



**Agricultural Land Commission**  
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November 1, 2010

Reply to the attention of Martin Collins  
ALC File: 51761

Loiselle Investments Ltd.  
PO Box 2036  
Dawson Creek, B.C.  
V1G 4K8

Dear Sir:

**Re: Application for Non Farm Uses within the Agricultural Land Reserve**

Please find attached the Minutes of Resolution #2710/2010 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Brian Underhill', is written over a horizontal line.

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Peace River Regional District File: #50/2010

MC/51761/d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 20<sup>th</sup>, 2010 in Fort St John B.C.

<b>PRESENT:</b>	Richard Bullock	Chair,
	Denise Dowswell	Commissioner
	Jim Collins	Commissioner
	Lucille Dempsey	Commissioner
	Lindsay McCoubrey	Staff
	Martin Collins	Staff

**For Consideration**

Application: 51761  
 Applicant: Loiselle Investments Ltd.  
 Proposal: To use 14 ha (comprising portions of three properties 2 ha, 6 ha and 54 ha) for a gravel off load site.  
 Legal: PID 011-922-338; PID 011-922-311; PID 011-922-222  
 Location: East of and adjacent to the City of Dawson Creek boundary

**Site Inspection**

A site inspection was conducted on October . Those in attendance were:

- |   |                   |              |
|---|-------------------|--------------|
| • | Richard Bullock   | Chair,       |
| • | Denise Dowswell   | Commissioner |
| • | Jim Collins       | Commissioner |
| • | Lucille Dempsey   | Commissioner |
| • | Lindsay McCoubrey | Staff        |
| • | Martin Collins    | Staff        |
| • | Gary Loiselle     | Applicant    |

Gary Loiselle confirmed that the staff report dated September 8<sup>th</sup>, 2010 was received and no errors were identified.

The Commissioners viewed the property, noting that there were no structures and that the 14 ha proposed for industrial uses was recently ploughed, and had good agricultural capability

**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**

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system.

The agricultural capability of the soil of the 14 ha proposed for the non farm use is: 2C

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 limiting subclass is adverse climate.

### **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.

### **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 has concerns about the use of this very good agricultural land for railway oriented industrial uses. It was unwilling to permit this use within the Agricultural Land Reserve, because long term industrial uses are not compatible with the retention of the 14 ha area within the ALR. The use of this land for a gravel load out facility would permanently alienate the land from agricultural uses.

### **Assessment of Other Factors**

The Commission acknowledged that it may be necessary and or beneficial to have a gravel load out facility in this location. However the Commission believed that the project requires public consultation for both the exclusion of land for industrial uses, and the potential recreational use of the ALR remainder, input from the City about the proposal and potentially the inclusion of the proposed industrial land into the City.

### **Conclusions**

1. That the land under application has agricultural capability, is appropriately designated as ALR and is suitable for agricultural use.
2. That the proposal will permanently convert 14 ha of prime farmland to industrial uses.
3. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

### **IT WAS**

**MOVED BY:** Commissioner D. Dowswell  
**SECONDED BY:** Commissioner L. Dempsey

THAT the application be refused as proposed.

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, that the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter, and that if the applicant sells or transfers the property within one (1) year of the decision the new owner is not eligible to submit a request for reconsideration.

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 # 2710/2010**