Provincial Agricultural Land Commission - Applicant Submission

Application ID: 56485
Application Status: Under LG Review
Applicant: ABH Tire LTD
Agent: JEREMY MARTENS
Local Government: City of Grand Forks
Local Government Date of Receipt: 05/15/2017
ALC Date of Receipt: This application has not been submitted to ALC yet.
Proposal Type: Subdivision
Proposal: We are applying to subdivide in order to give the neighboring school more land due to safety concerns and traffic problems that have arisen from the overcrowded parking lot at John A Hutton Elementary School. The .5 lot will be shifted over to Hutton School.

Agent Information

Agent: JEREMY MARTENS
Mailing Address:
2715 Placer Pl
Grand Forks, BC
V0H 1H2
Canada
Primary Phone: (250) 442-8093
Mobile Phone: (250) 442-8414
Email: btln3739@gmail.com

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple
   Parcel Identifier: 007-247-095
   Legal Description: Lot 2, District Lot 520, S.D.Y.D., Plan 5090 except (1) Plan 5210, 8653, 11971, 12795, 13376, 19535, 21583, 23494 and 38138 and (2) Parts outlined in red on Plans B7375 and E10098
   Parcel Area: 13 ha
   Civic Address: 75th Ave
   Date of Purchase: 07/06/2010
   Farm Classification: No
   Owners
   1. **Name:** ABH Tire LTD
      Address:
      2923 central ave.
      grand forks, AB
      v0h 1h2
      Canada
      Phone: (250) 442-8414

Cell: (250) 442-8093
Email: btln3739@gmail.com

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).
No agriculture currently taking place on parcel

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).
No agricultural improvements made to the parcel

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).
No non-agricultural use currently taking place on the parcel

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm
Specify Activity: Growing vegetables

East

Land Use Type: Residential
Specify Activity: single dwelling housing

South

Land Use Type: Civic/Institutional
Specify Activity: john A Hutton Elementary

West

Land Use Type: Residential
Specify Activity: single dwelling housing

Proposal

1. Enter the total number of lots proposed for your property.
0.5 ha
12.5 ha

2. What is the purpose of the proposal?
We are applying to subdivide in order to give the neighboring school more land due to safety concerns and traffic problems that have arisen from the overcrowded parking lot at John A Hutton Elementary School. The .5 lot will be shifted over to Hutton School.

3. Why do you believe this parcel is suitable for subdivision?
Property surrounds John A Hutton Elementary (which is also in the ALR) and it is the only available land to relieve safety concerns. It is within city limits in a residential area.

4. Does the proposal support agriculture in the short or long term? Please explain.
No. It supports the growth and health of our community.

5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.
No

6. Describe any economic values you believe are applicable to the application as it applies to s.4.3 of the ALC Act.
None

7. Describe any cultural values you believe are applicable to the application as it applies to s.4.3 of the ALC Act.
None

8. Describe any social values you believe are applicable to the application as it applies to s.4.3 of the ALC Act.
Community safety.

9. Describe any regional and community planning objectives you believe are applicable to the application as it applies to s.4.3 of the ALC Act.
Community safety. School District 51 is looking to expand parking space to relieve traffic congestion on 75th Ave and children's safety in drop off and pick up situations.

Applicant Attachments

- Agent Agreement - JEREMY MARTENS
- Site Photo - DSC_0096-2
- Other correspondence or file information - map
- Other correspondence or file information - site map
- Other correspondence or file information - gazette ad
- Other correspondence or file information - gazette ad2
- Other correspondence or file information - corporate registry
- Other correspondence or file information - corporate registry2
- Other correspondence or file information - proof of service
- Proposal Sketch - 56485
- Site Photo - DSC_0096
- Site Photo - DSC_0015
- Site Photo - DSC_0013
- Certificate of Title - 007-247-095

ALC Attachments

None.

Decisions

None.

