



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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www.alc.gov.bc.ca

March 16, 2006

Reply to the attention of Simone Rivers

Jerry Rude Agri-Sales  
100 – 100<sup>th</sup> Avenue  
Dawson Creek B.C. V1G 1W5

Dear Mr. Rude:

**Re: Application #W-36462  
Parcel A (44012M) of the South East ¼ of Section 29, Township 78, Range 15,  
West of the 6<sup>th</sup> Meridian, Peace River District, Except Plans 9501, A1774, And  
PGP35352**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to exclude the above mentioned property from the Agricultural Land Reserve. 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 March 8<sup>th</sup>, 2006.

The Commission writes to advise that it approved your application. The above noted property shown on the attached map is excluded from the Agricultural Land Reserve Plan of the Peace River Regional District.

The decision noted above is recorded as Resolution # **87/2006**.

By way of a copy of this letter, the Commission confirms for the Registrar of Land Titles that the above noted property is excluded from the Agricultural Land Reserve Plan of the Peace River Regional District and as such, any notation referring to *the Agricultural Land Commission Act* should be removed from the title.

The owner or occupier must continue to comply 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 the Peace River Regional District at your earliest convenience.

Yours truly,

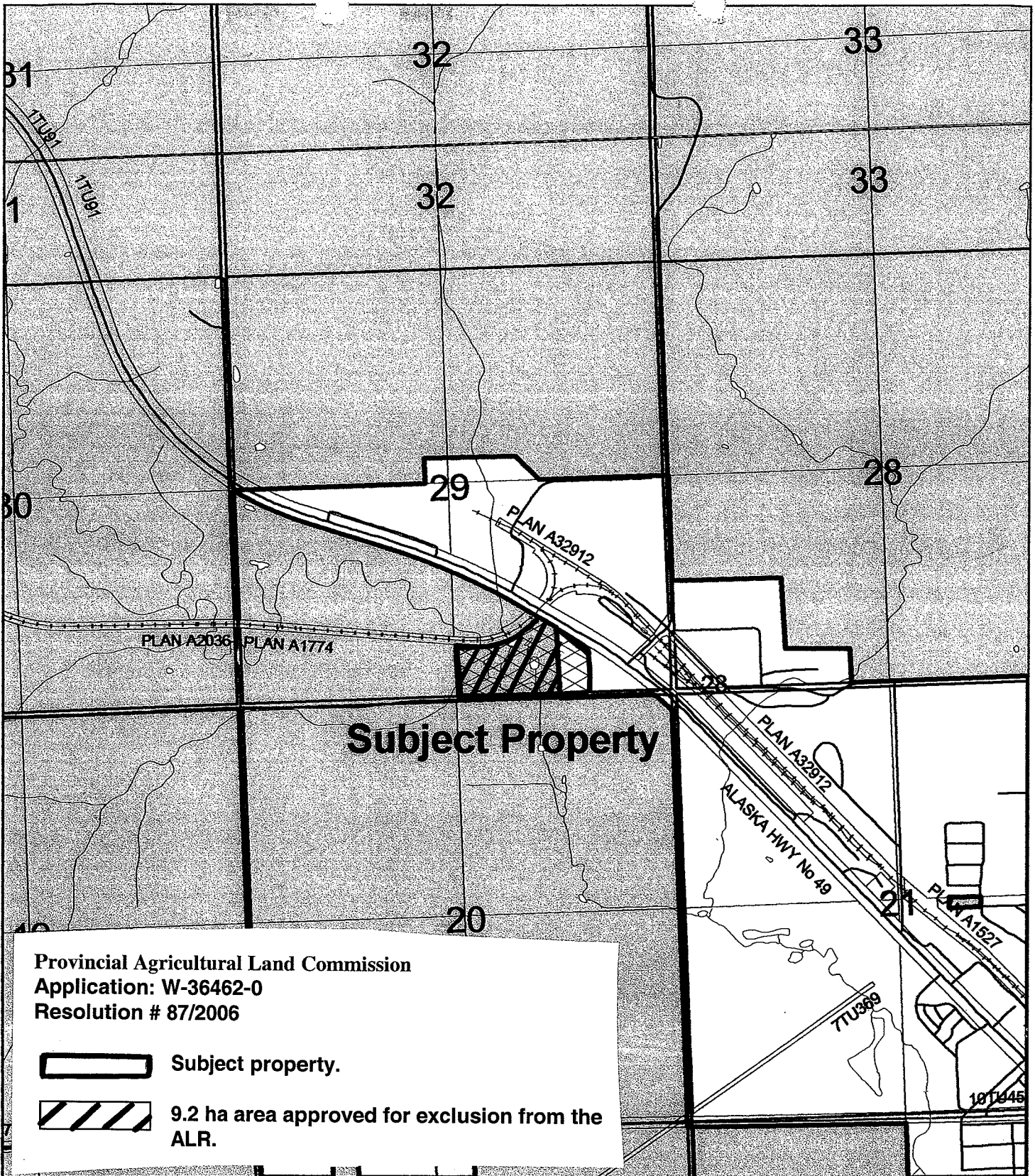
PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Peace River Regional District (File # 174/2005)  
Land Titles Office: New Westminster

SBR/lv/Encl.  
36462d1



Provincial Agricultural Land Commission  
 Application: W-36462-0  
 Resolution # 87/2006



Subject property.



