



Agricultural Land Commission
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February 17, 2017

ALC File: 55059

Canada West Land Services
9009-100th Avenue
Fort St. John, BC V1J 1X5

Attention: Annette Block

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

Please find attached the Reasons for Decision of the North Panel (Resolution #34/2017) as it relates to the above noted application. A sketch plan depicting the decision is also attached. As agent, it is your responsibility to notify the applicant accordingly.

Reconsideration of a Decision as Directed by the ALC Chair

Please note that pursuant to [s. 33.1 of the *Agricultural Land Commission Act*](#), the Chair may direct the executive committee to reconsider any panel decision if, within 60 days from the date of this decision, he considers that the decision may not fulfill the purposes of the commission as set out in s. 6, or does not adequately take into consideration s. 4.3.

You will be notified in writing if the Executive Committee is directed to reconsider your decision. The Commission advises you to take this 60 day period into consideration prior to proceeding with any actions upon this decision.

Reconsideration of a Decision by an Affected Person

We draw your attention to [s. 33\(1\) of the *Agricultural Land Commission Act*](#) which provides a person affected the opportunity to submit a request for reconsideration.

- 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.

For further clarity, s. 33.1 and s. 33(1) are separate and independent sections of the *Agricultural Land Commission Act*.

Further correspondence with respect to this application is to be directed to Noel Allison at (Noel.Allison@gov.bc.ca).

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Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Noel Allison', written in a cursive style.

Noel Allison, Land Use Planner

Enclosures: Reasons for Decision (Resolution #34/2017)
Sketch plan

cc: Peace River Regional District (File: 116/2016)

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AGRICULTURAL LAND COMMISSION FILE 55059

REASONS FOR DECISION OF THE NORTH PANEL

Application submitted pursuant to s. 20(3) of the *Agricultural Land Commission Act*

Applicant:

**Dawson Creek
Sportsman's Club
(the "Applicant")**

Agent:

**Canada West Land Services
(the "Agent")**

Application before the North Regional Panel:

**Dave Merz, Panel Chair
Sandra Busche**



THE APPLICATION

[1] The legal description of the property involved in the application is:

Parcel Identifier: 012-763-675

That Part Of The North West 1/4 Of Section 23, Township 78, Range 14, West Of
The 6th Meridian, Peace River District, Lying To The West Of The Left Bank Of The
Pouce Coupe River
(the "Property")

[2] The Property is 24.2 ha in area.

[3] The Property is generally described as being located approximately 6 km east of the City of Dawson Creek along 210 Road and Riley Crossing Road.

[4] The Property is located within a designated agricultural land reserve ("ALR") as defined in s. 1 of the *Agricultural Land Commission Act* (the "ALCA").

[5] The Property is located within Zone 2 as defined in s. 4.2 of the *ALCA*.

[6] Pursuant to s. 20(3) of the *ALCA* the Applicant is applying to extend the existing gun range that is located to the north of the Property for the purpose of recreational activities including gun ranges, walking trails, trap shooting, playground area, target shooting, archery and sporting clay courses (the "Proposal"). The Proposal along with supporting documentation is collectively the application (the "Application").

RELEVANT STATUTORY PROVISIONS

[7] The Application was made pursuant to s. 20(3) of the *ALCA*:

20(3) An owner of agricultural land or a person with a right of entry to agricultural land granted by any of the following may apply to the commission for permission for a non-farm use of agricultural land.

[8] The Panel considered the Application pursuant to its mandate in s. 4.3 of the *ALCA*:

4.3 When exercising a power under this Act in relation to land located in Zone 2, the commission must consider all of the following, in descending order of priority:

- (a) the purposes of the commission set out in section 6;
- (b) economic, cultural and social values;
- (c) regional and community planning objectives;
- (d) other prescribed considerations.

[9] The purposes of the Agricultural Land Commission (the “Commission”) set out in s. 6 are as follows:

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.

EVIDENTIARY RECORD BEFORE THE PANEL

[10] The Panel considered the following evidence:

1. The Application
2. Local government documents
3. Previous application history
4. Agricultural capability map, ALR context map, and satellite imagery

All documentation noted above was disclosed to the Agent in advance of this decision.



