



Agricultural Land Commission
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July 13, 2006

Reply to the attention of Simone Rivers

Marilyn Teed
PO Box 6939
Fort St. John, B.C. V1J 4J3

Dear Ms. Teed:

Re: **Application #W-36751**
**South West ¼ of Section 10, Township 84, Range 19, West of the 6th Meridian,
Peace River District, Except Plans A938, 10474 and 18264**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to exclude 19.2 ha of the above described 49 ha property. The application was submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you and the representatives from Brandt Tractor for taking the time to meet with its representatives on June 28, 2006. The Commission appreciated hearing the reasons for the exclusion request.

In reviewing your application, the Commission noted that the property was designated for "Light Industrial" purposes in the Fort St. John and Area Comprehensive Development Plan (CDP), to be developed in Phase III, after the development of Phases I and II. The Commission understands that approximately 100 ha of land has been excluded from the ALR for light industrial purposes in Phase I and II areas since the CDP was adopted, and that none of this land has been developed. The Commission is concerned that this proposal is premature and inconsistent with the Phasing planning in the CDP.

As such, the Commission was not prepared to exclude the property at this time.

The decision noted above is recorded as Resolution #332/2006.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:

Erik Karlsen, Chair

cc: Peace River Regional District (# 90/2006)

SBR/lv
36751d1.

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on June 29, 2006 at the George Dawson Inn, 11705 8th Street, Dawson Creek, B.C.

PRESENT: Frank Read Chair
John Kendrew Commissioner

ABSENT: Grant Huffman Commissioner

STAFF: Simone Rivers, Land Use Planner
Martin Collins, Regional Planner
Brian Underhill, Director, Strategic Planning and Corporate Policy

For Consideration

Simone Rivers presented the staff report dated June 9, 2006 regarding application #W-36751. Ms. Teed confirmed that she received the staff report and did not identify any errors.

Site Inspection

A site inspection was not conducted.

Exclusion Meeting

An exclusion meeting was conducted on June 28, 2006 at Arctic Construction Ltd, located at 11421 Alaska Road, Fort St. John. Those in attendance were:

- Commissioners Read, Kendrew
- Agricultural Land Commission Staff: Simone Rivers, Land Use Planner, Martin Collins, Regional Planner and Brian Underhill, Director Strategic Planning and Corporate Policy
- Applicant: Marilyn Teed
- Dolye Wollenberg and Don Chin, representatives for Brandt Tractor Ltd (prospective purchasers of the property)

The representatives from Brandt Tractor explained why they wished to expand their business and that other light industrial lands properties were not suitable because they were too small or not located on the highway.

The exclusion meeting lasted from 4:15 p.m. to 4:45 p.m.

Commission Discussion

The Commission noted that the property was designated as Light Industrial in the Fort St. John and Area Comprehensive Development Plan. However, it was also noted that the property was designated to be developed in Phase 3, after Phase I and II of light industrial land has been developed. The Regional District Staff report noted that none of the approximately 100 ha of land that has been excluded for light industrial use since the CDP was adopted, had been developed. The Commission recalled the rationale for phasing when the plan was developed; that it was established to ensure orderly development. The Commission was not prepared to ignore the phasing portion of the plan and as such has refused exclusion of this property at this time. Should evidence become available that a significant portion of the Phase I and II land has been developed the Commission would be prepared to revisit this application.

The Commission may also be prepared to revisit the application should the Regional District wish to discuss the phasing provisions of the plan. However, in the interim, the Commission concurs with Regional District Staff that there is no shortage of developable land for light industrial purposes in the Fort St John area and therefore that the exclusion of this land is refused at this time.

IT WAS

MOVED BY: Commissioner Read
SECONDED BY: Commissioner Kendrew

THAT the staff report be received and the application to exclude 19.2 ha of the 49.1 ha property described as the South West ¼ of Section 10, Township 84, Range 19, West of the 6th Meridian, Peace River District, Except Plans A938, 10474 and 18264 from the ALR be refused on the grounds that lands designated as Phase I and II in the Fort St. John and Area CDP are not fully developed and therefore it is premature to exclude this Phase III designated property.

