



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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Fax: 604-660-7033
www.alc.gov.bc.ca

September 26, 2005

Reply to the attention of Simone Magwood

Al Fleet
PO Box 219
Charlie Lake, BC – V0C 1M0

Dear Mr. Fleet

Re: Application #36061
South West ¼, Section 29, Township 83, Range 18, W6M, Peace River District,
except plans A938, 17901, 21235.

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to exclude 1.9 ha of the above mentioned property from the ALR. The application was submitted pursuant to section 30(1) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on September 14, 2005.

The Commission writes to advise that it approved your application subject to:

- the preparation of a subdivision plan to delineate the area to be excluded as shown on the attached drawing.
- the construction of a fence.

The decision noted above is recorded as Resolution **#495/2005**.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable and verifies that all conditions of approval have been met it will authorize the Registrar of Land Titles to accept the application for deposit of the plan and confirm the exclusion of the area from the Agricultural Land Reserve Plan of the Peace River Regional District.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Peace River Regional District (17/2005)

SM/lv/Encl.
36061d1

SUBDIVISION PLAN OF PART SW 1/4 SECTION 29 TOWNSHIP 83 RANGE 18 WEST OF 6TH MERIDIAN PEACE RIVER DISTRICT

SCALE: 1 INCH = 200 FEET
BEARINGS DERIVED FROM SOUTH BOUNDARY OF PLAN B5013

- LEGEND
- STANDARD IRON BAR POST FOUND SHOWN • CIR
 - STANDARD IRON BAR POST SET SHOWN • IR
 - STANDARD PIPE POST FOUND SHOWN • OAR

= 1.4000

Plan No 17901

DEPOSITED IN THE LAND REGISTRY OFFICE
AT PRINCE GEORGE, B.C.
THIS 17. DAY OF JANUARY 1969

[Signature]
Registrar

PLAN B5013

FRAN FREEDT CORPORATION
[Signature] CHIEF SURVEYING OFFICER

1505.39
N 89° 57' 30" E

370.80
N 85° 57' 30" E

LOT 1
8.01 AC.

I, F.S.L. Sheppard of the Town of Fort St. John, British Columbia, Lead Surveyor, make oath and say that I was present at and did personally supervise and the survey represented by this plan and that this survey and plan are correct, the said survey was completed on the 14th day of October, 1968.

Sworn before me this 5th day of October 1968
7. S.L. Sheppard.

A Commissioner in and for the Province of British Columbia.

WITNESS... *[Signature]*

APPROVED UNDER THE LAND REGISTRY ACT
[Signature]
APPROVING OFFICER DEPT. OF HIGHWAYS
VICTORIA, B.C. 18TH NOVEMBER 1968

1.93ha

Area to be consolidated with Lot 1

Subject property.

± 1.9 ha area approved for exclusion from the ALR.

ALR

ALLOWANCE

ROAD

ALASKA HIGHWAY PLAN A938
59314
528° 47' 30" E
528° 47' 30" E
PLAN A1808
69123

PART OF SW 1/4 SEC. 29
OWNER *[Signature]*

PIPE LINE RIGHT-OF-WAY
PIPE LINE RIGHT-OF-WAY

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on September 15, 2005 at the Super 8 Motel, 1440 Alaska Avenue, Dawson Creek, BC.

PRESENT: Frank Read Chair
 Harold Kerr Commissioner

ABSENT: Grant Huffman Commissioner

STAFF: Simone Magwood, Regional Research Officer
 Martin Collins, Planner

For Consideration

Simone Magwood presented the staff report dated July 21, 2005 regarding application #W-36061-0. Mr. Fleet confirmed that he received the staff report and did not identify any errors.

Site Inspection

A site inspection was conducted on September 14, 2005. Those in attendance were:

- Commissioners Read & Kerr
- Agricultural Land Commission Staff: Simone Magwood, Regional Research Officer and Martin Collins, Planner
- ALC Chair: Erik Karlsen
- Regional Agrologist, Ministry of Agriculture and Lands: Jim Forbes
- Applicant: Al Fleet

Mr. Fleet showed the proposed exclusion area to the Commission and explained how BC Hydro was not allowing him to store equipment on the Hydro right-of-way, effectively making his property smaller.