AGENT AUTHORIZATION LETTER

I (we) ABH Tire Ltd
Printed/typed name(s) of landowner(s)

hereby appoint Jeremy Martens to
Printed/typed name of agent

make application to the Agricultural Land Commission as agent on my/our behalf with respect to the following parcel (s): *Insert legal description for each parcel under application*

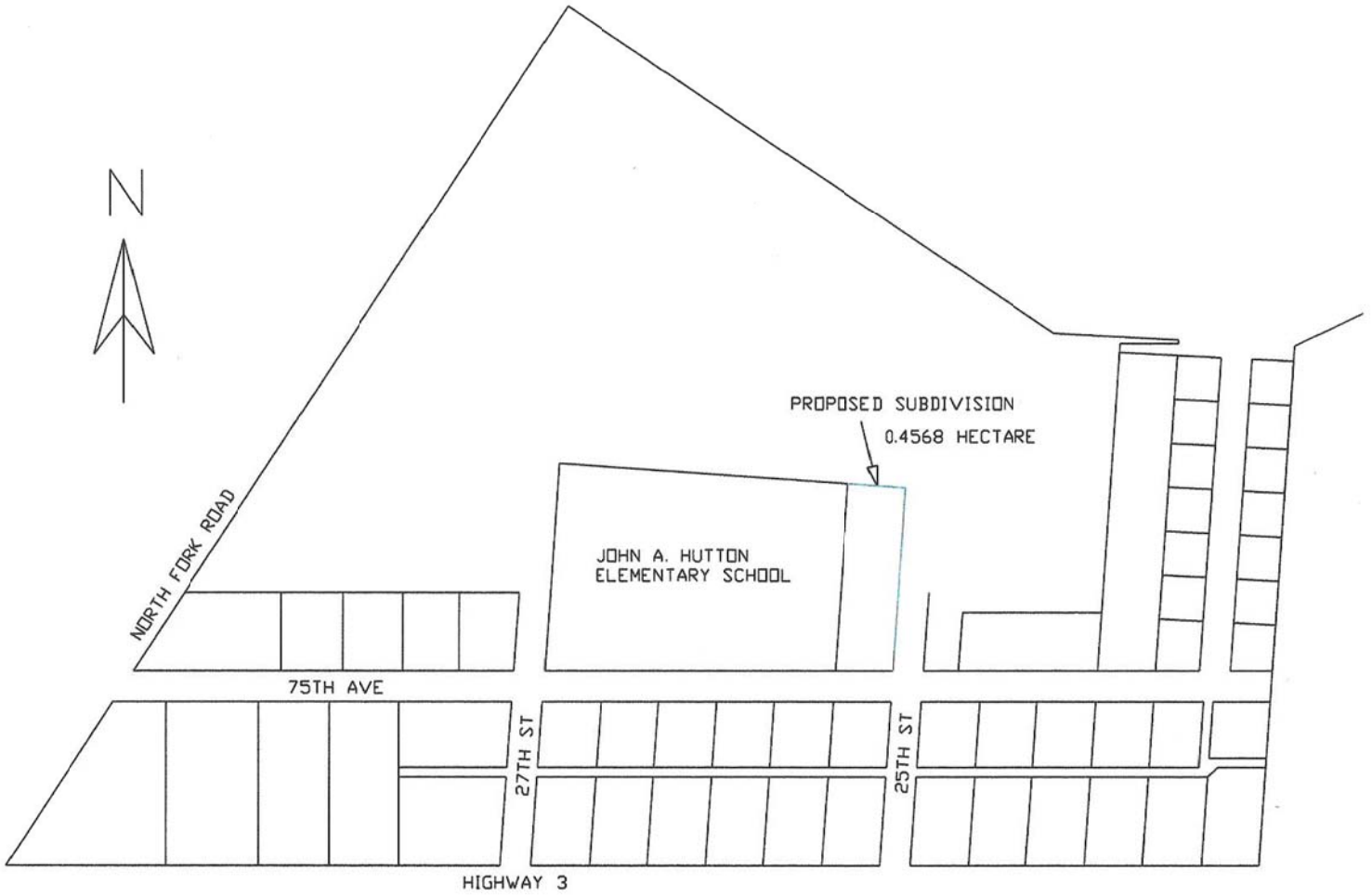
LOT 2, Plan KAP5090, District Lot 520, Similkameen Division of Yale District

I Jeremy Martens understand that as
Printed/typed name of agent

agent, I am required to ensure that all landowners are provided with information being submitted to and received from the Agricultural Land Commission.

