



PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES

ALL MEMBERS
PARTICIPATE.

Report on Subdivision within the
Agricultural Land Reserve (ALR)

FILE NO. 006/2010

OWNER: Robert Nicholson
AREA: Electoral Area E
LEGAL: District Lot 2020
LOT SIZE: 16.2ha (40 acres)
LOCATION: South of Chetwynd along Highway 29S

DATE: January 12, 2010

PROPOSAL

To subdivide the parcel into 2 lots of 20 acres each

RECOMMENDATION: OPTION 1

THAT the Regional Board support and authorize the application to proceed to the Agricultural Land Commission on the basis that the proposal is supported by West Peace OCP By-law 1086, 1997 and Chetwynd Rural Area Zoning By-law No. 506, 1986

OPTIONS

- OPTION 1: THAT the Regional Board support and authorize the application to proceed to the Agricultural Land Commission on the basis that the proposal is supported by the West Peace OCP By-law 1086, 1997 and Chetwynd Rural Area Zoning By-law No. 1343, 2001
- OPTION 2: THAT the Regional Board refuse authorization for the application, as submitted, to proceed to the Agricultural Land Commission.

LAND USE POLICIES AND REGULATIONS

OFFICIAL COMMUNITY PLAN (OCP): Agriculture Rural Resource, By-law No. 1086, 1997
ZONING: A-2 (Large Industrial Holdings Zone), Bylaw No. 506, 1986
AGRICULTURAL LAND RESERVE (ALR): Within
BUILDING INSPECTION AREA: Outside
COMPREHENSIVE DEVELOPMENT PLAN: Outside

SITE CONTEXT

The subject property is located south of Chetwynd along Highway 29S. The area consists of various sized parcels ranging from 40 acres up to quarter-sections divided by road right-of-ways and watercourses much of the surrounding land is within the Agricultural Land Reserve.

SITE FEATURES

Page 1 of 3

Printed on:

Bruce Simard

Department Head

John Bloor

CAO

Report prepared by: Owen Bloor, Land Use Planner

January 28, 2010

- LAND:** The subject property has not been cleared except for a portion along the southern boundary where the owner has developed a garden and maintained a couple of structures.
- STRUCTURES:** There are 2 structures on the property a barn and a small greenhouse located near the southern property boundary.
- ACCESS:** The paved Highway 29S runs near the western boundary with a driveway which provides access to the property.
- CLI SOIL RATING:** Class 4MP; Soils in class 4 have severe limitations that restrict the range of crops or require special conservation practices and subclass M denotes moisture limitations while subclass P indicates stoniness.
- FIRE:** The subject property is outside the Chetwynd Rural fire protection zone.

Previous Applications – Subject Property

- APPLICANT:** Robert Nicholson
LEGAL: District Lot 2020
PROPOSAL: To extract approximately 80,000m³ of gravel from the above mentioned property
DECISION: Approval granted by way of Resolution # 49/2001 finalized on May 10, 2006

Previous Applications – Properties within 100 m

- APPLICANT:** Jens & Eileen Bertelsen
LEGAL: District Lot 280, PRD
PROPOSAL: Subdivide a 2ha lot from parent parcel
DECISION: Approval granted pursuant to Resolution #24/96 dated January 24, 1996
- APPLICANT:** Jens Bertelsen & Robert Nicholson
LEGAL: District Lots 280, 281 and 282, PRD
PROPOSAL: To re-align the parcel lines to address the severance of these lots by Highway 29S
DECISION: Approval granted by way of Resolution #191/88 on March 22, 1988

COMMENTS AND OBSERVATIONS

- APPLICANT:** It is the intent of the landowner to subdivide the property to accommodate development of houses by his two children.
- ALR:** The subject property lies within the Agricultural Land Reserve; **Therefore, this proposal requires the approval of the Agricultural Land Commission.**
- OCP:** Pursuant to the West Peace Official Community Plan Bylaw No. 1086, 1997, the subject property is designated “Resource – Agriculture and is consistent with the development policies as set out in this section of the OCP. It should also be noted that this particular OCP document does not indicate a minimum parcel size for any of the zones so the creation of smaller than the usually accepted minimum parcel size has no bearing on the approval of this proposal. Therefore **the proposal will not require an amendment to the OCP.**
- However it should be noted that the subject property lies within a “Development Permit” area intended to prevent development on hazardous lands which may need to be addressed at the time of subdivision or construction of a dwelling.
- ZONING:** The subject property is zoned A-2 (Large Agricultural Holdings) pursuant to the Chetwynd Rural Area Zoning Bylaw No. 506, 1986 where the minimum parcel size is 63ha (155 acres) therefore **The proposal will require an amendment to the zoning bylaw.**

