



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604-660-7000
Fax: 604-660-7033
www.alc.gov.bc.ca

March 14, 2007

Reply to the attention of Simone Rivers
ALC File: #W - 37090

Steve's Sand & Gravel Ltd
1007 Borden Avenue
Kelowna, BC V1Y 6A7

Dear Sir/Madam:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 72/2007 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan. It will also confirm for the Registrar the area excluded from the ALR.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

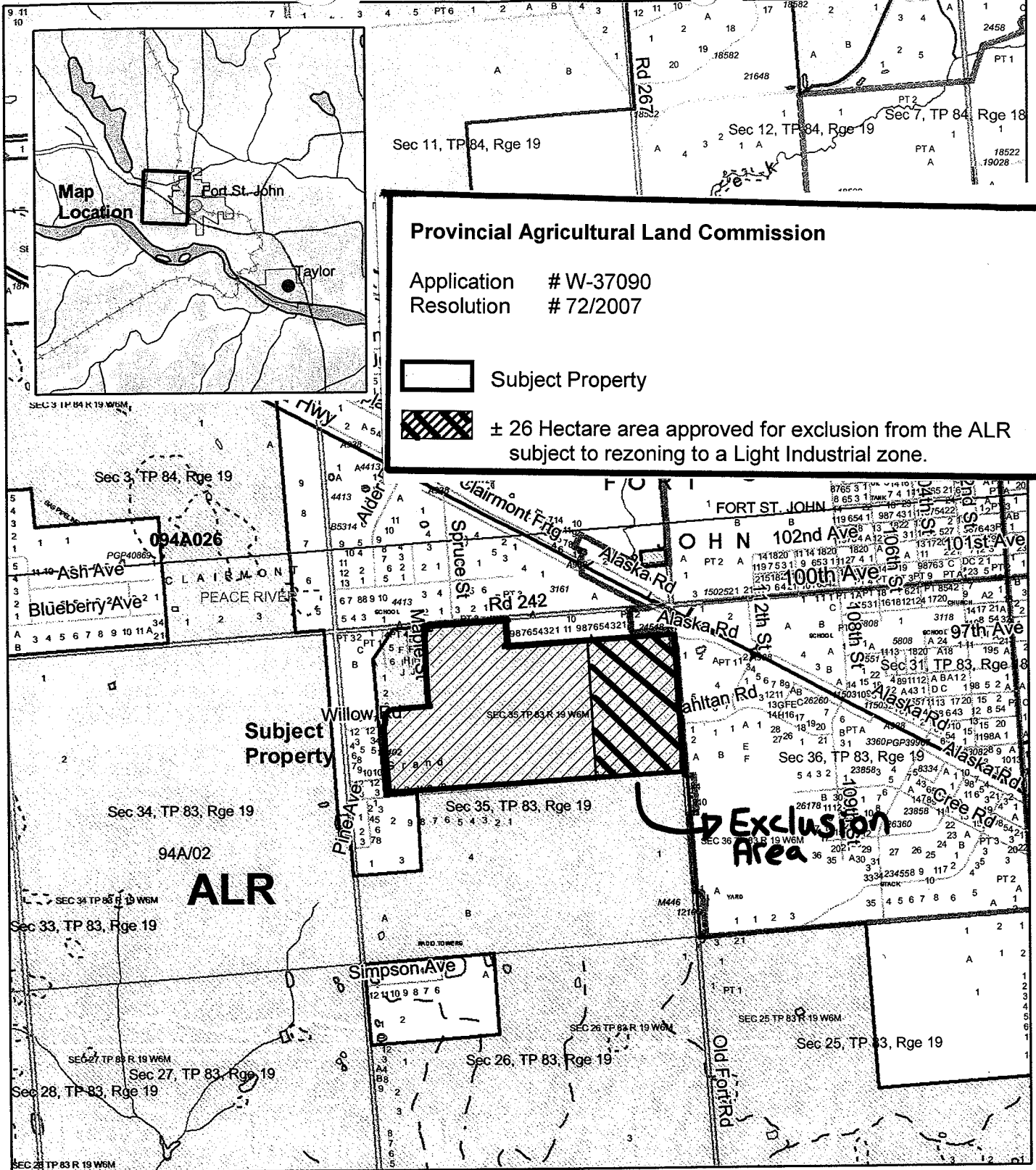
Per:

Erik Karlsen, Chair

cc: Peace River Regional District (#204/2006)



Enclosure: Minutes/Sketch Plan

SBR/lv
37090d1



Provincial Agricultural Land Commission

Application # W-37090
 Resolution # 72/2007

 Subject Property
 ± 26 Hectare area approved for exclusion from the ALR subject to rezoning to a Light Industrial zone.

ALC Context Map

Map Scale: 1:25,000



ALC File#:	02-06-37090
Map Sheet #:	94A.026
Regional District:	Peace River



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on February 22, 2007 at Fort St. John, B.C.

PRESENT:	Frank Read	Chair, North Panel
	John Kendrew	Commissioner
	William Norton	Commissioner
	Martin Collins	Staff
	Brian Underhill	Staff

For Consideration

Application: # W- 37090
Applicant: Steve's Sand & Gravel Ltd
Proposal: To exclude the 95 ha subject property in order to utilize the northwest remainder for residential use and the northeast remainder for light industrial use.
Legal: PID: 014-776-413
The North ½ of Section 35, Township 83, Range 19, West of the 6th Meridian, Peace River District, Except Legal Subdivision 13 and Plans 7141, 8282, 10051, 10411, 14402
Location: Located west of the City of Fort St. John and is accessible from either Grandhaven 242 Road or the Old Fort Road.