Signature(s) of landowner(s):

Signature	Printed Name	Date
	Lance Martens	May 15/17
	Jeremy Martens	May 15/17


N
PROPOSED SUBDIVISION
0.4568 HECTARE
JOHN A. HUTTON
ELEMENTARY SCHOOL
NORTH FORK ROAD
75TH AVE
27TH ST
25TH ST
HIGHWAY 3




GRAND FORKS
BC
Subject Property
Legend
cadastral_Nov_2016
CityBoundary
N
The City of Grand Forks makes every effort to ensure this map is free of errors but cannot guarantee accuracy or fitness for any purpose, and does not provide warranty of any kind. The City accespts no liability for any expenses, losses, damages and costs relating to use of this map or data. Data must not be used for direct marketing or be used in breach of the privacy laws.
1:10,000
0 100 200 300 400 500 m



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Merchandise for Sale

Misc. Wanted

$$$ All coin & Paper money collections wanted. BIG & small. U.S. Foreign & Canada Todd 1- 250- 864-3521

BUYING Coin Collections, Olympic Coins, Gold & Silver etc. Call Chad:1-250-499-0251

House cleaner wanted for three hours every 2 weeks. Call 250-447-9390.

We buy gold & silver! Rings, chains, bracelets, etc. Cash paid by value (weight and karat). Even broken jewelry and scrap gold. Picture ID required. Grand Forks Pawnshop, 7354 2nd Street. 250-442-5552.

Real Estate

Houses For Sale

Grand Forks: 1726-72nd Ave,

Apt/ Condo for Rent

Grand Forks: 2 bdrm Black Knight apt., NP, NS, RR. 250-444-7599 / 250-443-1599

Legal Notices

ALC

NOTICE OF EXCLUSION APPLICATION
Regarding Land in the Agricultural Land Reserve

ABH Tire Ltd of 2923 Central Ave, Grand Forks, BC V0H 1H2 intends on making an application pursuant to Section 30(1) of the *Agricultural Land Commission Act* to exclude .5 ha from the **Agricultural Land Reserve** the following property which is legally described as, LOT 2, Plan KAP5090, District Lot 520 Similkameen Division of Yale District and located at 2393 75th Ave. Any person wishing to express an interest in the application may do so by forwarding their comments in writing to, City of Grand Forks, Box 220, Grand Forks, BC V0H 1H0 Attn: Development and Engineering by May 24, 2017.

Rentals

Commercial/ Industrial

Commercial &/or **Retail** space in downtown area of Grand Forks 250-442-2276 / 250-442-6800

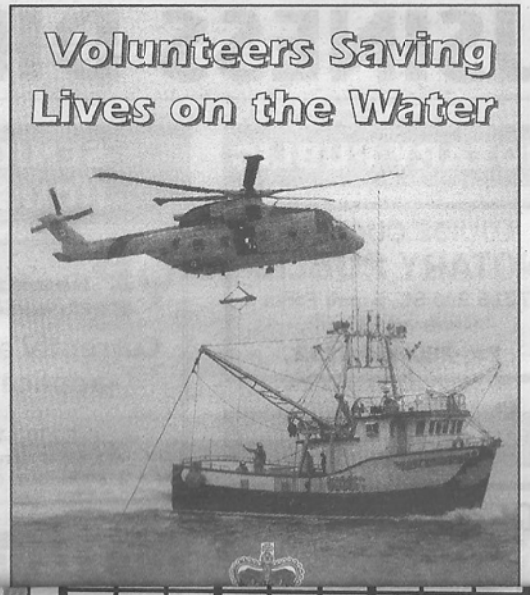
Homes for Rent

Grand Forks: Newly reno'd 2 bdrm + lg sunroom, dwntwn. 5 top of line appliances, view of park/river . N/S, N/P, RR. July 1st. Pref mature person. $800/m + utils. 778-727-1215/ 250-443-1215

Grand Forks: small but very cozy 2 bdrm cottage overlooking river. Shares 1 acre with 2nd home. Blocks from Extra Foods. $650/m + util. N/S. Avail July 1st. 250-666-0088 / 250-442-2005

Property Management

CRIMINAL RECORD? Why suffer Employment/Licensing loss? Travel/Business opportunities? Be embarrassed? Think: Criminal Pardon. US Entry Waiver. Record Purge. File Destruction. Free Consultation 1-800-347-2540.



4					6			
7	2						4	9
					5			1
1					9	2		
8		7						2
2	6			4			9	
	1		3	7				

Level: Intermediate

Then you'll love sudoku. This mind-bending puzzle will have you hooked from the moment you square off, so sharpen your pencil and put your sudoku savvy to the test!

This week's solution on page 6.

