



**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

November 10, 2005

Reply to the attention of Simone Rivers

Steve Howard  
PO Box 536, 3883 3<sup>rd</sup> Ave  
Smithers, BC – V0J 2N0

Dear Mr. Howard:

Re: Application # B-36131-0  
**Lot A, Section 8, Township 4, Range 5, Coast District, Plan PRP43710**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your client's application to subdivide the above mentioned 7.9 ha property into one 2 ha lot and one 5.9 ha lot. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank Henry Groen for taking the time to meet with its representatives on October 31, 2005. The Commission noted the long history of industrial use of the subject property.

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

- the subdivision being in substantial compliance with the attached plan.
- compliance 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. The Commission suggests you contact Regional District of Bulkley-Nechako at your earliest convenience.

The decision noted above is recorded as Resolution #586/2005.

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. Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'E. Karlsen', is written over the 'Per:' label.

Erik Karlsen, Chair

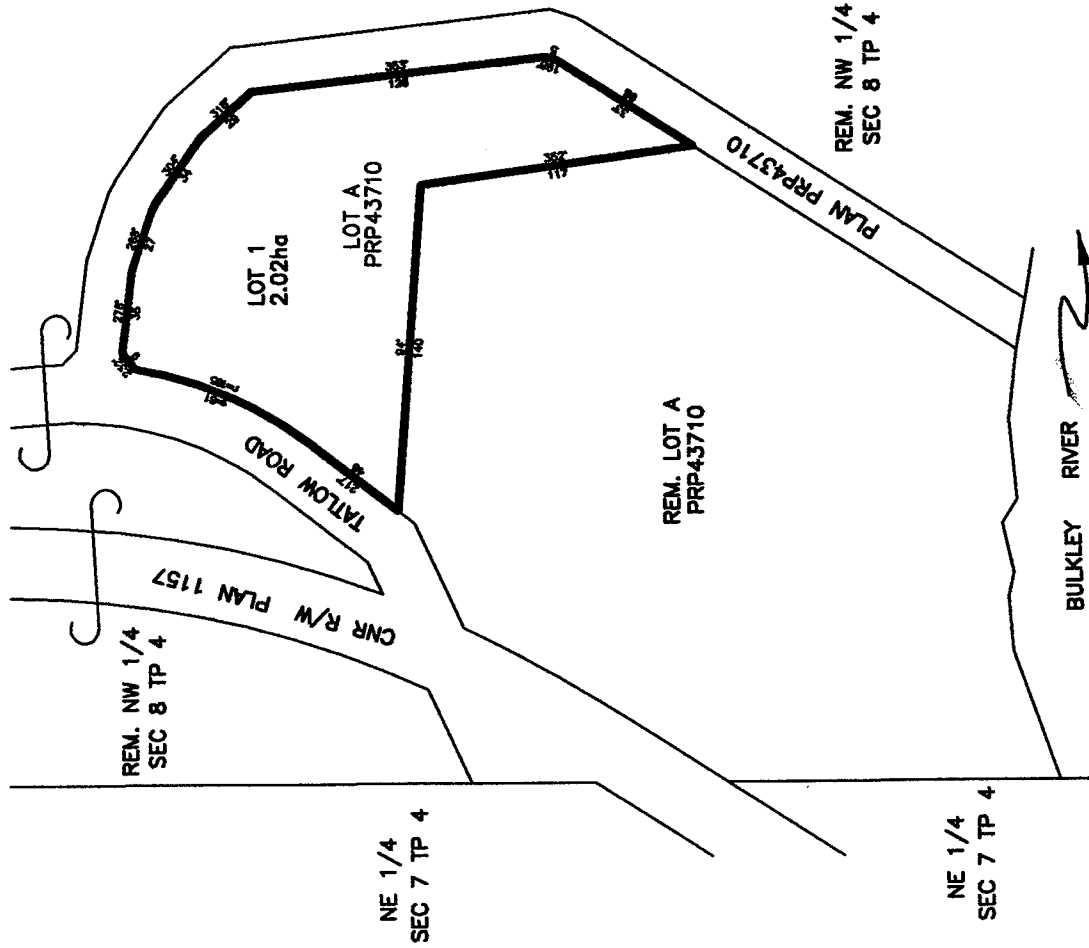
cc: Bulkley-Nechako Regional District (#1005)

SR/lv/Encl.  
36131d1

Provincial Agricultural Land Commission  
 Application: # B-36131-0  
 Resolution # 586/2005

Approved ~~PROPOSED~~ SUBDIVISION PLAN OF  
 LOT A, Sec. 8, T.P. 4, RANGE 5,  
 COAST DISTRICT, PLAN PRP43710.

B.C.G.S. 93L075  
 SCALE ~~1:4500~~



FILE NUMBER:  
 DATE OF ISSUE:  
 LOCATION: TATLOW ROAD  
 DISTRICT: RANG 5, T.P. 4  
 PLAN NUMBER: 586/2005

STEPHEN HOWARD B.C.L.S.  
 2803 34th AVENUE  
 BOX 506, SHERBROOKE, QUEBEC J1L 2M0  
 TEL: 819-821-1111  
 FAX: 819-821-1112

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the “Commission”) on October 31, 2005 at the Burns Lake Motor Inn, Burns Lake BC.

