



Provincial Agricultural Land Commission - Staff Report

Application: 51913

Applicant: Robert Nicholson
Local Government: Peace River Regional District

Proposal: To release the covenant binding the titles of DL 281 (68 ha) and DL 280 (11 ha). The applicant has owned the properties since 1949 and wishes to transfer each parcel to a child.

BACKGROUND INFORMATION

The Commission required the binding of titles in 1988 as per Resolution #191/88 to ensure that the farm parcels were not severed by Highway #29.

PROPERTY INFORMATION

PID: 012-785-474
Legal Description: That Part of District Lot 280 Peace River District Lying East of Plan 30359
Property Area: 11.0 ha
ALR Area: 11.0 ha
Purchase Date: January 1, 1949
Location: South of Chetwynd along Highway 29S
Owner: Robert Nicholson

PID: 014-683-041
Legal Description: DI 281 Peace River District
Property Area: 68.0 ha
ALR Area: 68.0 ha

Location:
Owner:

Total Land Area: 79.0 ha
Total ALR Area: 79.0 ha

LAND USE

Current Land Use:
Forested and hayfield areas.

Surrounding Land Uses:
North: Pasture/ Lease & portion of DL 2020
East: DL 281 - Hayfield
South: DL 282 - Hayfield
West: Highway 29 South, hayfields beyond

PROPOSAL DETAILS

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Subdivision - ALR Area: 79.0 ha

Number of Lots	ALR Area of Lot (ha)
1	11.0
1	68.0

Agricultural Capability:

The majority of the area under application is rated as: Mixed Prime and Secondary

Source: CLI

Mapsheet: 93 P/12

PREVIOUS APPLICATIONS

Application ID: 7141

Legacy #: 21768

Applicant: Jens Bertelsen

Proposal: To adjust the boundaries between three existing lots, two that presently straddle the highway, to create three lots with the Highway as the dividing line.

Decision:

Resolution #	Decision Date	Decision Description
191/1988	January 28, 1988	Allow as requested, a metes and bounds description and covenant binding portions is adequate.

Application ID: 4128

Legacy #: 30157

Applicant: Jens/Eileen Berelsen

Proposal: To subdivide a 2 ha lot from the 62.7 ha property for a homesite for the applicant's son.

Decision:

Resolution #	Decision Date	Decision Description
24/1996	January 10, 1996	The Commission allowed the request for the 2 ha lot in lieu of Homesite Severance. No fencing was required.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: West Peace OCP Bylaw # 1086

Designation: Resource Agriculture

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Chetwynd Rural Area Bylaw #506

Zoning Designation: A-2 Agriculture

Minimum Lot Size: 63.0 ha

Zoning Compliance: Yes

Comments and Recommendations:

Board/Council

The Peace River Regional District board forwarded the application with a recommendation of support.

ALC STAFF COMMENTS

Staff suggest that the Commission consider the following:

1) The 11 ha area under application has good agricultural capability (CLI 6:4I 4:3C) and appears to be used in conjunction with the adjoining ALR parcels.

ALC STAFF COMMENTS

- 2) The Commission required the consolidation of the subject parcel and DL 281 (68 ha) in 1988 to preserve the agricultural capability of the land and ensure that farm parcels did not straddle Highway #29.
- 3) The purpose of the application is to provide a homesite for the applicant's children.
- 4) It is generally the Commission's view that estate settlement should not be at the expense of agricultural utility. Retaining the cultivated areas as a single unit is a benefit for agriculture.
- 5) Should the Commission believe there is merit in providing a homesite lot for the applicant's children there may be opportunity to subdivide a smaller, non cultivated portion of the 11 ha parcel so that the field units might remain intact.

ATTACHMENTS

51913_ContextMap20k.pdf
51913_AirphotoMap20k.pdf

END OF REPORT

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