



**Agricultural Land Commission**  
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March 25, 2009

Reply to the attention of Simone Rivers  
ALC File: W-38666

Randy Glenn  
10127 - 120 Avenue  
Grande Prairie, AB T8V8H8

Dear Mr. Glenn:

**Re: Application to Exclude land from the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 60/2009 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: *Simone Rivers*

Erik Karlsen, Chair

Enclosure: Minutes/

cc: The Corporation of the City of Dawson Creek

SBR/  
i/38666d1



A meeting was held by the Provincial Agricultural Land Commission on March 11, 2009 at Fort St. John, B.C.

<b>PRESENT:</b>	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	Simone Rivers	Staff
	Brian Underhill	Staff

**For Consideration**

Application: # W- 38666  
Applicant: Loielle Investments Ltd.  
Agent: Randy Glenn  
Proposal: To exclude the 48.7 ha property to that it can be subdivided and used for Commercial and Light Industrial purposes.  
Legal: PID: 017-229-804  
Lot B, Section 2, Township 78, Range 15, W6M, Peace River District, Plan PGP35272  
Location: South of Dawson Creek

**Site Inspection and Exclusion Meeting**

A site inspection was conducted on March 10, 2009. Those in attendance were:

- William Norton      Chair, North Panel
- Denise Dowswell    Commissioner
- Simone Rivers      Staff
- Brian Underhill    Staff
- Gary Loielle        Applicant

The applicant described his proposal for development of the subject property should it be excluded. He noted that the property was within the boundaries of the City of Dawson Creek. The Commission noted that the property was relatively flat and had been improved for agricultural use.

Mr. Loielle confirmed that the staff report dated February 13, 2009 was received and no errors were identified.

**Context**

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

## **Discussion**

### **Assessment of Agricultural Capability**

The agricultural capability of the soil of the subject property is 100 % Class 2C with limitation of an adverse climate.

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

The Commission believes that the property has agricultural capability and is correctly designated as ALR.

### **Assessment of Agricultural Suitability**

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use. The Commission does not believe that the property's inclusion within the city limits of Dawson Creek nor its proximity to the developed parts of the city make it unsuitable for agricultural use as most surrounding properties are in use for agriculture.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission believes the proposal would impact existing or potential agricultural use of surrounding lands and of the subject property.

### **Assessment of Other Factors**

The Commission recalled that it had recently completed a joint planning exercise with the Peace River Regional District and the City of Dawson Creek. Through this planning process and the development of the South Peace Comprehensive Development Plan (CDP) the Commission endorsed some areas for future exclusion and non-farm development in the vicinity of Dawson Creek. The Commission recalled that the subject property had been in an early draft of the CDP but was not endorsed by the Commission for development and subsequently dropped from the final version of the plan. The Commission believes that the lands endorsed for non-farm uses in the CDP represent a sufficient supply of developable land in the vicinity of Dawson Creek for the foreseeable future and it is not prepared to exclude additional lands in an ad hoc manner outside of the planning process.

### **Conclusions**

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

**IT WAS**

**MOVED BY:** Commissioner Norton  
**SECONDED BY:** Commissioner Dowswell

THAT the application be refused.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.33 (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.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

**CARRIED**  
**Resolution # 60/2009**