**PRESENT:** Frank Read   Chair  
              Harold Kerr   Commissioner

**ABSENT:** Grant Huffman   Commissioner

**STAFF:** Simone Rivers, Regional Research Officer  
              Roger Cheetham, Planner

For Consideration

Simone Rivers presented the staff report dated October 4, 2005 regarding application #B-36131-0.

Site Inspection

A site inspection was conducted on October, 31, 2005. Those in attendance were:

- Commissioners Read & Kerr
- Agricultural Land Commission Staff: Simone Rivers, Regional Research Officer and Roger Cheetham, Planner
- Resource Stewardship Agrolgist, Ministry of Agriculture and Lands: Shirley Hamblin
- Henry Groen, representative of the applicant.

The Commission met with Mr. Groen on the site. He showed them the areas of the property where the two sawmill businesses are currently operating.

The site inspection lasted from 10:30 a.m. to 11:00 a.m.

Commission Discussion

The Commission noted that this property has been used for industrial purposes for many years and that previous Commission approval to subdivide the industrial part of the property from the agricultural remainder had been granted.

**IT WAS**

**MOVED BY:** Commissioner Kerr

**SECONDED BY:** Commissioner Read

THAT the staff report be received and the application to subdivide the 7.9 ha property into one 2 ha lot and one 5.9 ha lot be approved on the grounds that the land has been used for industrial purposes for many years.

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

**CARRIED**



**Staff Report**  
**Application # B – 36131 – 0**  
**Applicant: Pine Creek Sawmills Ltd.**  
**Agent: Stephen Howard**

**DATE RECEIVED:** June 29, 2005

**DATE PREPARED:** October 4, 2005

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

**FROM:** Simone Rivers, Regional Research Officer

**PROPOSAL:** To subdivide the 7.9 ha property into one 2 ha lot and one 5.9 ha lot.

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

**BACKGROUND INFORMATION:**

The owner of the property wishes to create the two lots in order to accommodate two smaller scale saw-milling operations rather than one large sawmill.

**Local Government:**

Regional District of Bulkley-Nechako

**Legal Description of Property:**

PID: 024-438-871

Lot A, Section 8, Township 4, Range 5, Coast District, Plan PRP43710

**Location of Property:**

2 km south of Smithers on Tatlow Road.

**Size of Property:**

7.9 ha (The entire property is in the ALR).

**Present use of the Property:**

Sawmill operations, 3 large sheds and several smaller ones.

**Surrounding Land Uses:**

**WEST:** Railroad, non-ALR parcel, hayland to the south west. (non-ALR)  
**SOUTH:** Bulkley River (ALR)  
**EAST:** Bulkley River (ALR)  
**NORTH:** Agriculture, hay, pasture, beef (ALR)

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 93L/11  
The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

Smithers-Telkwa Rural OCP Bylaw No. 546, 1987 designates this parcel as Industrial (I)

**Zoning Bylaw and Designation:**

Regional District of Bulkley-Nechako Zoning Bylaw No. 700 designates the parcel as Heavy Industrial (M2).  
Minimum Parcel Size 2 ha.

**PREVIOUS APPLICATIONS:**

**Application #10558-0**

**Applicant:** Pine Creek Sawmills Ltd  
**Decision Date:** June 12, 1980  
**Proposal:** To use approximately 8 - 12 ha of the property for a sawmill site.  
**Decision:** Allowed.  
**Note:** The subdivision allowed by application #05762 was not registered until after the completion of this application. The property currently under application was that allowed in 1978.

**Application #05762-0**

**Applicant:** Myron Smaha  
**Decision Date:** February 3, 1978  
**Proposal:** To subdivide 8 ha from the subject property for use as a sawmill.  
**Decision:** Allowed on the grounds that the 8 ha was purchased prior to the creation of the ALR and had been in industrial use since that time.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Advisory Planning Commission:** Recommends approval.

**Planning Department:** Under a previous ALR application the creation of the subject property and approval for the sawmill use was supported by the Regional District Board and given approval by the Commission. Therefore the Board recommends approval.

**OTHER COMMENTS:**


**District Agrologist, Ministry of Agriculture and Lands:** The District Agrologist recommended approval and made the following comments; *“Given the site's history, current zoning and parcel location I feel that the subject property's value to agriculture, both short term and long term has been severely limited and that its best value is in line with the zoning of heavy industrial.”*

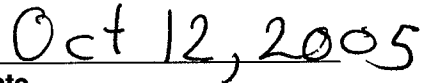
**STAFF COMMENTS:**

The air photo shows that the site is used extensively as an industrial site. This has been the case for many years as the original sawmill on the site predated the formation of the ALR. Staff recommends approval because of the history of industrial use on this site.

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**END OF REPORT**

  
Signature

  
Date