



**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

May 3, 2007

Reply to the attention of Simone Rivers  
ALC File: P-37263

Frozen North Developments Ltd.  
P.O. Box 366 - 2077 McBride Avenue  
Terrace, BC V8G4B1

Dear Sir/Madam:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 166/2007 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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of Kitimat-Stikine (3370-20-274)

Enclosure: Minutes/Sketch Plan

SR/eg  
i/37263d1

**Provincial Agricultural Land Commission**

Application # - P-37263  
 Resolution 166/2006



Subject Property



Approved subdivision into 7 strata lots with the remainder as common property

PLAN SHOWING PROPOSED BARELAND SUBDIVISION OF BLOCK 3  
 DISTRICT LOT 3986, RANGE 5, COAST DISTRICT, PLAN 6820.  
 AND DESIGNATED AGRICULTURAL LAND RESERVE AREA.

SCALE 1 : 5000



DISTRICT LOT 4468

PLAN 7251

D.L. 4469

PLAN PRP13747

BLOCK 2  
 PLAN 6820

3986

POWER LINE

COMMON PROPERTY

D.V.

FURLONG CREEK

A.L.R. BOUNDARY

BLOCK 3  
 PLAN 6820

A.L.R.

65

DISTRICT LOT 3985

SEE FILE  
 P-29803

HIGHWAY 37  
 PLANS 4584 AND 5666

LAKELSE LAKE





## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

---

**A meeting was held by the Provincial Agricultural Land Commission on April 13, 2007 at the offices of the Peace River Regional District, Fort St. John, B.C.**

<b>PRESENT:</b>	Frank Read	Chair, North Panel
	John Kendrew	Commissioner
	William Norton	Commissioner
	Erik Karlsen	Chair, ALC
	Simone Rivers	Staff

### **For Consideration**

Application: # P- 37263  
Applicant: Frozen North Developments Ltd.  
Proposal: To create a bare land strata on the 15.7 ha property of 7 lots of approximately 0.1 ha (1000 m<sup>2</sup>) and a remaining common area.  
Legal: PID: 009-678-557  
District Lot 3986, Block 3, Range 5 Coast District, Plan 6820  
Location: Furlong Creek, Terrace

### **Site Inspection**

A site inspection was not conducted.

### **Discussion**

The Commission reviewed the file and noted that only half of the property was in the ALR. It further noted that only three of the seven proposed strata lots are within the ALR portion of the property. A previous request to create a similar strata was allowed on an adjacent property that was entirely within the ALR.

### **IT WAS**

**MOVED BY:** Commissioner Norton  
**SECONDED BY:** Commissioner Kendrew

THAT the application be allowed.

AND THAT the approval is subject to the following conditions:

- the strata development must be in substantial compliance with the plan submitted with the application
- The strata must be completed within three (3) years from the date of this decision.

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 # 166/2007**



**Staff Report**  
**Application # P – 37263**  
**Applicant: Frozen North Developments Ltd.**

**DATE RECEIVED:** March 5, 2007

**DATE PREPARED:** March 27, 2007

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

**FROM:** Simone Rivers, Land Use Planner

**PROPOSAL:** To create a bare land strata on the 15.7 ha property of 7 lots of approximately 0.1 ha (1000 m<sup>2</sup>) and a remaining common area.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

Only the southern portion of the subject property, about 7.2 ha, is in the ALR.

**Local Government:**

Regional District of Kitimat-Stikine

**Legal Description of Property:**

PID: 009-678-557  
District Lot 3986, Block 3, Range 5 Coast District, Plan 6820

**Location of Property:**

Furlong Creek, Terrace

**Size of Property:**

15.7 ha

**Present use of the Property:**

Undeveloped beach lake frontage, former owner used for campsites for family and friends. One old cabin standing on northwestern side of lake frontage is to be torn down immediately.

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 1031/7  
The majority of the property is identified as having Secondary ratings.

**Zoning Bylaw and Designation:**

Lakelse Lake Zoning Bylaw No. 57  
Designation: N/A  
Minimum Lot Size: 2.0 ha

**PREVIOUS APPLICATION:**

**Application #32320-0**

**Applicant:** Anson, Anne  
**Decision Date:** November 24, 1998  
**Proposal:** The applicant has installed 10 campsites and a connecting road along the southeast corner of the subject property within the ALR. There are also four cabins adjacent to the lake on the non ALR portion of the property.  
**Decision:** The application was approved for the campground facility.