9.2 ha area approved for exclusion from the ALR.



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ALC CONTEXT MAP  
 Application # 36462

Map Scale: 1: 20000

ALC File #: 02-05-36462

BCGS Map Sheet #: 93P.079

Regional District: Peace River

**MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION**

**Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on March 8, 2006 at the Quality Inn, Northern Grand Hotel,**

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

**ABSENT:** John Kendrew    Commissioner

**STAFF:** Simone Rivers, Regional Research Officer  
               Martin Collins, Planner

**For Consideration**

Simone Rivers presented the staff report dated February 14, 2005 regarding application #W- 36462-0. Mr. Rude confirmed that he received the staff report. He clarified that he had no plans to build a fuel storage facility on the site.

**Site Inspection**

A site inspection was conducted on March 8, 2006. Those in attendance were:

- Commissioners Read, Kerr,
- Ministry of Agriculture and Lands, Land Use Agrologist: Jim Forbes
- Applicant: Jerry Rude and his son.

The site inspection lasted from 8:00 a.m. to 8:30 a.m.

**Commission Discussion**

The Commission noted that the property was located on the edge of the City of Dawson Creek. The Louisiana Pacific OSB plant is located across the road. The Commission noted that the property is small and had limited agricultural utility due to surrounding industrial uses. The Commission believed the exclusion would not have a negative impact on agriculture.

**IT WAS**

**MOVED BY:**                         Commissioner Kerr  
**SECONDED BY:**                    Commissioner Read

THAT the staff report be received and the application to exclude the 9.2 ha property known as Parcel A (44012M) of the South East ¼ of Section 29, Township 78, Range 15, West of the 6<sup>th</sup> Meridian, Peace River District, Except Plans 9501, A1774, And PGP35352 from the Agricultural Land Reserve be allowed on the grounds that the property had limited agricultural utility due to its small size and location adjacent to other industrial uses.

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

CARRIED



**Staff Report**  
**Application # W – 36462 –0**  
**Applicant: Jerry Rude Agri Sales Inc.**

**DATE RECEIVED:** January 26, 2006

**DATE PREPARED:** February 14, 2006

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

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

**PROPOSAL:** To exclude 9.2 ha from the ALR.

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

**BACKGROUND INFORMATION:**

The owner is proposing to exclude the land to allow for expansion of the business. A portion of the property is in the ALR and a portion is out. The applicant currently runs a fuel service business and would like to move the total operation of Jerry Rude Agri Sales Inc., which includes a lubricant and fuel sales office, a lubricant warehouse and a truck repair shop.

One letter was received objecting to this proposal. Adjacent landowners are concerned with the proposed fuel storage facility portion of the proposal and do not believe that this is the best location for a facility of this type. They are concerned about sewage contamination of their well and the dangers of water pollution from this type of facility. According to the neighbours, the property floods every year.

**Local Government:**

Peace River Regional District

**Legal Description of Property:**

PID: 013-500-571

Parcel A (44012M) of the South East ¼ of Section 29, Township 78, Range 15, West of the 6<sup>th</sup> Meridian, Peace River District, Except Plans 9501, A1774, And PGP35352

**Purchase Date:**

May 2003

**Location of Property:**

Northwest of Dawson Creek across the Alaska Highway from the Louisiana Pacific Oriented Strand Board Plant.

**Size of Property:**

9.2 ha

**ALR Area:**

Approximately 8.5 ha

**Present use of the Property:**

ESSO cardlock, retail gas bar and convenience store with contained residence.

**Surrounding Land Uses:**

**WEST:** Large drainage ditch, creek, BC Rail and Frontier Fencing Ltd. (ALR)

**SOUTH:** Road 210 and farmland, residence (ALR)

**EAST:** Shell Canada Buck Plant and cardlock (non-ALR)

**NORTH:** Alaska Highway, Louisiana Pacific OSB Plant (non-ALR)

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 93P/16

The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

Dawson Creek Rural Area Official Community Plan Bylaw No. 477 (1986) designates the property as Potential Industrial.

**Zoning Bylaw and Designation:**

Peace River Regional District Zoning Bylaw No. 1343, (2001) designates the property as I-1 (Light Industrial Zone).

Minimum Parcel Size 1.8 ha.

**PREVIOUS APPLICATIONS:**

**Application #33367-0**

**Applicant:** Tanner's Country Diner Ltd.

**Decision Date:** August 24, 2000

**Proposal:** To develop serviced R.V. parking on an approximately 0.5 hectare portion of the property.

**Decision:** Allowed, with limited services, as proposed.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Peace River Regional District Board:** The Regional Board forwarded the application with the following resolution: *that the Regional Board authorize the application to proceed ... considering that the proposal is consistent with the Official Community Plan and Zoning.*

**Local Planning Staff:** Planning Staff mention that the area is within the South Peace Comprehensive Development Plan study area. The CDP is not yet complete and has not yet considered possible land use options.