IMPACT ANALYSIS

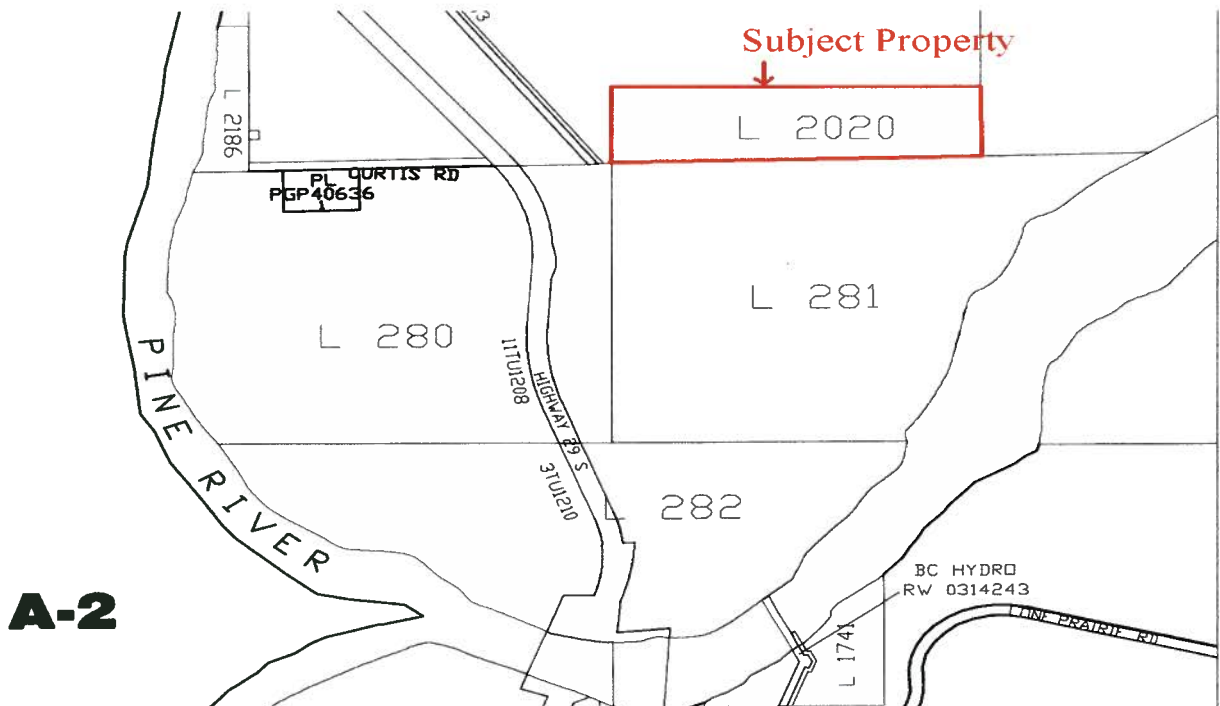
- AGRICULTURE:** Many of the surrounding land parcels are residential in nature and are no longer being utilized for farming practices. The subject property has never been utilized for farming and in the past has been the site of gravel extraction and crushing.
- CONTEXT:** The subject property is located just off the paved Highway 29S and is bordered by properties of various sizes either owned or leased by the applicant.
- TRAFFIC AND POPULATION:** This subdivision will increase traffic by 2 vehicles and the population will increase by 1.8 persons. (BC Statistics, 2006)



West Peace Official Community Plan By-law No. 1086, 1997 (map# 2)



