



**Agricultural Land Commission**  
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Burnaby, British Columbia V5G 4K6  
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April 22, 2010

Reply to the attention of Simone Rivers  
ALC File: 51250

Jeff Rahn  
c/o Peace River Regional District  
Box 810, 1982 Alaska Avenue  
Dawson Creek, B.C. V1G 4H8

Dear Mr. Rahn:

**Re: Application for Non-Farm Use in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 2411/2010 outlining the Commission's decision as it relates to the above noted application.

Please provide photographs of the completed facility that show the location of the perimeter fencings when construction is complete.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink that reads "Simone Rivers". The signature is written in a cursive, flowing style.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Peace River Regional District (177/2009)  
BC Assessment, Dawson Creek

SBR/  
51250d1



A meeting was held by the Provincial Agricultural Land Commission on March 30, 2010 at Fort St. John, B.C.

<b>PRESENT:</b>	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	Jim Collins	Commissioner
	Simone Rivers	Staff

**For Consideration**

Application: 51250  
 Applicant: Peace River Regional District  
 Agent: Jeff Rahn  
 Proposal: To develop and operate a manned Solid Waste Transfer Site on the subject property consisting of 3 solid waste bins and an employee trailer  
 Legal: PID: 012-635-588  
 Lot 1, Section 16, Township 25, Peace River District, Plan 5938  
 Location: Tomslake, at the site of the former Sudetan Hall

**Site Inspection**

A site inspection was not conducted.

**Application Meeting**

An application meeting was conducted on March 29, 2010 at the offices of the Peace River Regional District. Those in attendance were:

- William Norton                      Chair, North Panel
- Denise Dowswell                      Commissioner
- Jim Collins                              Commissioner
- Simone Rivers                         Staff
- Jeff Rahn                                 Agent

Mr. Rahn described the proposed use of the property as well as the historic uses. He described that the location had been chosen by the District after consultation with local residents through public meetings. Mr. Rahn also described that the existing transfer station is not large enough. The new site will be manned and also have the ability to take large items of waste, which cannot currently be left at the existing transfer station.

It was also described that the subject property had not been used for farming as it was the site of a former Sudetan Hall and baseball diamonds.

Mr. Rahn confirmed that the staff report dated February 25, 2010 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**

The Commission believed that the subject property had limited agricultural capability and suitability due to its small size and historical use of the property as a community hall and for playing fields. The Commission further believed that the proposed transfer station would not have a negative impact on the agricultural utility of the surrounding properties provided that the facility was fenced as proposed and manned.

### **IT WAS**

**MOVED BY:** Commissioner Collins  
**SECONDED BY:** Commissioner Dowswell

THAT the application be approved.

AND THAT the approval is subject to the following conditions:

- the construction of a fence around the perimeter of the portion of the property being used as a transfer station.
- The transfer station must be manned as proposed.
- all topsoil on the site must be stripped and salvaged for future site reclamation purposes.
- Construction of the transfer station must be substantially completed within three (3) years of the date of this decision.
- Approval for non-farm use is granted for the sole benefit of the applicant and is non-transferable. Once constructed the Peace River Regional District may contract a third party to operate the facility; however, should the property be sold, a new non-farm use application must be made in order to continue this use.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

S.33 (1) *On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*  
*(a) evidence not available at the time of the original decision has become available,*  
*(b) all or part of the original decision was based on evidence that was in error or was false.*

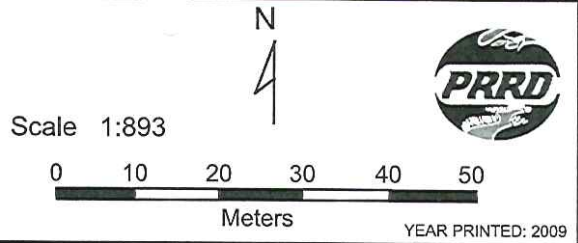
*(2) The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

**CARRIED**  
**Resolution # 2411/2010**

**TOMSLAKE TRANSFER STATION  
SITE DEVELOPMENT PLAN**






Property Boundary

**LOT 1, SECTION 16, TOWNSHIP 25, PRD PLAN 5938**

**Provincial Agricultural Land Commission**

Application 51250  
Resolution 2411/2010

-  Subject Property
-  Approved area for use as a solid waste transfer station
-  Location of fencing