The site inspection lasted from 4:30 p.m. to 5:00 p.m.

Commission Discussion

The Commission noted that the proposed exclusion area was small and only made up for the land under the right-of-way that he can no longer use. Therefore, the Commission had no objection to the proposed exclusion. However, the Commission notes that this area was not endorsed for industrial use in the Fort St. John and Area Comprehensive Development Plan (CDP) and as such approval of this exclusion in no way signals that the Commission is in favour of industrial use on more of the property or that they would be favourable to future applications for exclusion or subdivision of this property.

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IT WAS

MOVED BY: Commissioner Kerr

SECONDED BY: Commissioner Read

THAT the staff report be received and the application to exclude 1.9 ha of the South West ¼, Section 29, Township 83, Range 18, W6M, Peace River District, except plans A938, 17901, 21235 be approved on the grounds that the exclusion area is small and that the land owner has lost utility of a portion of his property due to the BC Hydro right-of-way.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # W – 36061-0
Applicant: Bill Bouffieux
Agent: Al Fleet
Location: South of Fort St. John on Highway 97 N.

DATE PREPARED: July 21, 2005

TO: Chair and Commissioners – North Panel

FROM: Simone Magwood, Regional Research Officer

PROPOSAL: To exclude 1.9 ha of the subject property from the ALR and consolidate it with an adjoining property.

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

BACKGROUND INFORMATION:

The subject property abuts a property outside the ALR that is currently zoned for light industrial. If the Commission allows the exclusion and subdivision the area will be consolidated with this parcel (Lot 1, Plan 17901). The area for exclusion and subdivision are located south of Lot 1.

Because the Commission has endorsed the Fort St. John Comprehensive Development Plan (CDP) their recent decisions in the area have been consistent with the development areas identified in the plan. The applicant's property does not fall within any of the areas identified for development in the CDP. This area was initially proposed as Area 13, which would have been re-zoned light industry, however; the Commission did not endorse industrial use of this area.

Local Government:

Peace River Regional District

Legal Description of Property:

1. PID: 015-030-105
South West 1/4, Section 29, Township 83, Range 18, W6M, Peace River District,
EXCEPT Plans A938, 17901, 21235
2. PID: 004-421-795
Lot 1, Section 29, Township 83, Range 18, W6M, Peace River District, Plan 17901

Location of Property:

South of Fort St. John on Highway 97 N.

Size of Property:

SW ¼, S29 - 60 ha (approximately half of the property is in the ALR).
Lot 1, Plan 17901 - 3.2 ha (Not in the ALR)

Present use of the Property:

SW ¼, S29 Most of the property consists of a mixture of cleared fields in hay, a creek, ravine and bush areas.
Lot 1, Plan 17901 is currently used for light industry (trucking and oilfield equipment storage)

Surrounding Land Uses:

WEST: Bush and Ravine (non-ALR) The current boundary of Fort St. John lies to the west
SOUTH: Bush and Ravine (Some of the land to the south is in the ALR and some is not)
EAST: Open field (ALR)
NORTH: Highway (non ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 94A/2
The portion of the property within the ALR is identified as having 2c ratings.

Official Community Plan and Designation:

North Peace OCP Bylaw No. 820, 1993 designates this parcel as Rural Resource Agricultural

Zoning Bylaw and Designation:

Peace River Regional District Zoning Bylaw No. 1343, 2001 designates this parcel as A-2 (Large Agricultural Holding Zone).

RELEVANT APPLICATIONS:

Application #06815-0

Applicant: Bouffioux, George W.
Decision Date: Aug 31, 1978
Proposal: To subdivide 4 ha from the quarter section and transfer title to the occupier.
Decision: Refused on the grounds that the land has good agricultural capability and reducing the parcel size to 4 ha would restrict the options for future agricultural use.