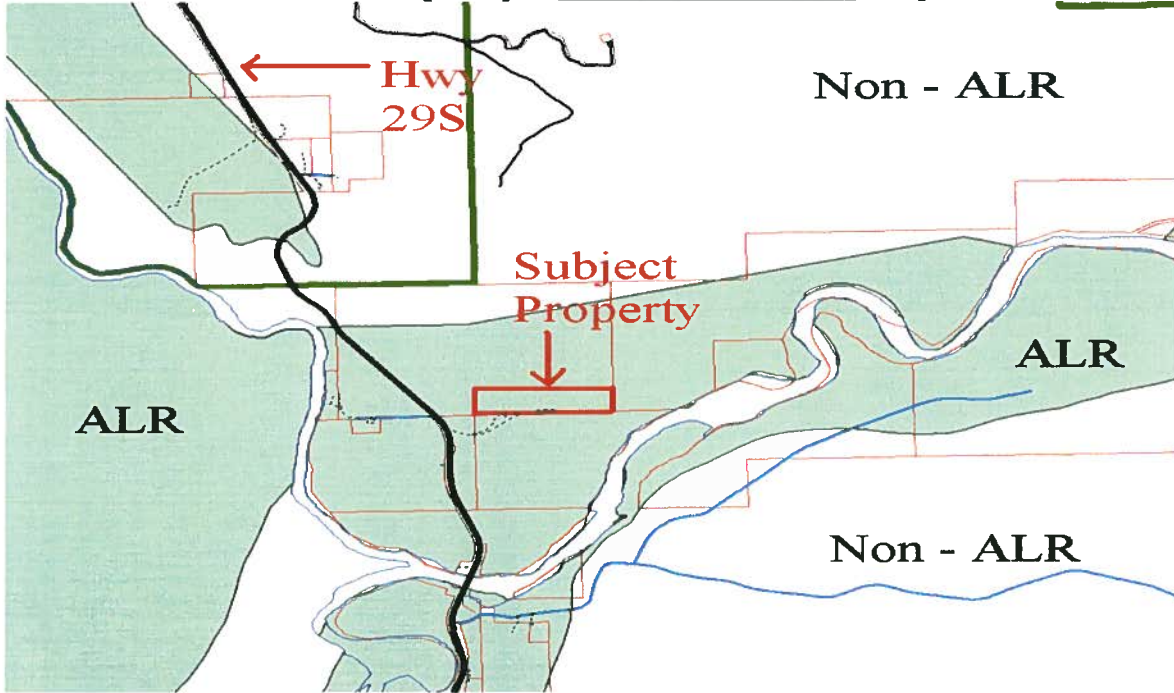
Chetwynd Rural Area Zoning By-Law No. 506, 2001 (map# 1)