**RELEVANT APPLICATION:**

**Application #29803-0**

**Applicant:** Don Hull & Sons Contracting Ltd.  
**Decision Date:** July 13, 1995  
**Proposal:** To subdivide three lake front lots of 4.0 ha and a remainder of 37 ha.  
**Decision:** Allowed.

**Application #29803-1**

**Applicant:** Don Hull & Sons Contracting Ltd.  
**Decision Date:** April 11, 2001  
**Proposal:** To subdivide the four lots allowed by Resolution # 578/95 by bare land strata. The three lake front lots will share the large remainder as common property. The Common property has a no build covenant being registered in favour of the Ministry of Transportation and Highways due to the fact that the area is prone to sluffing.  
**Decision:** Allowed as proposed.

**STAFF COMMENTS:**

Staff note the following:

- A similar request was allowed by the Commission on a property directly south of the subject property. In that instance the entire property was in the ALR, in this instance only 2 of the 7 proposed lots are wholly in the ALR.
- The ALR in this area does not appear to be developed for farming.

**ATTACHMENTS:**

- Letter from the Regional District of Kitimat-Stikine describing the proposal.
- Sketch of proposal (submitted by the applicant)
- ALC Context Map - 103I.038 - 1:50,000 (created by ALC Staff)
- ALC Context Map - 103I.038 - 1:20,000 (created by ALC Staff)
- Airphoto - 1:10,000 (created by ALC Staff)

**END OF REPORT**

  
Signature

  
Date



**Staff Report**  
**Application # P – 37263**  
**Applicant: Frozen North Developments Ltd.**

**DATE RECEIVED:** March 5, 2007

**DATE PREPARED:** March 27, 2007

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

**FROM:** Simone Rivers, Land Use Planner

**PROPOSAL:** To create a bare land strata on the 15.7 ha property of 7 lots of approximately 0.1 ha (1000 m<sup>2</sup>) and a remaining common area.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

Only the southern portion of the subject property, about 7.2 ha, is in the ALR.

**Local Government:**

Regional District of Kitimat-Stikine

**Legal Description of Property:**

PID: 009-678-557

District Lot 3986, Block 3, Range 5 Coast District, Plan 6820

**Location of Property:**

Furlong Creek, Terrace

**Size of Property:**

15.7 ha

**Present use of the Property:**

Undeveloped beach lake frontage, former owner used for campsites for family and friends. One old cabin standing on northwestern side of lake frontage is to be torn down immediately.

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 103I/7

The majority of the property is identified as having Secondary ratings.

**Zoning Bylaw and Designation:**

Lakelse Lake Zoning Bylaw No. 57  
Designation: N/A  
Minimum Lot Size: 2.0 ha

**PREVIOUS APPLICATION:**

**Application #32320-0**

**Applicant:** Anson, Anne  
**Decision Date:** November 24, 1998  
**Proposal:** The applicant has installed 10 campsites and a connecting road along the southeast corner of the subject property within the ALR. There are also four cabins adjacent to the lake on the non ALR portion of the property.  
**Decision:** The application was approved for the campground facility.

**RELEVANT APPLICATION:**

**Application #29803-0**

**Applicant:** Don Hull & Sons Contracting Ltd.  
**Decision Date:** July 13, 1995  
**Proposal:** To subdivide three lake front lots of 4.0 ha and a remainder of 37 ha.  
**Decision:** Allowed.

**Application #29803-1**

**Applicant:** Don Hull & Sons Contracting Ltd.  
**Decision Date:** April 11, 2001  
**Proposal:** To subdivide the four lots allowed by Resolution # 578/95 by bare land strata. The three lake front lots will share the large remainder as common property. The Common property has a no build covenant being registered in favour of the Ministry of Transportation and Highways due to the fact that the area is prone to sluffing.  
**Decision:** Allowed as proposed.

**STAFF COMMENTS:**

Staff note the following:

- A similar request was allowed by the Commission on a property directly south of the subject property. In that instance the entire property was in the ALR, in this instance only 2 of the 7 proposed lots are wholly in the ALR.
- The ALR in this area does not appear to be developed for farming.

**ATTACHMENTS:**

- Letter from the Regional District of Kitimat-Stikine describing the proposal.
- Sketch of proposal (submitted by the applicant)
- ALC Context Map - 1031.038 - 1:50,000 (created by ALC Staff)
- ALC Context Map - 1031.038 - 1:20,000 (created by ALC Staff)
- Airphoto - 1:10,000 (created by ALC Staff)

**END OF REPORT**

  
Signature

  
Date