



Agricultural Land Commission
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October 30, 2007

Reply to the attention of Simone Rivers
ALC File: W-37485

Wayne Dahlen
429 - 94th Avenue
Dawson Creek, BC V1G1G1

Dear Mr. Dahlen:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 537/2007 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:


Erik Karlsen, Chair

cc: Peace River Regional District (202/2006)

Enclosure: Minutes



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 5, 2007 in Pouce Coupe B.C.

PRESENT:	John Kendrew	Acting Chair, North Panel
	William Norton	Commissioner
	David Craven	Commissioner
	Simone Rivers	Staff
	Martin Collins	Staff

For Consideration

Application: # W- 37485
Applicant: Ferrol Pavlis
Agent: Wayne Dahlen
Proposal: To exclude an 8 ha area in order to use the land for industrial use.
Legal: PID: 014-267-331
North East 1/4, Section 4, Township 78, Range 15, W6M, Peace River District, EXCEPT Part Dedicated Road on Plan BCP18315
Location: Located south of Dawson Creek along the Dangerous Goods Route, between Dawson Creek and Bear Mountain.

Site Inspection and Exclusion Meeting

A site inspection was conducted on October 4, 2007. Those in attendance were:

- | | |
|--------------------------|---------------------------|
| • John Kendrew | Acting Chair, North Panel |
| • William Norton | Commissioner |
| • David Craven | Commissioner |
| • Simone Rivers | Staff |
| • Martin Collins | Staff |
| • Julie Robinson | MAL Staff |
| • Rick and Ferrol Pavlis | Applicants |
| • Wayne Dahlen | Agent for the applicant |
| • Calvin Kruk | Mayor, Dawson Creek |
| • Terry Foster | |

The Commission met the applicants on the subject property and noted that the majority of the 64 ha subject property was in agricultural use. It viewed the existing dwelling and noted that some trailers were being stored on the property. It walked with the applicants to view an area that had been cleared for development as a wellsite. The Commission was informed that the oil company had not pursued the development of the wellsite in this location but that the site had not been rehabilitated. The topsoil appeared to have been stockpiled around the edges of the wellsite so that rehabilitation would be possible.

The Commission was informed by Mayor Kruk that the City of Dawson Creek had recently voted to apply to have the subject property incorporated into the City. At the current time the property is located within the Peace River Regional District.

Mr. Dahlen confirmed that the staff report dated September 20, 2007 was received and no errors were identified.

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

Assessment of Agricultural Capability

The agricultural capability of the soil of the subject property is rated as 60% Class 2C – 40% Class 3X

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Subclasses – C- adverse climate X - cumulative and minor adverse characteristics

The Commission considers the agricultural capability of the subject property to be classified as Prime, consistent with that of adjacent lands in the ALR and believes that the property is correctly designated as ALR.

Assessment of Agricultural Suitability

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The exclusion of 8 ha from the ALR and the development of an oilfield trucking, construction and rental business on the site would permanently alienate this Class 2 and 3 land from agricultural production. Therefore, the Commission believes the proposal would impact existing or potential agricultural use of the subject property.

Assessment of Other Factors

In reviewing this application the Commission considered its position on the South Peace Comprehensive Development Plan, which was finalized in spring 2007. The Commission recalled that the subject property had originally been proposed for non-farm development as part of the plan but that the Commission had not endorsed the use of the property for non-farm purposes, believing that the designation of 200 ha of land for future light industrial use in the Dawson Creek area is sufficient to meet the need for industrial land in the community for the foreseeable future. When the CDP was finalized the Commission had not endorsed any non-farm designation for the subject property but had commented that it would consider an application for exclusion/non-farm use outside of the CDP planning process. Upon review of the application on its merits, the Commission believes that exclusion of the 8 ha portion of the property or endorsement of non-farm use would be contrary to its mandate to preserve agricultural land and encourage farming.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Craven

SECONDED BY: Commissioner Norton

THAT the application be refused.

CARRIED

Resolution # 537/2007