

COMMENTS RECEIVED FROM AGENCIES AND MUNICIPALITIES

Charlie Lake Fire Department

Charlie Lake Fire Department interests are unaffected.

Ministry of Transportation and Infrastructure

MoTI is in support of the proposal and has the following comments:

In principle the Ministry of Transportation & Infrastructure has no objections to the proposed rezoning of the lands as presented. However, the applicant should be aware that at the time of subdivision the Ministry of Transportation & Infrastructure will further consider matters related to the potential impacts to Golf Course Road from stormwater and individual accesses, and all other legislative requirements for subdivision approval. See attached letter.

Ministry of Agriculture

Ministry staff understand that the Subject Property was conditionally approved to be excluded from the ALR in 2011 via ALC File: 52082. Ministry staff note that the Subject Property is essentially surrounded by non-ALR land/ALR land that is used for non-farm purposes (i.e. a golf course and a provincial park). As such, and although the Subject Property is still technically in the ALR, the Ministry's interests are unaffected by the proposed zoning amendment. See attached letter.

Agricultural Land Commission

See attached letter granting extension of the conditional exclusion approval No. 145/2011.

BC Hydro

BC Hydro Properties has no comments at this time on the proposed plan.

Pacific Northern Gas

No concerns.

PRRD Bylaw Enforcement Officer

The PRRD does not have an active bylaw enforcement file on this property.

PRRD Building Inspection

Interests unaffected.



Ministry of
Transportation
and Infrastructure

Our file: 2023-01769
Your file: PRRD File No. 23-006 ZN
Date: May 5, 2023

Peace River Regional District
PO Box 810
1981 Alaska Avenue
Dawson Creek, BC V1G 4H8

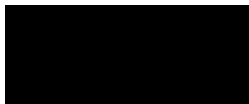
Attention: Planning Department

The Ministry of Transportation and Infrastructure (MoTI) has received and reviewed your referral dated April 14, 2023 to rezone 4.35ha of a 28.43 ha property from A-2 to R-2 to facilitate an eight (8) lot residential subdivision. The proposal does not fall within Section 52 of the Transportation Act and will not require formal MoTI approval and signature. MoTI is in support of the proposal and has the following comments:

In principle the Ministry of Transportation & Infrastructure has no objections to the proposed rezoning of the lands as presented. However, the applicant should be aware that at the time of subdivision the Ministry of Transportation & Infrastructure will further consider matters related to the potential impacts to Golf Course Road from stormwater and individual accesses, and all others legislative requirements for subdivision approval.

Thank you for the opportunity to comment. If you or the proponent has any questions, please contact Peace District Development Services at (250) 787-3237 or by email at DevApps.FSJ@gov.bc.ca

Sincerely,



Leslie Stephens, Development Services Officer



May 3, 2023

Local Government File: 22-006 ZN

Erin Powers
Planner II
Peace River Regional District (PRRD)
VIA EMAIL: planning@prrd.bc.ca

Re: Zoning Amendment – Lot 2 Section 25 Township 84 Range 20 West of the 6TH Meridian Peace River District Plan (PID: 030-260-795) – The Subject Property

Dear Erin,

Thank you for providing Ministry of Agriculture and Food (Ministry) staff with the opportunity to comment on the zoning amendment that proposes to rezone 4.35 ha of the 28.43 ha Subject Property from A-2 to R-2 to facilitate a proposed 8 lot (0.51 ha each) residential subdivision. From an agricultural planning perspective, Ministry staff offer the following comment:

- Ministry staff understand that the Subject Property was conditionally approved to be excluded from the ALR in 2011 via ALC File: 52082. Ministry staff note that the Subject Property is essentially surrounded by non-ALR land/ALR land that is used for non-farm purposes (i.e. a golf course and a provincial park). As such, and although the Subject Property is still technically in the ALR, the Ministry's interests are unaffected by the proposed zoning amendment.

If you have any questions or concerns about our comment, please do not hesitate to contact staff.

Sincerely,

Reed Bailey
Land Use Planner
Phone: 778-698-3455
Email: Reed.Bailey@gov.bc.ca

Brenna Schilds P. Ag
Regional Agrologist - BC Peace
Phone: 250-795-4101
Email: Brenna.Schilds@gov.bc.ca

Email copy: Agriculture Land Commission, ALC.Referrals@gov.bc.ca



Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

May 8, 2023

ALC File: 52082

Larry Wade

DELIVERED ELECTRONICALLY

Dear Larry Wade

Re: Application 52082 to exclude land from the Agricultural Land Reserve

Please find attached the Reasons for Decision for the above noted application (Resolution #166/2023).