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

CARRIED



Staff Report
Application # W – 36751
Applicant: Marilyn Teed

DATE RECEIVED: June 9, 2006

DATE PREPARED: June 14, 2006

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To exclude a portion of the 49.1 ha property from the ALR for light industrial development. Approximately 19.2 ha would be excluded.

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

BACKGROUND INFORMATION:

If excluded the area would be subdivided into approximately four 4.8 ha lots and sold for light industrial use.

One resident wrote in opposition to this application stating that the land to the east of the subject property is agricultural, not industrial as stated in the application. She did not believe that this land was needed for industry and should stay as agricultural land.

Local Government:

Peace River Regional District

Legal Description of Property:

PID: 004-370-988

The South West 1/4, of Section 10, Township 84, Range 19, W6M, Peace River District, Except Plans A938, 10474, 17132 and 18264

Purchase Date:

July, 1995

Location of Property:

Mile 50 of the Alaska Highway, between Fort St. John and Charlie Lake.

Size of Property:

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

Present use of the Property:

Pasture, hay, house, and associated outbuildings

Surrounding Land Uses:

WEST: Hayfield (ALR)
SOUTH: Industrial (non-ALR)
EAST: Industrial (ALR)
NORTH: Agriculture (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 94A/7
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

North Peace Official Community Plan Bylaw No. 820 (1993) designates the property as "Rural Resource - Agriculture"

Zoning Bylaw and Designation:

Peace River Regional District Zoning Bylaw No. 1343, (2001) designates the property as A-2 (Large Agricultural Holdings Zone).
Minimum parcel size 63 ha.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Peace River Regional District Board: The Regional Board forwarded the application with the following resolution: that the application be authorized to proceed on the basis that it is consistent with the Fort St. John and Area Comprehensive Development Plan except for the phasing component of the CDP; and that, if successful, policies will need to be developed concerning the riparian corridor, highway access, aesthetics and design guidelines.

Peace River Regional District Planning Staff: That authorization for the application to proceed be refused by the Regional Board on the basis that it is not consistent with the timeline of the Fort St. John and Area Comprehensive Development Plan and that it is pre-mature with regard to the development of policies concerning riparian corridor, highway access, and design guidelines.

Planning staff also note that the CDP stated that *"Area 5 will be developed with the understanding that*

- *Design guidelines will be prepared to buffer the visual impact from the highway*
- *An access management plan will be prepared to identify highway access point*
- *Industrial developing will start in parts of the area furthest from the highway*
- *Developed of this area will start in later phases after other light industrial areas have been developed*
- *Wildlife corridors are more clearly identified and an appropriate riparian corridor has been established along the creek on the north side of the highway"*

Partly because development of Phase III was not expected for some time, an access management plan, design guidelines, and wildlife/riparian corridors have not been established. These policy issues are included for consideration in the North Peace Fringe Area OCP project, currently in process.

Further staff note that "To date, as part of the CDP process, approximately 101 ha Phase I and II light industrial area has been released from the ALR and zoned for light industrial uses, however, none has been developed.

Except for a small part by the airport, the entirety of Phase I and II light industrial land is located close to the city boundaries of Fort St. John. All the Phase III and IV light industrial land is located between Fort St. John and Charlie Lake"

STAFF COMMENTS:

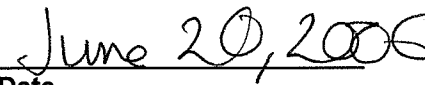
Planning Considerations:

Since endorsing it earlier this year, recent Commission decisions in the Fort St. John area have been made based on the Fort St. John and Area Comprehensive Development Plan (CDP). If a proposal is consistent with the CDP, the Commission has approved it and if it is not consistent with the plan the Commission has refused the proposal.

In this case, as noted by the Local Government Planning Staff, the proposal is consistent with the Light Industrial designation in the CDP but not with the phasing identified for this area. This area is in Phase III and therefore was not to be developed until the other areas designated for light industrial are full. The local government staff report states that to date 101 ha of land has been excluded for light industrial as a result of the CDP process and that none of it is developed. By excluding this property now, the Commission may be contributing to piece-meal development of the area rather than the orderly development, which was the goal of the CDP. However, as the Commission would only exclude the land subject to the excluded area being subdivided and re-zoned to Light Industrial, the Commission may wish to exclude the land subject to the above conditions and leave the Regional District the task of determining when the re-zoning should happen.