Exclusion Meeting

An exclusion meeting was conducted on February 22, 2007 at Fort St. John. Those in attendance were:

- | | |
|-------------------|---------------------------------|
| • Frank Read | Chair, North Panel |
| • John Kendrew | Commissioner |
| • William Norton | Commissioner |
| • Brian Underhill | Staff |
| • Theresa Mucci | Representative of the applicant |
| • Ron Rodgers | Representative of the applicant |

The Commission met with the applicants and discussed the proposal. The Commission spoke about their concerns regarding the phasing of the CDP and that the applicant had applied to exclude some land that was designated for exclusion in phase II of the CDP.

Discussion

The Commission recalled that since endorsing it in 2005, recent Commission decisions in the Fort St. John area have been made based on the Fort St. John and Area Comprehensive Development Plan (CDP). If a proposal is consistent with the CDP, the Commission has approved it and if it is not consistent with the plan the Commission has refused the proposal.

The subject property lies within the Fort St John Comprehensive Development Plan (CDP) partially in an area designated as "Light Industrial" and partially in an area designated Residential. However, part of the Light Industrial Area as well as the entire Residential area are proposed for development in Phase II of the plan. As the Commission has not received information from the Regional District that Phase I of the plan has been substantially developed, the Commission is only willing to consider excluding the Phase I portion of the subject property at this time. The Commission has no objection to the exclusion of the ±26 ha area located within Phase I subject to the rezoning of this portion of the property to a "Light Industrial" zone.

IT WAS

MOVED BY: Commissioner Kendrew

SECONDED BY: Commissioner Read

THAT the application be refused as proposed.

AND THAT the Commission would allow the exclusion of the ±26 ha portion of the property located within the area designated for Light Industrial Development within Phase I of the Fort St. John and Area Comprehensive Development Plan.

AND THAT the approval is subject to the following conditions:

- the preparation of a subdivision plan to delineate the area to be excluded.
- that the property be rezoned to a light industrial zone

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.

CARRIED

Resolution # 72/2007



Staff Report
Application # W – 37090
Applicant: Steve's Sand & Gravel Ltd

DATE RECEIVED: November 29, 2006

DATE PREPARED: January 10, 2007

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To exclude the 95 ha subject property in order to utilize the northwest remainder for residential use and the northeast remainder for light industrial use.

This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Only 26 ha of the 95 ha property is in the area approved for development in phase 1 of the CDP.

Local Government:

Peace River Regional District

Legal Description of Property:

PID: 014-776-413

The North ½ of Section 35, Township 83, Range 19, West of the 6th Meridian, Peace River District, Except Legal Subdivision 13 and Plans 7141, 8282, 10051, 10411, 14402

Purchase Date:

August 1996

Location of Property:

Located west of the City of Fort St. John and is accessible from either Grandhaven 242 Road or the Old Fort Road.

Size of Property:

95 ha (The entire property is in the ALR).

Present use of the Property:

Fenced landing strip for small airplanes, horses pasturing on property, on buildings exist on the property

Surrounding Land Uses:

WEST: Residential
SOUTH: Residential
EAST: Commercial, light industrial
NORTH: Commercial, light industrial, residential

Agricultural Capability:

Data Source: Agricultural Capability Map # 94A/2
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

North Peace OCP, Bylaw No. 820 (1993)
Designation: Rural Resource - Agricultural

Zoning Bylaw and Designation:

Peace River Regional District Zoning Bylaw No. 1343 (2001)
Designation: A-2 (Large Agricultural Holding Zone)
Minimum Lot Size: 63 ha

PREVIOUS APPLICATIONS:

Application #31455-0

Applicant: Steve's Sand & Gravel Ltd
Decision Date: July 23, 1997
Proposal: The applicant requests permission to subdivide the approximately 95 hectare property into one lot 91 hectares and two lots of 2 hectares.
Decision: The Commission refused the application on the grounds that subdivision would reduce the agricultural potential of the Property and that other alternatives to expansion of industrial/commercial activities onto the ALR should be investigated.

Application #32428-0

Applicant: Steve's Sand & Gravel Ltd
Decision Date: January 26, 1999
Proposal: To subdivide a 2 hectare parcel from the 95 hectare property leaving a 93 hectare remnant.
Decision: The Commission refused the subdivision request on the grounds that subdivision would reduce the agricultural potential of the property and facilitate an industrial intrusion into an agricultural area.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Peace River Regional District Board: The Regional Board forwarded the application with a recommendation of support on the basis that the proposed use is consistent with the Fort St. John and Area Comprehensive Development Plan

STAFF COMMENTS:

Since its adoption in January 2005 recent decisions in the Fort St. John area have been directed by the Commission's position on the Fort St. John and Area Comprehensive Development Plan (CDP). If a proposal is consistent with the plan it has been approved. If it is not consistent, approval has not been granted. In this case the applicant is proposing to exclude the subject property for light industrial and residential uses. Although the applicant's proposal is consistent with the non-farm designations given the subject property, it is inconsistent with the phasing put forth in the CDP. Only ±26 ha of the 95 ha property is slated to be developed in Phase I of the development. As the Commission has not been given information from the Regional District to indicate that all the lands designated in Phase I have been fully developed, staff does not recommend exclusion of the entire property at this time. Staff does recommend exclusion, in principle (subject to the required rezoning), of the ± 26 ha area approved for Light Industrial development in Phase 1. Staff believes that exclusion of the remainder of the property is premature at this time.

ATTACHMENTS:

- Page 4 of the Local Government report - Impact Analysis
- Fort St. John and Area Comprehensive Development Plan Map, Final CDL Map with phasing
- ALC Context Map - 94A.026 - 1:25,000 (created by ALC Staff)
- Airphoto - 1:15000 (created by ALC Staff)

END OF REPORT

Simone Rivers
Signature

Jan 10, 2007
Date