Here's How It Works:
Sudoku puzzles are formatted as a 9x9 grid, broken down into nine 3x3 boxes. To solve a sudoku, the numbers 1 through 9 must fill each row, column and box. Each number can appear only once in each row, column and box. You can figure out the order in which the numbers will appear by using the numeric clues already provided in the boxes. The more numbers you name, the easier it gets to solve the puzzle!

BOUNDARY BUSINESS DIRECTORY

ACCOUNTANTS

KEMP HARVEY BURCH KIENTZ INC.
Chartered Professional Accountants
619 Central Ave., Grand Forks, B.C.
Ph: 250-442-2121

BOOKKEEPING

Christine Brooks Bookkeeping
Bookkeeping and Income Tax Service
E-file Agent
Phone 250-442-6781

How they SAY that in...

ENGLISH: Salt

SPANISH: Sal

ITALIAN: Sale

FRENCH: Sel

GERMAN: Salz

EXCLUSION PROOF OF SERVING NOTICE

AS REQUIRED BY SECTION 16 OF THE *AGRICULTURAL LAND RESERVE USE, SUBDIVISION AND PROCEDURE REGULATION*

I Jeremy Martens (full name of declarant)

of 2923 Central Ave, Grand Forks BC, V0H 1H2 (mailing address)

do solemnly declare that a copy of the notice of application and a copy of the signed application as required by Section 16 of the *Agricultural Land Reserve Procedure Regulation* for land legally described as

LOT 2, Plan KAP5090, District Lot 520, Similkameen Div of Yale Land District

was served to the following owners of land:

NAME AND ADDRESS	LEGAL DESCRIPTION OF LAND	DATE OF SERVICE	HOW SERVED (Registered mail or delivered)
SUKHVIR SINGH- 1904 Barcelo Rd, Cawston BC, V0X 1C2	Plan KAP1339, District Lot 520, Similkameen Div of Yale Land District	May 3, 2017	registered mail
RAJINDER K. BOORA - 3059 Hwy 3, Keremeos BC, V0X 1N1	Plan KAP1339, District Lot 520, Similkameen Div of Yale Land District	May 3, 2017	registered mail
ERRON WAYNE NICOLSON - 2393 75th Ave, Grand Forks, BC V0H 1H2	Lot 1, Plan KAP38138, District Lot 520, Similkameen Div of Yale Land District	May 3, 2017	registered mail
School District No.51 (Boundary) - 1021 Central Ave Box 640, Grand Forks BC, V0H 1H0	Lot A, Plan KAP13376, District Lot 520, Similkameen Div of Yale Land District	May 3, 2017	delivered

And I make this solemn declaration believing it to be true and correct to the best of my knowledge.

(Signature of declarant) (Date) May 15/2017

IMPORTANT - AN APPLICATION FILED UNDER SECTION 30 OF THE *AGRICULTURAL LAND COMMISSION ACT* MUST INCLUDE A COPY OF THIS STATEMENT COMPLETED IN FULL, AND SIGNED AND DATED BY THE PERSON WHO SERVED THE NOTICE. Please complete as many copies of this page as necessary.



