available for review by the Commission members prior to or during their decision meeting of August 30, 2007.

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Discussion

It was noted that the City Council, in partnership with the Sliammon First Nation Council and the Catalyst Paper Corporation, has expressed its urgent desire to promote or enable new economic development (including agriculture) within the City and adjacent lands of the Sliammon First Nation. As evidence to support its case for community need, the City presented information concerning the downsizing of its major employer, challenges to its tax base, an aging population and a declining school enrollment. The specific development initiative put forward was a "concept overview" schematic drawing prepared by prospective developer Don Greer of Yrainucep Development Corp., who also gave a PowerPoint™ presentation outlining the intent of the proposed development without site specifics.

In its discussions, the Commission recognized the challenges Powell River is facing, which are not dissimilar to those being experienced by a number of communities in British Columbia. The Commission is prepared to work with communities to address challenges of this nature; however, it must also seek to ensure that productive agricultural lands are not impacted negatively. In this regard, all alternatives must be carefully explored, and consideration must be given to measures that would benefit agriculture, agricultural land and the agricultural community such as inclusion of land with agricultural potential into the ALR. Furthermore, when a specific proposal is presented as the solution to the challenges facing the community, the Commission must have a high level of confidence that the proposed solution will actually achieve the objective.

In reviewing the application and supporting documents, and following an extensive public input and discussion process, the Commissioners expressed the following concerns:

- a) Much of the land under application has, or with improvements could have, agricultural capability and could be suitable for agriculture use. Therefore, its exclusion from the ALR could impact agriculture negatively.
- b) The proposed development initiative was lacking in sufficient detail to provide a level of confidence that it would address the challenges facing the community. Furthermore, in response to the Commission's request for more details, the proponent declined citing security concerns.
- c) No detailed inventory of the land base in Powell River was presented. The Commission is not prepared to consider exclusion on the basis of community need unless it is satisfied that the community does not have existing lands available to meet the challenges it faces. In this regard, the Commission noted that in 1994 an area in excess of 100 hectares was approved for exclusion from the ALR to provide land for economic development. That area remains undeveloped.
- d) While several general proposals were made concerning inclusion of non-ALR land into the ALR and other offsetting benefits to agriculture, they lacked sufficient detail and commitment for the Commission to consider them in the context of the application.

The Commissioners did, however, recognize that the land under application had significantly varying degrees of agricultural capability, particularly in some parts of the northern block. Nevertheless, the application was based primarily on community need and the specific proposal required the entire northern block.

Conclusions

1. That many areas of the land under application have agricultural capability and are suitable for agricultural production.
2. That the case for community need has not been established and, in any event the proposed solution was lacking in detail.
3. Offsetting benefits to the ALR and agriculture were lacking.

IT WAS

MOVED BY: Commissioner Tomlinson

SECONDED BY: Commissioner Karlsen

THAT Application #X-36970 be refused as submitted.

CARRIED

Resolution # 445/2007