Application # 10811-0

Applicant: Bouffioux, George
Decision Date: July 25, 1980
Proposal: To subdivide a 4 ha from the southeastern part of SE ¼ of Section 29 (now Lot 1, plan 26754)
Decision: Allowed.

Application #35221-0

Applicant: Peck, Melody
Decision Date: April 23, 2004
Proposal: To exclude the 51 ha property for gravel pit and industrial and commercial uses.
Decision: Allowed on the understanding that any future development would be consistent with the Comprehensive Development Plan as endorsed by the Commission.

Application #35517-0

Applicant: Shamin, Marilyn
Decision Date: March 16, 2005
Proposal: To subdivide the 57 ha property into two lots of 4.5 ha and 52.5 ha.
Decision: Refused - inconsistent with the Fort St. John Comprehensive Development Plan.

Application #35518-0

Applicant: Pedersen, Chris, Doreen, Nicole, Viggo
Decision Date: March 16, 2005
Proposal: To subdivide the subject property into six lots (3 x 1.9 ha lots, 1 x 4.0 ha lot, 1 x 22.5 ha and 1 x 30.4 ha) The two larger lots would be retained by the family for residential and hobby farm purposes, while the other lots would be sold for residential use.
Decision: Refused as submitted. Allowed four lots based on consistency with the Comprehensive Development Plan. Refused the subdivision of one (1) 1.9 ha lot and one (1) 30.4 ha lot from the 62.8 ha subject property as the proposed lots were inconsistent with the Comprehensive Development Plan.

Application #35857-0

Applicant: Scheck, Dennis
Decision Date: May 19, 2005
Proposal: To subdivide the 65 ha subject property into two (2) parcels of 32.5 ha.
Decision: Refused on the basis that as the property was outside the area of Fort St. John planned for development and subdivision of the parcel would not benefit agriculture.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Staff recommended that the Regional Board refuse authorization of this application on the basis that the proposal is inconsistent with the North Peace OCP, and the Fort St. John Comprehensive Development Plan. Staff noted that the subject properties are not considered for future industrial development in the CDP. Section 6.15 of the CDP specifically makes note that the area under application (formerly area 13) not be included in areas considered for potential development. The Fleet Trucking property is not solely used by the trucking company, but has been apportioned and sub-leased to three other companies. The effect is that three businesses are attempting to operate from this property (adjacent: Lot 1, Plan 17901), which has inevitably led to a space problem.

However, the Regional Board supported and authorized the application to proceed to the ALC on the basis that the proposal will not create an additional parcel and that this is a proposed extension to an existing light industrial zoned lot and business.

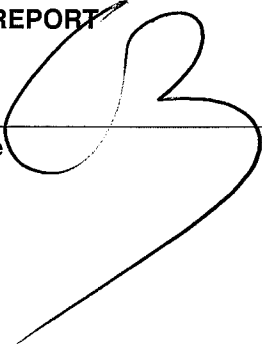
STAFF COMMENTS/ RECOMMENDATIONS

Staff reiterates the comments of the Regional District staff, that the land is not slated for light industrial development as part of the Fort St. John CDP, and point out that the land has high capability for agriculture. The Commission did not endorse the light industrial designation for Area

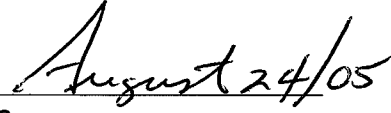
13 for this reason and has noted that although the application for subdivision of the neighboring parcel (file 10811) was allowed, at the time, the Commission expressed concerns about applications for future subdivision in this area.

END OF REPORT

Signature

A large, stylized handwritten signature in black ink, consisting of a large loop followed by a vertical stroke and a long diagonal tail.

Date

The date "August 24/05" written in a cursive, handwritten style in black ink.

6TU495

29

29

1TU91

1TU

area to be excluded

8012918

0344757 BC HYDRO

Subject Pr

TP83 R18 W6M

0349455

20

53TU1390
RW 8002963

UTIL
7401685

123800