



Agricultural Land Commission
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July 14, 2009

Reply to the attention of Simone Rivers
ALC File: N-38444

Albert, Sylvia, Micheal and Norman Lorenz
7291 Croydon North Road
Dunster BC V0J 1J0

Dear Sirs/Madam:

Re: Application for Non-Farm Use in the Agricultural Land Reserve

This is further to your letter of April 20, 2009 in which you asked the Provincial Agricultural Land Commission to reconsider Resolution #712/2008.

The Commission has reconsidered the matter and has attached the Minutes of Resolution # 340/2009 outlining its latest decision.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in blue ink, appearing to read 'Erik Karlsen', is written over the printed name.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Regional District of Fraser-Fort George (ALR-7154)
BC Assessment, Prince George

SBR/
i/38444d2



A meeting was held by the Provincial Agricultural Land Commission on June 19, 2009 at the offices of the Regional District of Fraser-Fort George, Prince George, BC

PRESENT:	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	Erik Karlsen	Chair, ALC
	Roger Cheetham	Staff

For Consideration

A letter from Norm Lorenz was received requesting that the Commission reconsider its decision recorded as Resolution #712/2008. It indicated that the cement plant would be on the property on a temporary basis and that it would only be on a 0.5 ha portion of the 64 ha property.

Application:	N-38444
Applicant:	Albert, Sylvia, Michael and Norman Lorenz
Original proposal:	To extract 3000 m2 of gravel from a 3 ha area of the subject property over 5 years and to operate a cement plant on the property
Original decision:	Allowed gravel extraction but refused cement plant operation
Current proposal:	To allow the cement plant on the grounds that the use is temporary and would only be located on a 0.5 ha portion of the subject property
Legal:	PID: 013-688-405 The South East ¼ of District Lot 7154, Cariboo District, Except Plan 22669
Location:	7291 N Croydon Road, Dunster

Context

The proposal was considered under Section 33 of the Agricultural Land Commission Act (the "Act") which states:

- S33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that
- (a) evidence not available at the time of the original decision has become available,
 - (b) all or part of the original decision was based on evidence that was in error or was false, or
 - (c) a recommendation by a facilitator under section 13 relating to a dispute warrants a reconsideration of the original decision.

The Commission believed that the applicant had provided evidence that was not available at the time of the original decision and so reconsidered the application.

Discussion

The Commission recalled its initial refusal to allow the operation of the cement plant on the property. Upon review of the applicant's reconsideration request as well as all of the file material it concluded that the operation of a cement plant in conjunction with the approved gravel extraction would not have a negative impact on agriculture. The Commission noted that the area required for the cement plant was less than it had initially understood. It also noted that the use would be temporary and that the plant would be removed when the approved gravel extraction was completed.

IT WAS

MOVED BY: Commissioner Norton
SECONDED BY: Commissioner Dowswell

THAT for the purposes of Section 33(2) of the *Agricultural Land Commission Act*, there are no persons it considers affected by the reconsideration.

