



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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www.alc.gov.bc.ca

December 13, 2013

ALC File: # 53248

Les Whitford  
23766 – 24 Avenue  
Langley, BC  
V2Z 3A2

Dear Sir:

**Re: Application to Conduct a Non-Farm Use on Land in the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution # 343/2013 as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

- 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.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Further correspondence with respect to this application is to be directed to Gordon Bednard.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosure: Minutes of Resolution #343/2013

cc: Peace River Regional District Attn: Ken Kalirai file # 045/2013

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## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 27, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53248.

### 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
Lindsay McCoubrey	Land Use Planner

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### PROPOSAL:

Applicant seeks permission to re-open the gas station and add a convenience store, restaurant, future campground and truck / rv parking. (all new construction as shown on diagrams received November 7, 2013)

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

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### PROPERTY INFORMATION:

**Owner:** Richard, Wanda, Scott and Audrey Robinson  
**Agent:** Les Whitford  
**Legal:** District Lot 1896 Peace River District  
**PID:** 014-898-454

**Location:** Hwy 97 near Schmidt Road

**Size:** 64 ha

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### LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

6 The following are the purposes of the commission:

(a) to preserve agricultural land;

- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
  - (c) 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.
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#### **COMMISSION CONSIDERATION**

After considering the information in the application, from the Regional District and mapping supplied by staff, the Commission concluded as follows:

This property has good agricultural capability (rated class 3-4 X improved). The Commission is always reluctant to encourage non-farm activities on good quality land, preferring to see such activities placed in areas already zoned for commercial/industrial use as agreed to during a public process such as a Community Plan or Bylaw review. In the case of this application, while an automotive service station did exist previously on the property in the area proposed for commercial/industrial development, that use lapsed many years ago, and present OCP designation and Zoning are not consistent with the proposed use. As well, the area previously affected by the former use was much smaller than the area of the existing proposal, and the present proposal includes a much wider range of non-farm use, with a higher potential for conflict with agriculture.

While the Commission appreciates the offer of inclusion into the ALR of an area approximately the same size as the present proposal to mitigate/compensate for the alternate use of this land, the proposed inclusion area consists of a steep (class 7T) slope which would not be usable for agriculture.

#### **IT WAS**

**MOVED BY:            Commissioner Thibeault**

**SECONDED BY:      Commissioner Dowswell**

THAT the request to use 4 ha for the purpose of a gas station, convenience store, restaurant, future campground and truck / rv parking, be refused for the above reasons.

#### **CARRIED**

**Resolution #343/2013**