



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

March 9, 2007

Reply to the attention of Simone Rivers  
ALC File: # W - 23110

Garry & James Smolik  
PO Box 2242  
Dawson Creek, B.C. V1G 4L1

Dear Sirs:

Re: **Request for Reconsideration**

This is further to your letter of October 23, 2006 in which you asked the Provincial Agricultural Land Commission to reconsider Resolution #416/1990.

The Commission has reconsidered the matter and has attached the Minutes of Resolution # 54/2007 outlining its latest decision.

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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

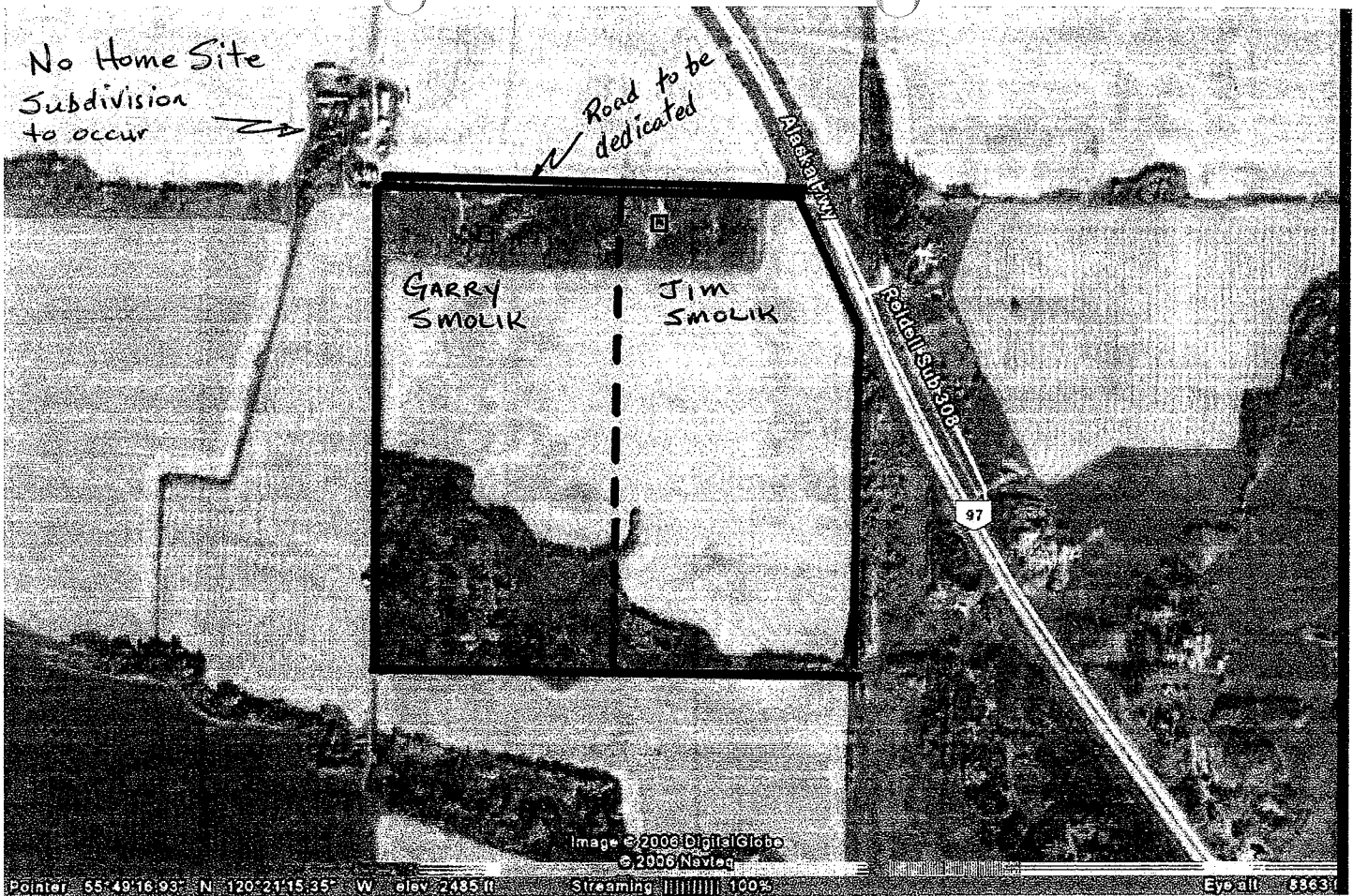
A handwritten signature in black ink, appearing to read 'Erik Karlsen', written in a cursive style.

Erik Karlsen, Chair

cc: Peace River Regional District (#89/14)

Enclosure: Minutes/Sketch Plan

SBR/iv  
23110d2





**OPTION 1 - Approved**

Creating W $\frac{1}{2}$  NE $\frac{1}{4}$  S1 TP 79 R16 W6M  
 and E $\frac{1}{2}$  NE $\frac{1}{4}$  S1 TP 79 R16 W6M

**Provincial Agricultural Land Commission**

Application # W-23110  
 Resolution # 54/2007

 Subject Property

 Approved subdivision into two 32 ha lots



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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A meeting was held by the Provincial Agricultural Land Commission on February 22, 2007 at Fort St. John, B.C.

<b>PRESENT:</b>	Frank Read	Chair, North Panel
	John Kendrew	Commissioner
	William Norton	Commissioner
	Martin Collins	Staff
	Brian Underhill	Staff

### For Consideration

Application: # W - 23110  
Applicant: Garry & James Smolik  
Proposal: To reconsider Resolution # 416/90 which allowed the subdivision of two homesites from the subject property but required the registration of a no-build covenant on the remainder. The applicants proposed three alternative options for the Commission to consider.  
**Option 1:** to subdivide the subject property into two equal parts (32 ha each). George Smolik would not apply for consideration under the Commission's *Homesite Severance Policy*  
**Option 2:** to subdivide one 4 ha lot from the subject property and the second dwelling would remain with the remainder. George Smolik would not apply for consideration under the Commission's *Homesite Severance Policy*  
**Option 3:** to adjust the boundary of the subject property allowing one homesite to remain with the subject property and the other to be joined to the adjacent property to the north. George Smolik could still apply for a subdivision under the Commission's *Homesite Severance Policy*  
Legal: The North East ¼ of Section 1, Township 79, Range 16, West of the 6<sup>th</sup> Meridian, Peace River District, Except Plan A938 and 17816  
Location: Dawson Creek

### Site Inspection

A site inspection was not conducted.

### Discussion

The Commission discussed the three options presented by the applicant. It was sympathetic to the applicants as they are a long time farming family in the Dawson Creek area. The Commission believed that option 1, as presented by the applicants would be a workable solution to solve the problems facing the farmers as well as preserve the integrity of the farmland. It is the Commission's hope, that in allowing option 1, that the land will continue to be farmed as a unit. The Commission's support for option 1 is contingent upon the understanding that George Smolik, the applicants' father, will not apply for a subdivision under the Commission's *Homesite Severance Policy*.

**IT WAS**

**MOVED BY:** Commissioner Kendrew

**SECONDED BY:** Commissioner Norton

THAT Option 1 be allowed as proposed.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- George Smolik will not apply for a subdivision under the Commission's *Homesite Severance Policy*.
- 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, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

**CARRIED**

**Resolution # 54/2007**