



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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April 21, 2010

Reply to the attention of Simone Rivers  
ALC File: 51568

Shane Carlson  
c/o 0825827 BC Ltd/ SN Carlson Trucking  
120 – 116<sup>th</sup> Avenue  
Dawson Creek, B.C.  
V1G 3G8

Dear Mr. Carlson:

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

Please find attached the Minutes of Resolution # 2386/2010 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.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

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 (004/2010)  
BC Assessment, Dawson Creek

SBR/  
51568d1



# MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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

**PRESENT:** William Norton                                              Chair, North Panel  
                 Denise Dowswell                                            Commissioner  
                 Jim Collins                                                        Commissioner  
                 Simone Rivers                                                     Staff

## **For Consideration**

Application:            51568  
Applicant:             0825827 BC Ltd  
Agent:                 Shane Carlson  
Proposal:              To subdivide the 8.5 ha property into a 2 ha, a 2.5 ha and a 4 ha lot.  
Legal:                 PID: 015-854-205  
                              Lot A, Section 14, Township 78, Range 17, West of the 6<sup>th</sup> Meridian,  
                              Peace River District, Plan 34463  
Location:              Arras between Highway 97S and the Old Hart Connector

## **Site Inspection**

A site inspection was conducted on March 29, 2010. Those in attendance were:

- William Norton            Chair, North Panel
- Denise Dowswell          Commissioner
- Jim Collins                 Commissioner
- Simone Rivers             Staff
- Shane Carlson             Applicant

The Commission viewed the property which had been used for industrial purposes for many years. The applicant wishes to have two separate properties on which to run his businesses because of regulatory issues. The applicant does not currently have a proposal for the third property. The applicant stated that he bought the property because it was zoned "Heavy Industrial" and therefore suited his purposes and only later discovered that the property was in the ALR.

Mr. Carlson confirmed that the staff report dated March 9, 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

### **Assessment of Agricultural Capability**

The agricultural capability of the soil of the subject property is 60% Class 3X – 40% Class 4T with limitations of x: cumulative and minor adverse characteristics and t: topography.

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

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Despite the CLI rating the Commission believed that the property had limited agricultural capability due to years of industrial use, first as a sawmill and later as a salvage yard as.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission noted that the Commission had approved non-farm uses on the property on two previous occasions and that these uses had greatly reduced the ability of the property to be used for agriculture. Due to the long time industrial use of the property the Commission does not believe the proposal to subdivide and continue to use the property for industrial purposes would impact existing or potential agricultural use of surrounding lands.

### **Assessment of Other Factors**

Due to the industrial nature of the property the Commission believes that any future changes to the use of the subject property or the lots it is to be divided into should be made by way of an exclusion application.

### **Conclusions**

1. That the land under application has limited agricultural capability.
2. That the proposal will not impact agriculture.

### **IT WAS**

**MOVED BY:** Commissioner Collins

**SECONDED BY:** Commissioner Norton

THAT the application to subdivide the property into three lots be approved

AND THAT the application to use two of the three proposed lots for non-farm purposes – specifically a water storage facility and a trucking business – be approved.

AND THAT the approval is subject to the following conditions:

- Should the applicant wish the Commission to consider a non-farm use on the third property, that this should be done by way of an exclusion application

- Should the non-farm use of the other two properties change from that listed above, an exclusion application should be made to the Commission.
- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision 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. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

**CARRIED**  
**Resolution # 2386/2010**

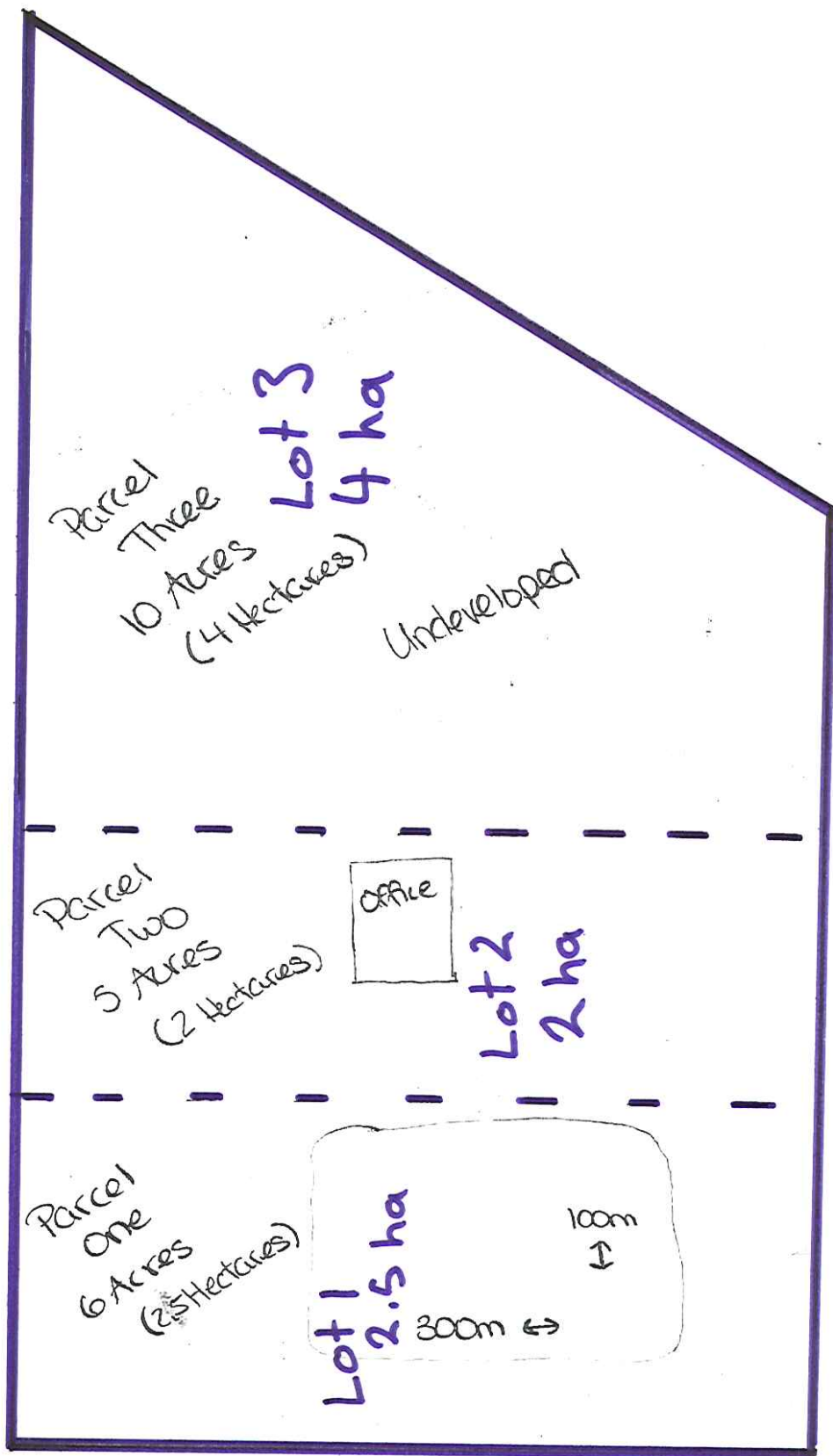
East Arras Road



Provincial Agricultural Land Commission

Application 51568  
Resolution 2386/2010

Subject Property showing approved subdivision (not to scale)



208 Road

241 Road

January 28, 2010