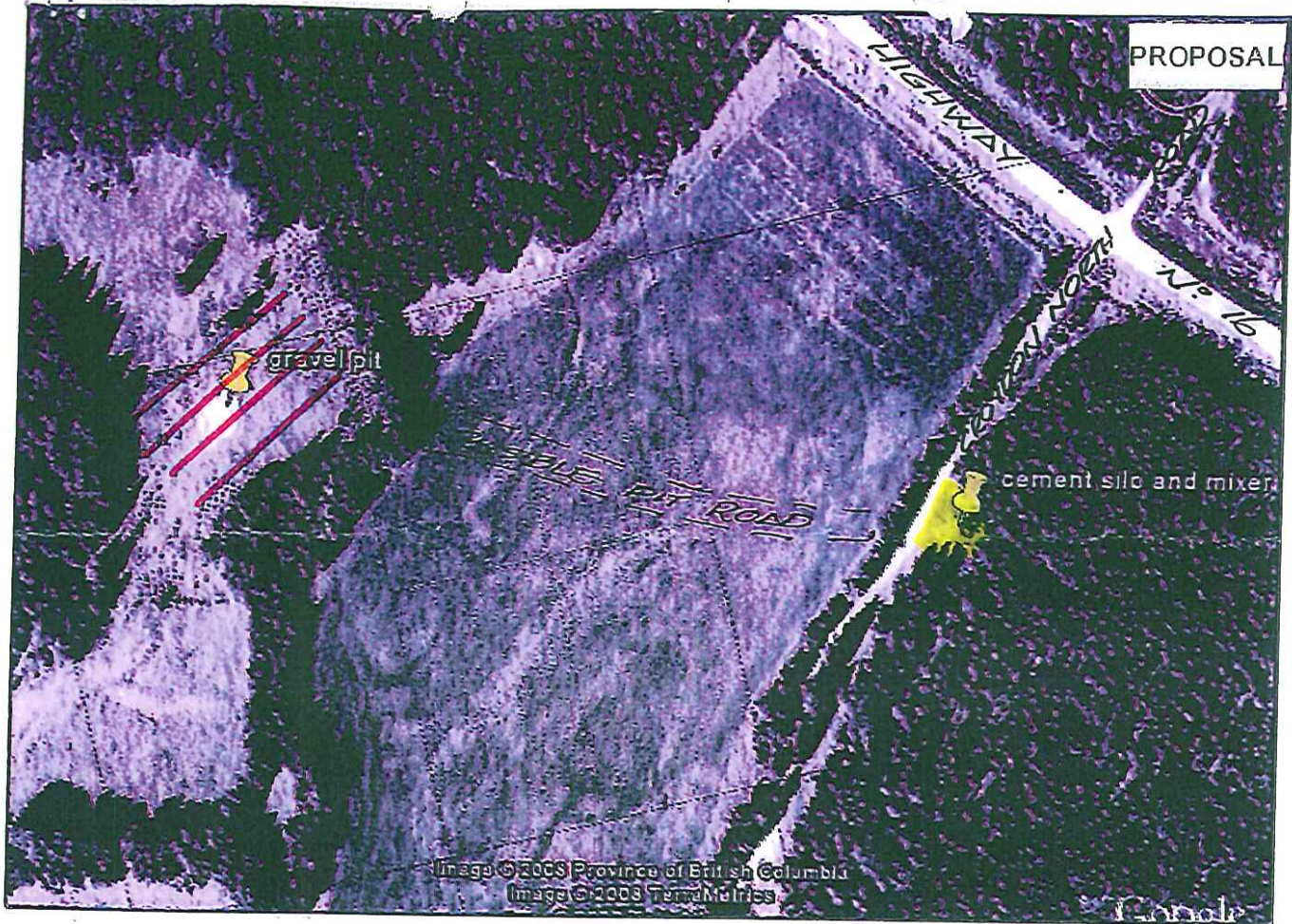
AND THAT the request to place and operate a cement plant on 0.5 ha of the property be approved.

AND THAT the approval is subject to the following conditions:

- All conditions of approval for gravel extraction outlined in Commission Resolution # 712/2008 are still in effect including the five year time limit for gravel extraction.
- Permission to operate the cement plant is granted for five years from the date of the original approval for gravel extraction (until October 24, 2013).
- The cement plant is to be placed on the property as indicated on the sketch submitted with the application and the area used for the cement plant is not to exceed 0.5 ha.

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 # 340/2009



Provincial Agricultural Land Commission

Application # 38444

Resolution # 712/2008



Approved area for continued use of gravel pit

Provincial Agricultural Land Commission

Application # N-38444

Resolution # 340/2009



Approved 0.5 hectares for use as cement silo and mixer

RECEIVED
 PROV. AGRICULTURAL
 LAND COMMISSION
 MAY 11 2009