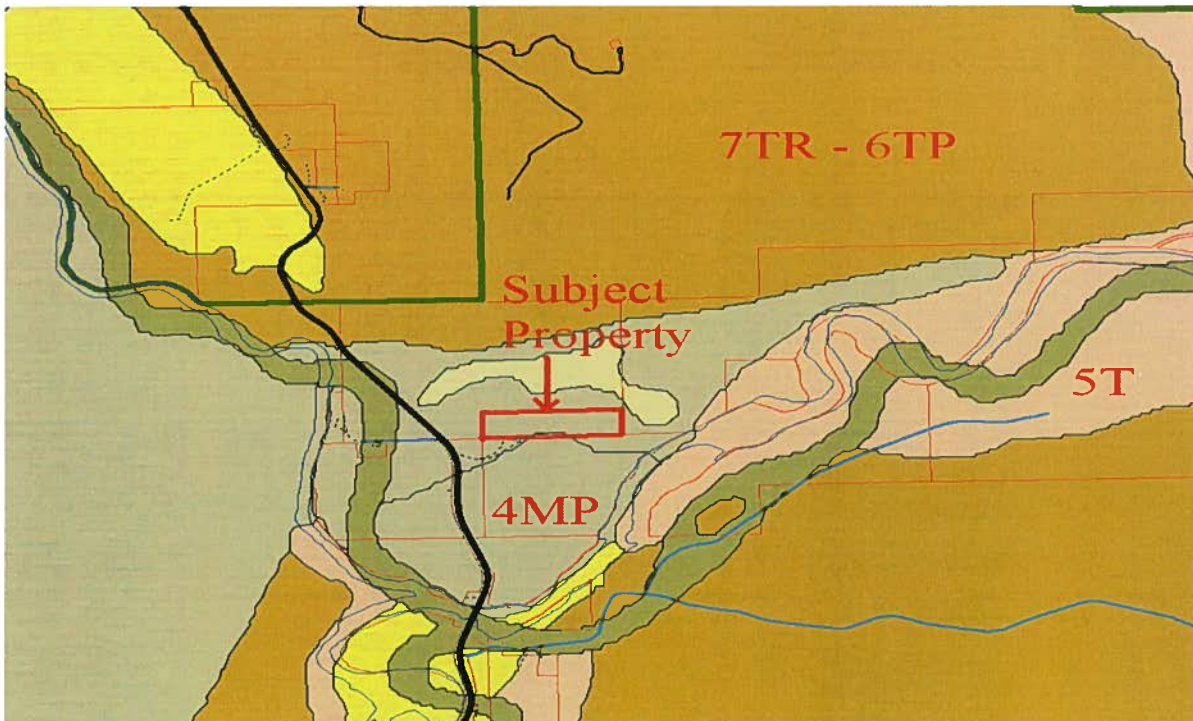


Application # 006/10

Agriculture Land Reserve (map# 93-P-063)



CLI-Soil Classification (map# 93-P-09)





APPLICATION BY LAND OWNER

Receipt 17182

R-6

NOTE: The information required by this form and the documents you provide with it are collected to process your application under the Agricultural Land Commission Act and regulation. This information will be available for review by any member of the public. If you have any questions about the collection or use of this information, contact the Agricultural Land Commission and ask for the staff member who will be handling your application.

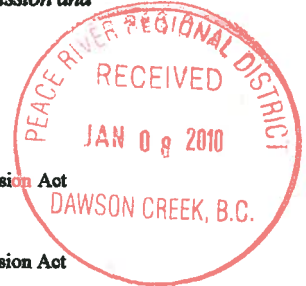
TYPE OF APPLICATION (Check appropriate box)

EXCLUSION under Sec. 30(1) of the Agricultural Land Commission Act

SUBDIVISION in the ALR under Sec. 21(2) of the Agricultural Land Commission Act

INCLUSION under Sec. 17(3) of the Agricultural Land Commission Act

Non-farm USE in the ALR under Sec. 20(3) of the Agricultural Land Commission Act



APPLICANT

Form with fields for Registered Owner (Robert W. Nicholson), Address (P.O. Box 176, 6698 Highway 29 South, VOC 1J0), Tel. (home/work), Fax, E-mail (fivemile@xplornet.com), and Agent/Postal Code fields.

LOCAL GOVERNMENT JURISDICTION (Indicate name of Regional District or Municipality)

PRRD Area F

LAND UNDER APPLICATION (Show land on plan or sketch)

Table with columns: Title Number, Size of Each Parcel (Ha.), Date of Purchase (Month, Year). Row 1: D.L. 2020, 40 acres, Dec, 1987.

OWNERSHIP OR INTERESTS IN OTHER LANDS WITHIN THIS COMMUNITY

(Show information on plan or sketch)

If you have interests in other lands within this community complete the following:

Title Number(s): D.L. 281 - D.L. 282 - D.L. 280 - D.L. 2068 Lease D.L. 2066 Lease

January 28, 2010

PROPOSAL (Please describe and show on plan or sketch)

WE WOULD LIKE TO DIVIDE D.L. 2020 INTO 2 (TWO) EQUAL PARCELS SO THAT WE CAN TRANSFER EACH NEW PROPERTY TO OUR 2 CHILDREN TO BUILD HOMES.

Sketch attached (1)

CURRENT USE OF LAND (Show information on plan or sketch)

List all existing uses on the parcel(s) and describe all buildings

This piece of property has a barn & a greenhouse on it. A good part of it is covered in poplar trees with about 3 acres of gardening area. Also included is lawn area & A gravel pit that has been discontinued.

USES ON ADJACENT LOTS (Show information on plan or sketch)

North Pasture
East Pasture
South Hayfields, home, brush
West Pasture

DECLARATION

I/we consent to the use of the information provided in the application and all supporting documents to process the application in accordance with the Agricultural Land Commission Act and regulation. Furthermore, I/we declare that the information provided in the application and all the supporting documents are, to the best of my/our knowledge, true and correct. I/we understand that the Agricultural Land Commission will take the steps necessary to confirm the accuracy of the information and documents provided.