Please note that the submission of a \$150 administrative fee may be required for the administration, processing, preparation, review, execution, filing or registration of documents required as a condition of the attached Decision in accordance with s. 11(2)(b) of the ALR General Regulation.

Please direct further correspondence with respect to this application to martin.collins@gov.bc.ca.

Yours truly,

A solid black rectangular box redacting the signature of Martin Collins.

Martin Collins, Regional Planner

Enclosures: Reasons for Decision (Resolution #166/2023)
 Schedule A: Original Decision (Resolution #145/2011)
 Schedule B: Susequent Decision (Resolution #46/2020)

57680/d3



**AGRICULTURAL LAND COMMISSION FILE 52082
REASONS FOR DECISION OF THE CHIEF EXECUTIVE OFFICER**

Request to vary Resolution #145/2011 - a decision made on an exclusion application submitted under Section 30(1) of the ALC Act.

Original Applicant: Larry Wade
Mary Wade

Agent: Larry Wade

Properties: PID 017-450-357; 59.7 ha
PID 010-607-587; 30.6 ha

Chief Executive Officer
Kim Grout
(the "CEO")



OVERVIEW

- [1] The Property is located within the Agricultural Land Reserve (ALR) as defined in s. 1 of the *Agricultural Land Commission Act* (ALCA).
- [2] Pursuant to s. 30(1) the ALC Act, the Applicant applied to the Agricultural Land Commission (the “Commission”) to exclude 90.3 ha, comprising two parcels, from the ALR (the “Original Proposal”).
- [3] By Resolution #145/2011, dated April 27, 2011 the Commission conditionally approved Application 52082 to exclude two parcels totaling 90.3 ha from the ALR subject to rezoning the Properties to Medium Density Residential uses within three years of the decision.
- [4] In 2016 the Applicants requested and received approval for a two year extension to the rezoning condition established by Resolution #145/2011. On January 30, 2020, by Resolution # 46/2020 the ALC granted another extension of the decision until Feb 1, 2022 (the “Subsequent Decision”). The reasons for the extension requests were because the Regional District would not approve rezoning requests until upgrades the Charlie Lake sewer system were completed. In addition the second time extension request indicated that the North Peace Fringe Area OCP was undergoing review and was not completed.
- [5] The rationale for the current time extension request is to bring a reconsideration request to the Northern Panel of the Commission to eliminate the rezoning condition outlined in Resolution #145/2011. Release of this condition (if allowed) will result in the immediate exclusion of the Properties from the ALR. The Applicant’s request is to extend the ALC exclusion approval until August 2023.



- [6] On Section 27 of the ALCA the Commission, by resolution, may establish criteria under which the CEO may approve applications for exclusion, subdivision non farm use; non-adhering residential use; and soil or fill use applications that are consistent with the intent of the Commission's original decision. The time extension request was reviewed under Criterion #8.

EVIDENTIARY RECORD

- [7] The CEO considered the following evidence:
- a. The time extension request dated April 19, 2023
 - b. The Original Decision and Subsequent Decision along with related file material and documentation from Application 52082
- [8] The Commission finds that the applicant has been unable to proceed with the rezoning of the Properties and the subsequent exclusion due to delays arising from the Peace River Regional District rezoning process and OCP update. Recognizing the potential delays that might arise during the ALC reconsideration process the Commission is extending the requested timeline extension for the completion of conditions set out in ALC Resolution #145/2011 until December 31, 2023.

DECISION

- [9] After reviewing the request for variation to Resolution #145/2011, the Original Decision, and all the associated file material, I am satisfied that the Proposal is consistent with Criterion #8 and approve the request to extend the deadline for the rezoning the Property required by the ALC until December 31, 2023. (see Schedule A).



[10] When the Commission confirms that the rezoning is complete, it will authorize the Registrar of Land Titles to exclude the Properties from the ALR.

[11] 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.

[12] A decision of the CEO is a decision of the Commission pursuant to s. 27(5) of the *ALCA*.

[13] Resolution #166/2023

Released on May 8, 2023



Kim Grout, Chief Executive Off