[11] At its meeting of October 19, 2016, the Peace River Regional District (the "PRRD") resolved to forward the Application with the following comment:

That the Regional Board support ALR Non-Farm Use Application 116/2016 (Dawson Creek Sportsman's Club) and authorize the application to proceed to the Agricultural Land Commission as it meets strategic objectives within the 'PRRD 2015-2018 Strategic Plan' pertaining to regional recreation.

[12] The Panel reviewed one relevant application relating to the Application:

Application ID: 4851
Legacy File: 30399
(Dawson Creek Sportsman's Club, 1996)

To construct a clubhouse, indoor range and related facilities on the above lands in conjunction with the other longstanding recreational uses. The Commission approved the application by Resolution #278/96.

Note: Application 4851 is located north of the Property

SITE VISIT

[13] The Panel, in the circumstances of the Application, did not consider it necessary to conduct a site visit to the Property based on the evidentiary record associated with the Application.

FINDINGS

Section 4.3(a) and Section 6 of the ALCA: First priority to agriculture

[14] In assessing agricultural capability, the Panel referred in part to agricultural capability mapping and ratings. The ratings are identified using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system. The improved agricultural capability ratings identified on CLI map sheet 93P/16 for the mapping units encompassing the Property are 6:7TR - 4:6T.



Class 6 - land is important in its natural state as grazing land. These lands cannot be cultivated due to soil and/or climate limitations.

Class 7 - land has no capability for soil bound agriculture.

The limiting subclasses associated with this parcel of land are T (topography) and R (bedrock)

[15] The Panel reviewed the CLI rating and finds that the Property has poor agricultural capability.

[16] The Applicant provided the following information regarding agriculture on the Property:

The parcel in question is not suitable for agricultural use. Low lying areas that are flooded annually and the treed areas make it almost impossible.

[17] Peace River Regional District Planning staff provided the following information regarding the context of the area:

The area is comprised of agricultural holdings, oil & gas use, and some rural residential lots. Land features include cultivated land, fragmented forested riparian areas, and the Pouce Coupe River is directly adjacent to the subject property.

[18] The Panel notes that the Commission approved the existing gun range on an adjacent property to the north by Resolution #278/1996.

Section 4.3(b) of the ALCA: Second priority to economic, cultural and social values

[19] The Applicant did not provide any information specifically citing economic, cultural and social values.



Section 4.3(c) of the ALCA: third priority to regional and community planning objectives

[20] The Property is designated “Agriculture” in the South Peace Fringe Area Official Community Plan (“OCP”). PRRD Planning staff indicate that a zoning amendment would be required.

[21] The Property is zoned A-2 (Large Agricultural Holdings Zone) in the Peace River Regional District Zoning Bylaw No. 1343, 2001. As a Public Recreation Facility is not a permitted use within this zone, PRRD staff indicate that the proposal would require a zoning amendment.

[22] The Panel notes that the proposal meets strategic objectives within the ‘PRRD 2015-2018 Strategic Plan’ to provide residents of the PRRD with continued access to facilities for recreational and cultural purposes.

Weighing the factors in priority

[23] In considering s. 4.3 (a) and the first priority to agriculture, the Panel notes that the Property has poor agricultural capability use as indicated by the CLI ratings of Class 6 and Class 7. For this reason, the Panel believes that the Proposal will have no impact to agriculture.

[24] The Panel believes that the Proposal provides a positive benefit to regional and community planning objectives by encouraging recreational activities that are consistent with the PRRD 2015-2018 Strategic Plan.

DECISION

[25] For the reasons given above, the Panel approves the Proposal to extend the existing gun range.



[26] The Proposal is approved subject to the following conditions:

- a. Approval for non-farm use is granted for the sole benefit of the Applicant and is non-transferable.
- b. Non-farm use confined to 24.2 ha area per the drawing attached to Resolution #34/2017
- c. The non-farm use to be in substantial compliance with the plan attached to Resolution #34/2017

[27] This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

[28] These are the unanimous reasons of the North Panel of the Agricultural Land Commission.

[29] A decision of the Panel is a decision of the Commission pursuant to s. 11.1(5) of the *Agricultural Land Commission Act*.

[30] This decision is recorded as Resolution #34/2017 and is released on February 17, 2017.

CERTIFICATION OF DECISION

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

Dave Merz, Panel Chair, on behalf of the North Panel

END OF DOCUMENT



Agricultural Land Commission Decision Sketch Plan
ALC File 55059 (Dawson Creek Sportsman's Club)
Conditionally Approved Subdivision
ALC Resolution #34/2017