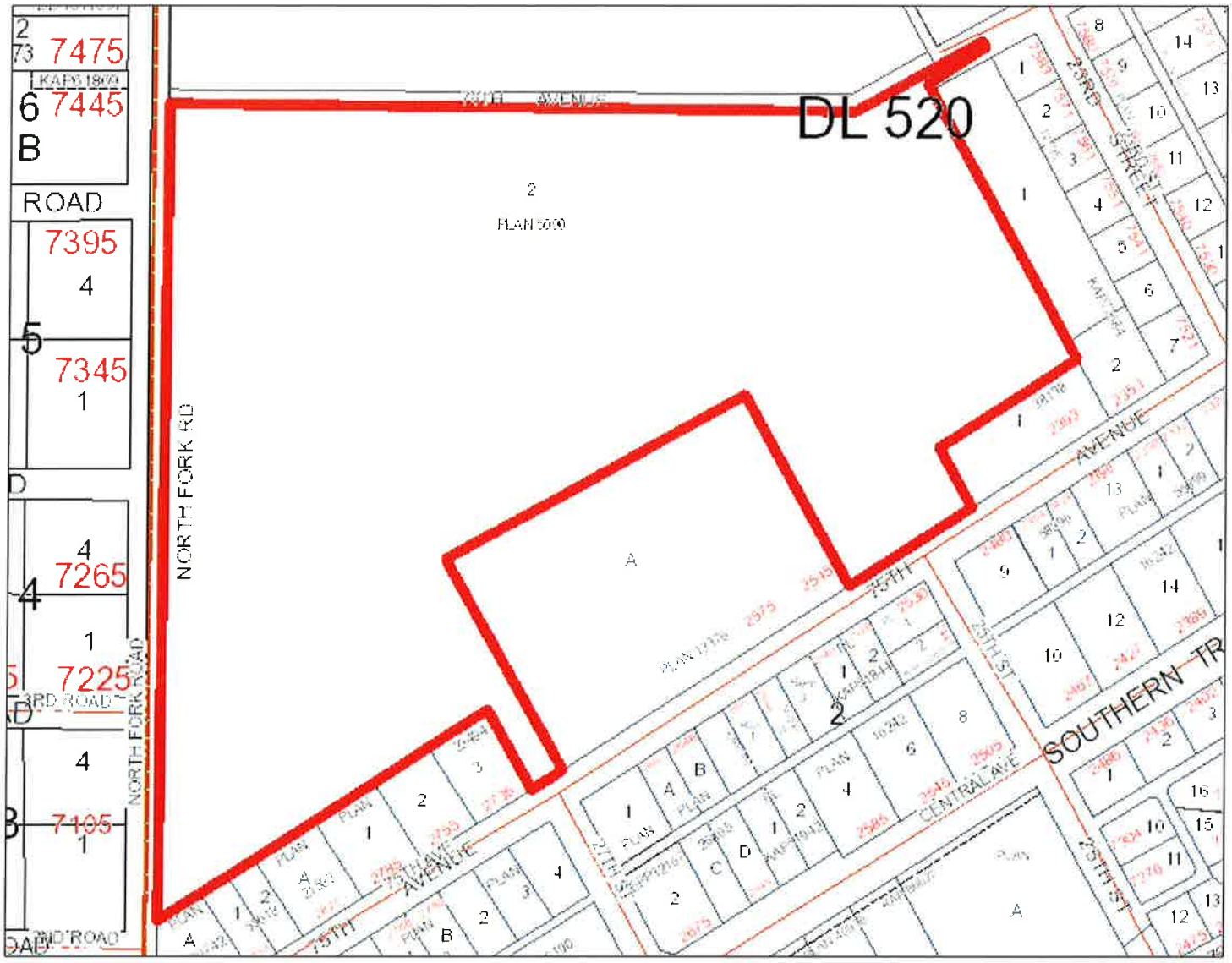




Regional District of Kootenay Boundary
Interactive Mapping System

Parcel Report

Thursday, June 8, 2017



Scale 1: 3,409

Legal Information

Plan:	KAP5090	**Section:**		**Jurs:**	210	**Lot Area:**	33.061
Block:		**Township:**		**Roll:**	1000000	**Area Unit:**	acr
Lot:	2	**Land District:**	54	**PID:**	007-247-095	**Width (ft):**	0
District Lot:	520	**Electoral Area:**				**Depth (ft):**	0

