



**Agricultural Land Commission**

133 – 4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

September 26, 2012

Reply to the attention of Gordon Bednard  
ALC File: 52634

Waldemar and Natalie Lass  
SS2, Site 12 Comp 61  
Fort St. John BC  
V1J 4M7

Dear Sir/Madam:

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

Please find attached the Minutes of Resolution # **58/2012** outlining the Commission's decision as it relates to the above noted application.

The applicant is 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.*

Please note 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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Peace River Regional District Attn: Owen Bloor file# 125/2011  
GB/  
52634d1



## PROVINCIAL AGRICULTURAL LAND COMMISSION

---

A meeting was held by the Provincial Agricultural Land Commission on September 20, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

### COMMISSION MEMBERS PRESENT:

|                 |              |
|-----------------|--------------|
| Richard Bullock | Chair        |
| Jennifer Dyson  | Vice-Chair   |
| Gordon Gillette | Vice-Chair   |
| Sylvia Pranger  | Vice-Chair   |
| Bert Miles      | Commissioner |
| Jim Johnson     | Commissioner |
| Jerry Thibeault | Commissioner |
| Lucille Dempsey | Commissioner |
| Denise Dowswell | Commissioner |
| Jim Collins     | Commissioner |

### COMMISSION STAFF PRESENT:

|                |                    |
|----------------|--------------------|
| Gordon Bednard | Land Use Planner   |
| Martin Collins | Regional Planner   |
| Colin Fry      | Executive Director |

---

### APPLICATION: # 52634

**PROPOSAL:** This exclusion application is intended to facilitate the subdivision of the subject property into 5 lots of approximately 4 ha each.  
(Submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*)

### EXCLUSION MEETING:

For applications pursuant to section 30(1) of the *Agricultural Land Commission Act*.  
On August 1, 2012 the Commission provided notice to the applicant by telephone of the Commission's intent to have a Commissioner and staff member visit the property to view the area under application and meet with the owner to discuss the application. It was explained to the owner that with his consent, this onsite meeting would constitute the required meeting with the Commission and the applicant agreed to waive his right to notification under Section 30(5).

The exclusion meeting and onsite inspection was held on Thursday, August 9, 2012 at the subject property. Those in attendance were:

- Waldemar Lass (applicant)
  - Commissioner Jim Collins
  - Commission staff Gordon Bednard
-

**COMMISSION CONSIDERATION:**

Section 6 of the *Agricultural Land Commission Act* identifies the purposes of the Commission 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.

After review of all file information presented and information discussed at the exclusion meeting, the Commission has concluded as follows:

1. There are no external factors that render the land unsuitable for agricultural use. The presence of two rural residential lots to the east of the subject property and several lots to the north (across Red Creek Road) do not impede the use of the land for agriculture, given that the subject property is separated from these residences by a treed buffer as well as a road to the north.
2. The parcel has good agricultural capability as indicated by a CLI rating of 5C which is typical of agriculturally developed lands in the immediate area. The Commission therefore concluded that the subject property is suitable for agriculture.
3. The proposal, by removing land from a provincial agricultural designation and facilitating its conversion to residential use, does not encourage farming.

**IT WAS**

**MOVED BY:** Commissioner Jim Collins  
**SECONDED BY:** Commissioner Jennifer Dyson

THAT the application be refused as proposed.

**CARRIED**

**Resolution # 58/2012**