



Agricultural Land Commission
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March 14, 2007

Reply to the attention of Simone Rivers
ALC File: #W - 37086

Randolf and Tannia Nichols
PO Box 1506
Chetwynd, BC V0C 1J0

Dear Mr. and Mrs. Nichols:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 62/2007 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Peace River Regional District (#229/2006)

Enclosure: Minutes/Sketch Plan


SBR/lv
37086d1


MAP #1

D.L. 1959

Provincial Agricultural Land Commission

Application # W-37086
 Resolution 62/2007

 Subject Property

 Approved subdivision of 3.7 ha

3092
1
32150

Fd IP, SET PP

PIT & M

Proposed Subdivision

3.7 ha

LOT 1

CHARY ROAD

ROAD

ROAD



D.L. 1E

HOUSE



21.9 ha.
including .942 ha
used for Chary Road

DISTRICT LOT 4023

Area	25.6 ha.
Less road	0.942 ha.
Remainder	24.7 ha.

GRAVEL ROAD

LOT 2



D.L. 2083

BRITISH COLUMBIA HIGHWAY P.W. PLAN 68-798

STABLES, TR
B.C.
DA
FILE NO. 92-1

D.L. 1868

90° 01' 00"
579.684

314.014

153.530
0° 00' 10"
169.228
0° 00' 10"

90° 00' 10"

115° 45' 20"
152.418
20.00

108° 33' 10"
57.204
25.870

92° 37' 53"
35.432

RP

RP

TH6

TH5

RP

TH4

Conclusions

1. That the land under application is not suitable for agricultural use.
2. That the proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner Norton

SECONDED BY: Commissioner Read

THAT the application be allowed.

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years from the date of this decision.

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.

CARRIED

Resolution # 62/2007



Staff Report
Application # W – 37086
Applicant: Randolf and Tannia Nichols

DATE RECEIVED: November 27, 2006

DATE PREPARED: January 24, 2007

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: Subdivision for a Relative: To subdivide along Clary Road which bisects the triangle-shaped lot to create one (1) 21 ha lot to the south and a 3.7 ha lot to the north. The smaller lot is for the applicant's son

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The applicants made a similar application in 1993 when they bought this property from the Crown. The Commission refused their request at that time. The applicants state that the property is largely swamp-land and has limited agricultural potential.

Local Government:

Peace River Regional District

Legal Description of Property:

PID: 018-039-405
District Lot 4023, Peace River District

Purchase Date:

February 1993

Location of Property:

Located east of Jackfish Lake Road and is divided (east-west) by Clary Road. About 5km northeast of Chetwynd.

Size of Property:

24.7 ha (The entire property is in the ALR).

Present use of the Property:

Partly vacant, low swamp, Original homesite located on balance of higher ground is vacant.

Surrounding Land Uses:

WEST: Residential some pasture for horses
SOUTH: Pasture
EAST: Residential and pasture
NORTH: Pasture on highground

Agricultural Capability:

Data Source: Agricultural Capability Map # 93P/12
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

West Peace OCP, Bylaw No. 1086 (1997)
Designation: Resource - Agricultural

Zoning Bylaw and Designation:

Peace River Regional District Zoning Bylaw No. 1343 (2001)
Designation: Large Agricultural Holdings Zone
Minimum Lot Size: 63 ha

PREVIOUS APPLICATIONS:

Application #28163-0

Applicant: R. & T. Nichols
Decision Date: October 4, 1993
Proposal: To subdivide the 25.6 ha property into one parcel of 3.7 ha and one of 21.9 ha as divided by Clary Road
Decision: Refused as proposed on the grounds that the road did not create an obstacle enough to warrant subdivision.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Peace River Regional District Board: The Regional Board forwarded the application with a recommendation of support on the grounds that the proposal qualifies as a subdivision for a relative pursuant to Section 946 of the Local Government Act

ATTACHMENTS:

- Reasons for requesting subdivision (submitted by the applicant)
- Sketch of proposed subdivision (submitted by the applicant)
- Agricultural Land Commission Decision Letter - Application # W-28163
- ALC Context Map - 93P.073 - 1:20,000 (created by ALC Staff)
- Air Photo - 1:20,000 (created by ALC Staff)

END OF REPORT

Signature



Date

