



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
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www.alc.gov.bc.ca

October 27th, 2010

Reply to the attention of Martin Collins
ALC File 36751

Jim Little
Mackeno Ventures
S.S. #2 Site 13, Comp 23
Fort St. John, B.C.
V1J 4M7

Dear Sir:

Re: Request for Reconsideration

This is further to your letter of August 1, 2010 in which you asked the Provincial Agricultural Land Commission to reconsider Resolution #332/2010.

The Commission has reconsidered the matter and has attached the Minutes of Resolution #2696/2010 and a sketch plan outlining its latest decision. As agent, it is your responsibility to notify your client(s) accordingly.

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. It will also confirm for the Registrar the area excluded from the ALR.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Martin Collins', written over a white background.

Brian Underhill, Executive Director

cc: Peace River Regional District file: #90/2006

Enclosure: Minutes/Sketch Plan

MC/d2



A meeting was held by the Provincial Agricultural Land Commission on October 18th, 2010 at Fort St. John, B.C.

PRESENT:	Richard Bullock	Chair
	Jim Collins	Commissioner
	Lucille Dempsey	Commissioner
	Denise Dowswell	Commissioner
	Martin Collins	Staff
	Lindsay McCoubrey	Staff

For Consideration

A letter from James Little (Mackeno Ventures) was received dated August 1, 2010, requesting that the Commission reconsider its decision recorded as Resolution #332/2006. It indicated that the recently adopted North Peace Fringe OCP supports the use of the subject property for light industrial uses.

Application: 36751
 Applicant: Marilyn Teed
 Agent: Jim Little – Mackeno Ventures
 Original proposal: To exclude 19 ha of the 49 ha parcel from the ALR for light industrial uses
 Original decision: Refuse as proposed on the grounds the 19 ha area was designated as Phase 3 in the Fort St John and Area Comprehensive Development Plan (CDP).
 Current proposal: To exclude the 19 ha area as originally proposed.
 Legal: PID 004-370-988 SW ¼, Sec. 10, Twp 84, R. 19, W6M, PRD, Except Plans A938, 10474, 17132 and 18264
 Location: North of the Alaska Highway between Fort St John and Charlie Lake

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 noted that the 19 ha area is in agricultural production and has very good capability for agricultural uses (CLI Class 2). The 19 ha area lies south of Stoddart Creek, and north of, and parallel to, the Alaska Highway.

However it was recalled that the land was designated and endorsed by the Commission for light industrial uses (but in Phase 3) in both the preceding Fort St John and Area CDP, and the current in the North Peace Fringe OCP. The Commission was advised that it had not objected to the elimination in phasing in the North Peace Fringe OCP.

IT WAS

MOVED BY: Commissioner L. Dempsey

SECONDED BY: Commissioner J. Collins

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

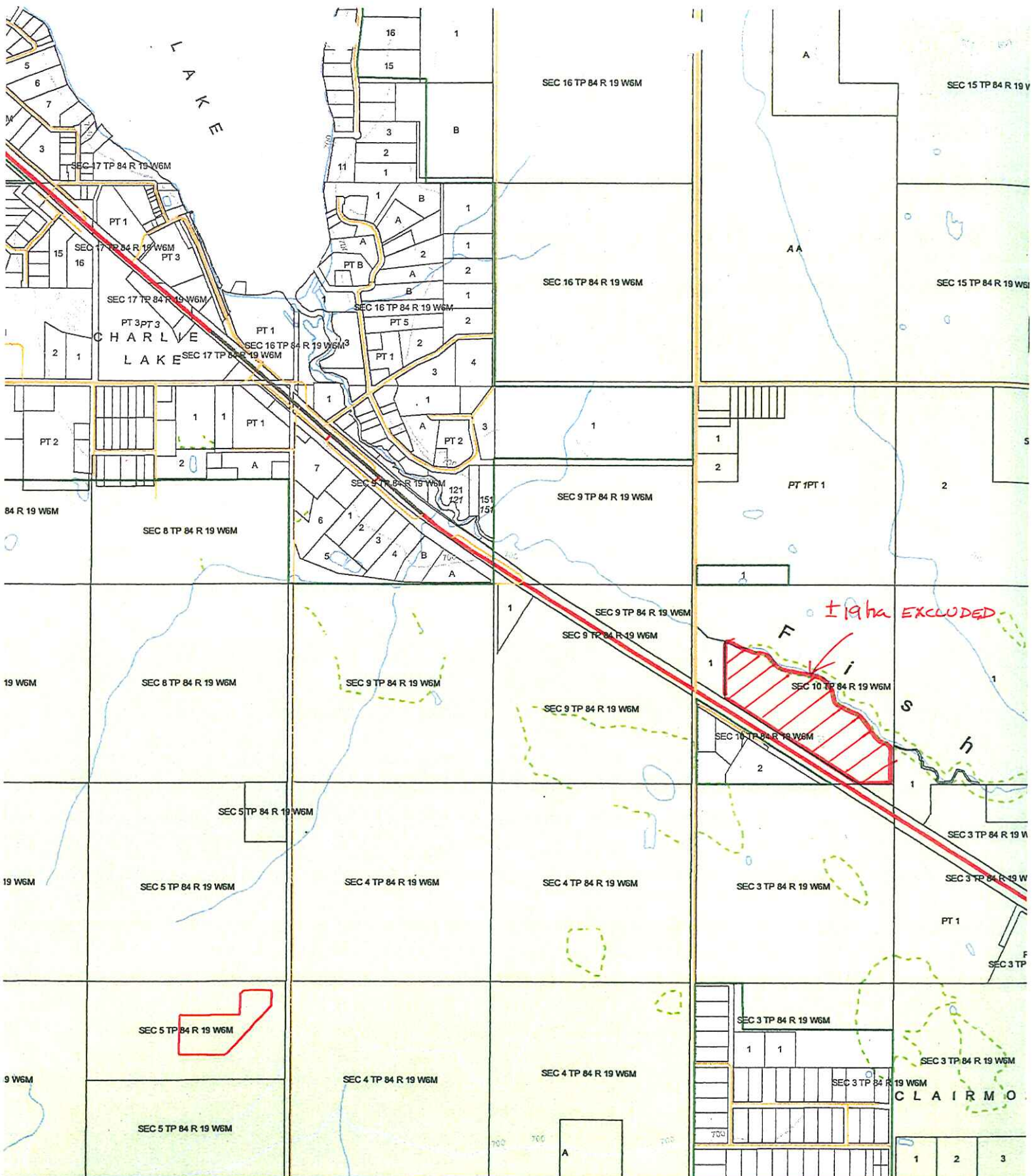
AND THAT the request to exclude 19 ha from the ALR be approved subject to the following conditions:

- the submission of a subdivision plan delineating the excluded area within 3 years of this decision,
- confirmation that the 19 ha area is rezoned for light industrial uses.

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 # 2696/2010



ALC APPLICATION #36751
RESOLUTION #2696/2010

SKETCH PLAN

CLAIRMO