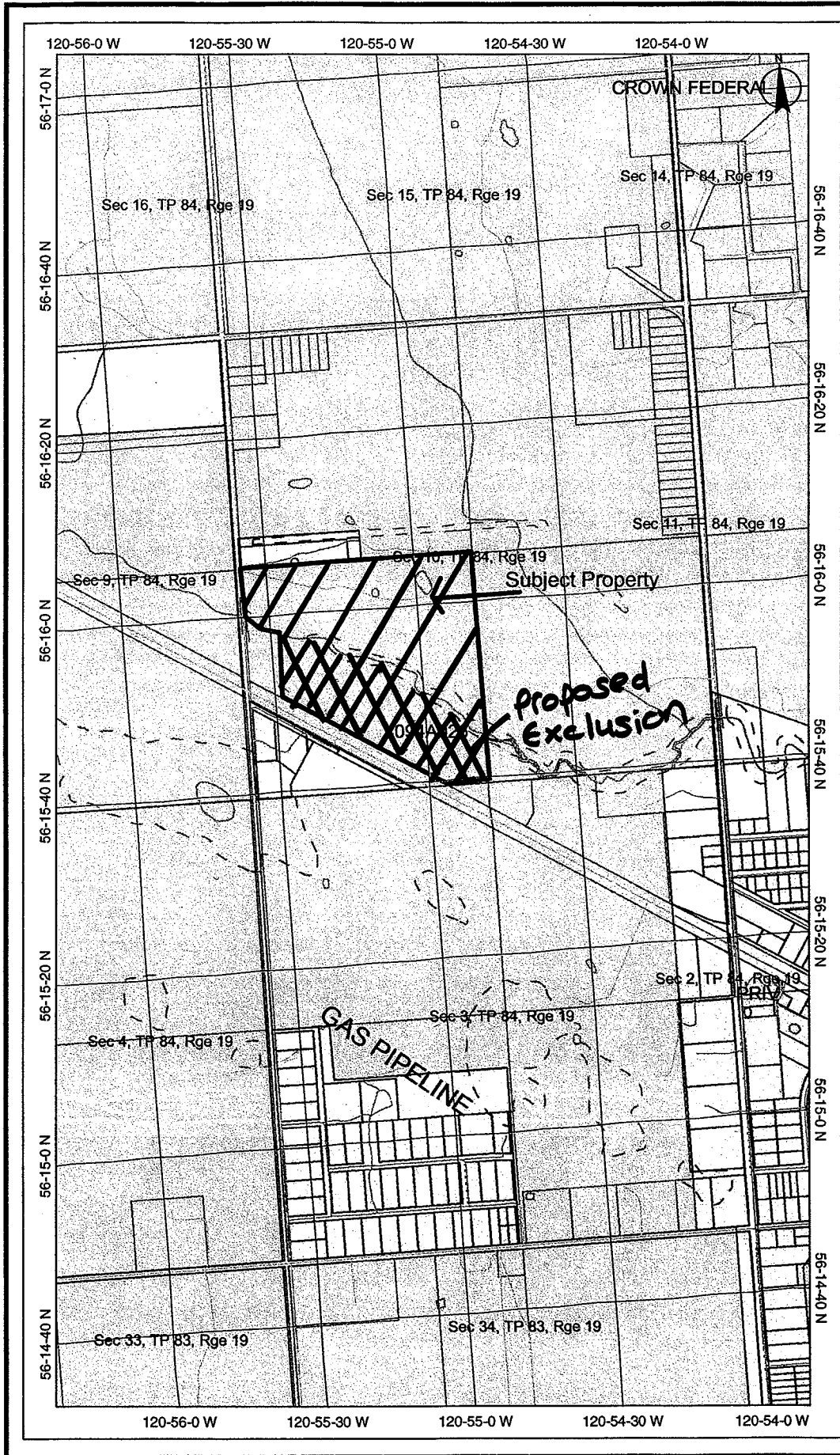
END OF REPORT


Signature



Date

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W-36751
Legend

 20M Mapsheet Tiles



Scale: 1:20,000

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Datum/Projection: NAD83, Albers Equal Area Conic

Key Map of British Columbia

