



Agricultural Land Commission
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Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

April 21, 2010

Reply to the attention of Simone Rivers
ALC File: 51327

Steven Burke
Ministry of Transportation and Infrastructure
213 – 1011 Fourth Avenue
Prince George, B.C. V2L 3H9

Dear Mr. Burke:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 2404/2001 outlining the Commission's decision as it relates to the above noted application.

As proponent it is your responsibility to notify any affected landowners of the Commission's decision. A copy of the minutes must be provided to each landowner.

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.

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 purple ink that reads "Simone Rivers". The signature is fluid and cursive, with the first name "Simone" being larger and more prominent than the last name "Rivers".

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Peace River Regional District

SBR/
51327d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 30, 2010 at Fort St. John, B.C.

PRESENT:	William Norton	Chair, North Panel
	Denise Dowswell	Commissioner
	Jim Collins	Commissioner
	Simone Rivers	Staff

For Consideration

Application: 51327
 Applicant: Ministry of Transportation and Infrastructure
 Agent: Scot MacLise
 Proposal: To dedicate a total of 1 ha of land in order to widen a curve on Beryl Prairie Road, north of Hudson’s Hope
 Legal: PID: 007-572-476
 Lot 1, District Lot 1220, Peace River District, Plan 17147
 PID: 015-011-950
 The South East ¼ of District Lot 1220, Peace River District, Except Plan 17238 and 18333
 Location: Beryl Prairie Road

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

The Commission received a submission from one of the affected landowners outlining their concerns about the proposal. These comments were forwarded to the representative of the MOTI for comments. These were also presented to the Commission. After reviewing all of the file information including the comments from the landowner and the comments from the Ministry the Commission was satisfied that the landowners concerns were being addressed through standard Ministry procedure.

The Commission did not object to the proposal and did not believe it would have a negative impact on the agricultural utility of the subject properties or surrounding agricultural lands.

IT WAS

MOVED BY: Commissioner Collins
SECONDED BY: Commissioner Dowswell

THAT the application be approved.

AND THAT the approval is subject to the following conditions:

- The road widening be in substantial compliance with the plan submitted with the application.
- Replacement of agricultural infrastructure, such as fencing and drainage systems, to the same or better standard upon completion of the project.
- Maintenance of temporary fences, farm accesses and other farm facilities during construction to minimize disruption to farm operations.
- Rehabilitation and return of any surplus right-of-way to the parent property.
- The road dedication must be completed within three (3) years from the date of this decision.

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.

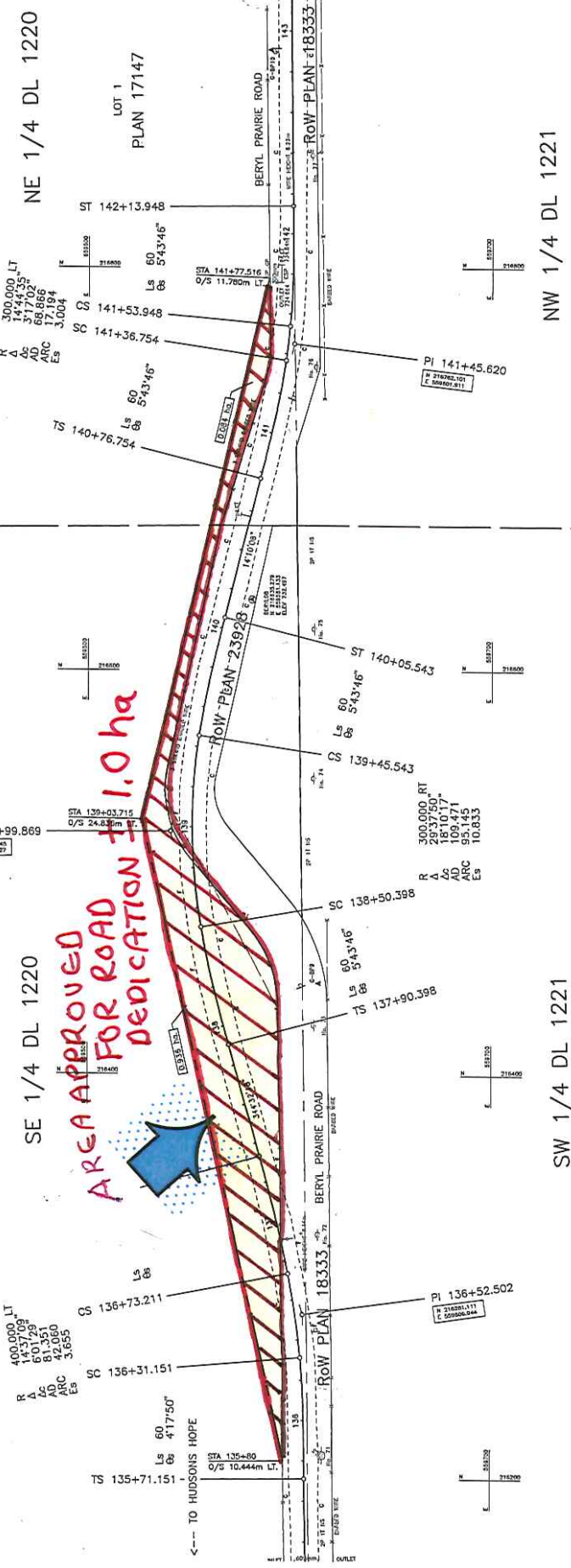
- S.33 (1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*
- (a) evidence not available at the time of the original decision 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.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

CARRIED

Resolution # 2404/2010



SE 1/4 DL 1220
AREA APPROVED FOR ROAD DEDICATION ± 1.0 ha

SW 1/4 DL 1221

NW 1/4 DL 1221

LEGAL DESCRIPTION	LAND OWNER	PID NUMBER	NEW R/W REQ.	L.O.C.A.
SE, 1/4 of District Lot 1220 Parcel Except Except Plans 17238 and 18333	PRIVATE LAND	015-011-950	0.938 ha 2.313 ec	
NE, 1/4 of District Lot 1220 Lot 1 of District Plan 17147	PRIVATE LAND	007-572-476	0.084 ha 0.208 ec	

NEW R/W REQ.

ALC Application # 51327
Resolution # 2404/2010

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MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE
 HIGHWAY ENGINEERING
 NORTHERN REGION

FOR RIGHT OF WAY ACQUISITION
 BERYL PRAIRIE ROAD
 WIDENING & RE-ALIGNMENT
 NORTH PEACE DISTRICT - HUDSON'S HOPE

PROJECT No. 36603-0000 NR NR-133-501

FILE No. _____

DATE: _____

SCALE: 0 11,000 50

DATE: _____

COO FILE No. 85-132-39

REVISIONS:

No.	Date	Revisions

DESIGNED BY: _____ DATE: _____

CHECKED BY: _____ DATE: _____

APPROVED BY: _____ DATE: _____

PROJECT MANAGER: _____ DATE: _____

PROJECT ENGINEER: _____ DATE: _____

PROJECT SUPERVISOR: _____ DATE: _____

PROJECT ASSISTANT: _____ DATE: _____

PROJECT CLERK: _____ DATE: _____