



Agricultural Land Commission

133 – 4940 Canada Way
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August 14, 2012

Reply to the attention of Gordon Bednard
ALC File: 52746

Nick Gautreau
Sharp Environmental (2000) Ltd.
10543 - 100th St
Fort St John, B.C.
V1J 3Z4

Dear Sir/Madam

Re: Application for Non-Farm Uses in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # **267/2012** outlining the Commission's decision as it relates to the above noted application. As agent it is your responsibility to notify your client.

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.*

The applicant is 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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosure: Minutes

cc: Peace River Regional District : File: #54/2012



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on July 19th, 2012 at the Agricultural Land Commission offices located at #133 4940 Canada Way, Burnaby, B.C.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Denise Dowswell	Commissioner
Jim Collins	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Gord Gillette	Commissioner

COMMISSION STAFF PRESENT:

Gordon Bednard	Land Use Planner
Martin Collins	Regional Planner

APPLICATION: # 52746

PROPOSAL: To use an existing 4 ha lot for non-farm uses; specifically the storage of material and equipment for oil and gas activities.

Legal: PID 027-529-801: Lot 1, NW ¼ of Section 35, Twp 79, R. 14, W6M, Peace River District, Plan BCP36508

(Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

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 reviewing all the file information presented, the Commission concluded as follows:

1. The 4 ha subject property was subdivided as a retirement residence by the ALC in 2007 under the ALC's Homesite Severance Policy. The policy requires that the landowner retain the property for five years after subdividing to ensure compliance with the spirit of the policy.
2. The subject property has a Canada Land Inventory (CLI) rating of 2C indicating that the land has good capability for agricultural development. In fact, the air photograph

indicates that about a third of the property is cultivated in conjunction with the adjoining property.

3. The Commission concurred that the agricultural potential of the subject property was limited due to its relatively small size. However, portions of the 4 ha lot are being used for agriculture, and the proposed non-farm uses are not supportive of agriculture.
4. The Commission recalled that the South Peace Comprehensive Development Plan designated that significant areas of ALR west of the City of Dawson Creek for industrial uses. It believes that these designated areas are more suitable for the proposed non-farm uses than the proposed site.
5. 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 J. Thibeault

THAT the application be refused as proposed.

CARRIED

Resolution #267/2012