**STAFF COMMENTS:**

**Agricultural Capability:** The majority of the property is rated 4W and the remainder is rated 2C

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

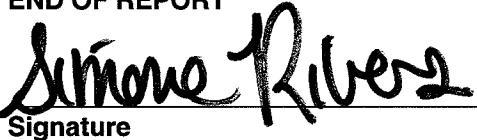
C-Climate  
W- excess water

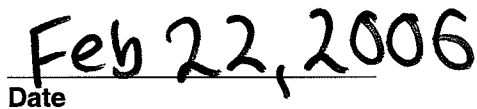
**Impact on Agriculture:** The property is located along a major road, with other industrial uses nearby. The area to the south is developed agriculturally. Concerns about impacts of future development on the neighbouring farm were raised in a letter sent to the Commission. Concerns were related to dust, noise and water quality.

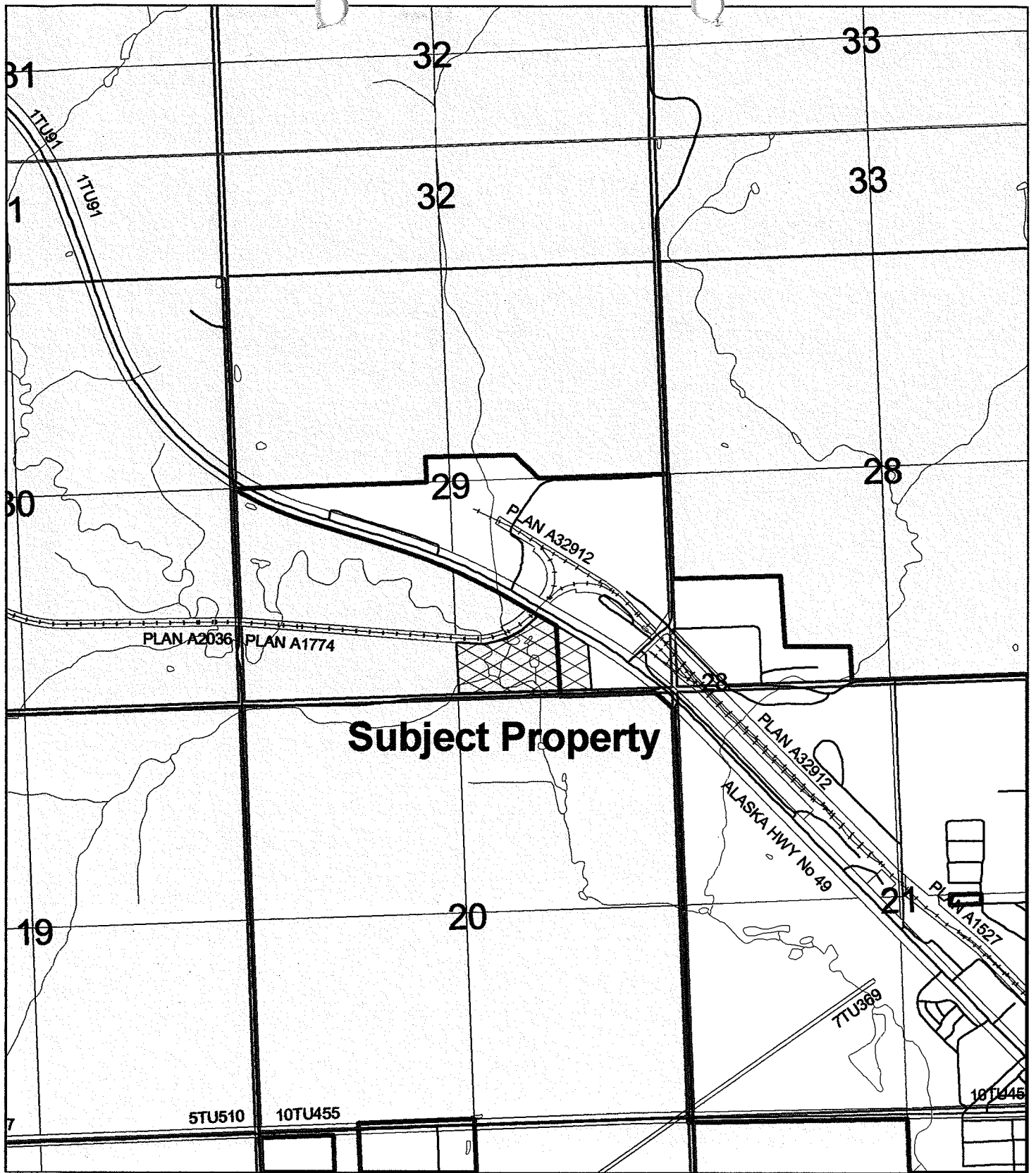
**Staff Recommendations:** Staff recommend a site visit to determine what the impact of exclusion of this property may be on nearby agricultural operations.

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END OF REPORT

  
Signature

  
Date



**Subject Property**



**ALC CONTEXT MAP  
Application # 36462**

**Map Scale: 1: 20000**

**ALC File #: 02-05-36462**

**BCGS Map Sheet #: 93P.079**

**Regional District: Peace River**

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