Jan 4 / 2010
Date

Robert W. Nicholson
Signature of Owner or Agent

Robert W. Nicholson
Print Name

Date

Signature of Owner or Agent

Print Name

Date

Signature of Owner or Agent

Print Name

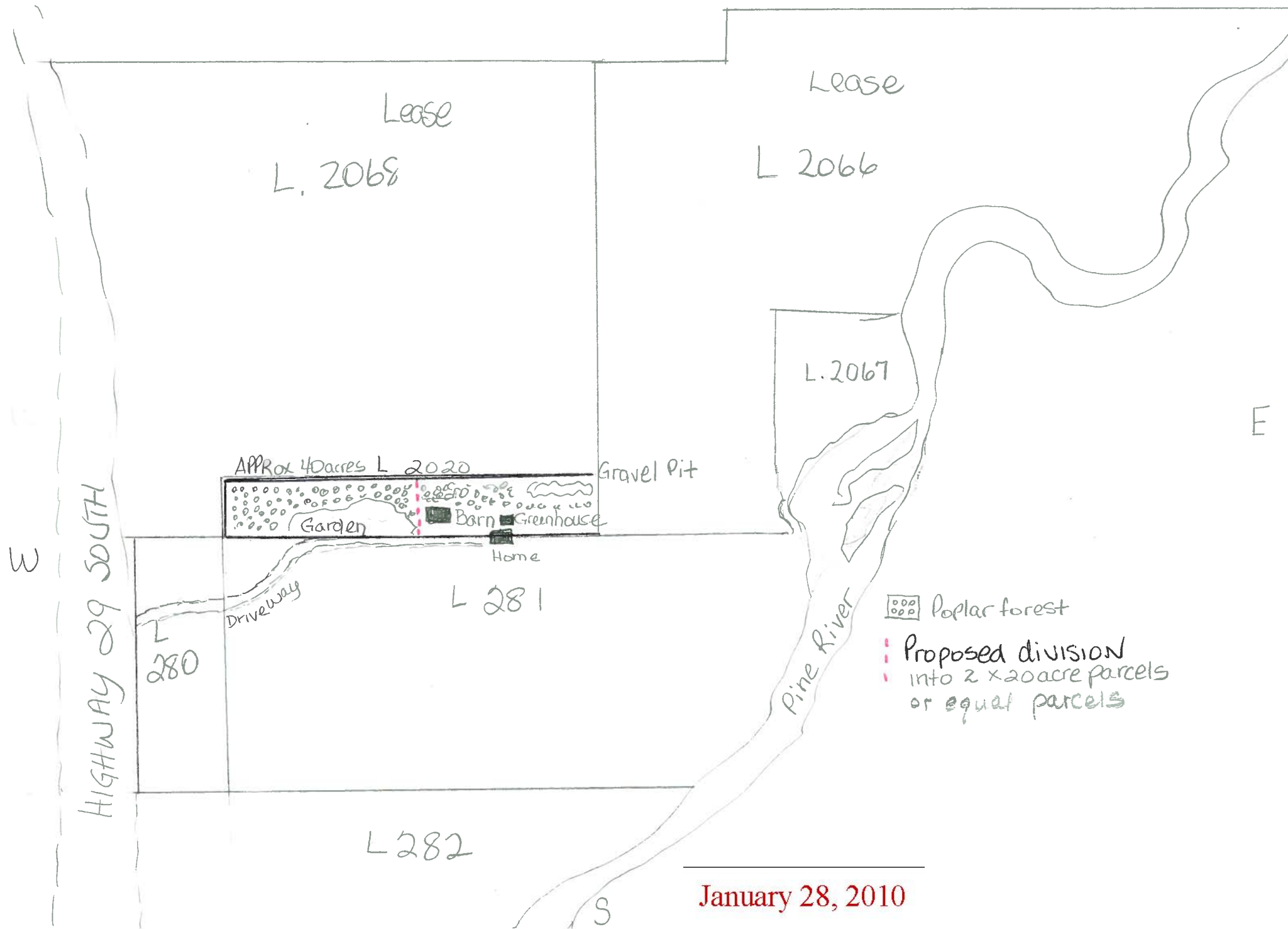
Please ensure the following documents are enclosed with your application:

- Application fee payable to the Local Government ✓
- Certificate of Title or Title Search Print ✓
- Agent authorization (if using agent)
- Map or sketch showing proposal & adjacent uses ✓
- Proof of Notice of Application *(See instructions)
- Photographs (optional)

N

①

R-6



January 28, 2010