Street: 2393 75TH AVE

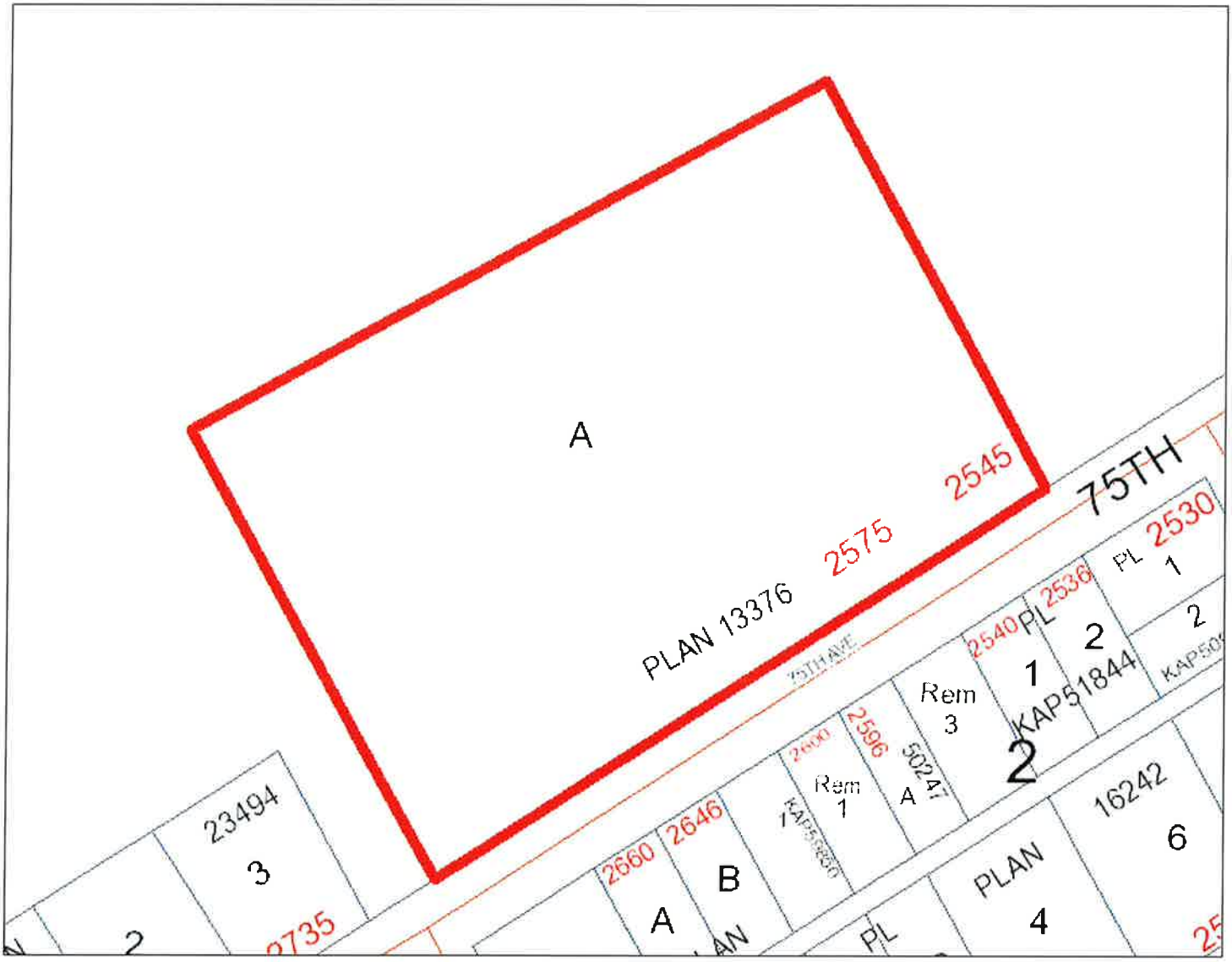
Description: Except Plan 5210 8653 11971 12795 13376 19535 21583 23494 38138 AND EXC PARTS RED ON PLANS B7375 & E10098.

This report and map is for general information only. The RDKB does not guarantee its accuracy or correctness. All information should be verified.

Regional District of Kootenay Boundary
Interactive Mapping System

Parcel Report

Thursday, June 8, 2017



Scale 1: 1,603

Legal Information

Plan:	KAP13376	**Section:**		**Jurs:**	210	**Lot Area:**	6.04
Block:		**Township:**		**Roll:**	1040000	**Area Unit:**	acr
Lot:	A	**Land District:**	54	**PID:**	009-241-051	**Width (ft):**	0
District Lot:	520	**Electoral Area:**				**Depth (ft):**	0
Street:	2545 75TH AVE						
Description:	SCHOOL LAND.						

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SECTION 38 R-4A (Rural Residential) Zone

Permitted Uses

1. The following uses and no others are permitted in an R-4A zone:

    (a) dwelling units;
    (b) farm operations (crops);
    (c) bed and breakfast accommodations;
    (d) kennels;
    (e) home occupations;
    (f) home industries.

    Permitted accessory uses and buildings on any parcel include the following:

    (g) any accessory buildings or structures for any of the above uses.

Regulations

2. On a parcel of land located in a R-4A zone:

    Minimum Parcel Size for Subdivision purposes

    (a) The minimum parcel size is 10,120 square metres (108,913 sq. ft.. or 2.5 acres) where there is no community sewage or water system;

    (b) The minimum parcel size is 2,024 square metres ***1,393.5 square meters (15,000sq ft)*** when the parcel is connected to either a community sewage or water system, but not both; BYLAW 1800

    (c) The minimum parcel size is 1,400 square metres (15,000 sq. ft.) when the parcel or parcels are connected to a community sewage and water system.

    Number and type of Dwelling Units allowed

    (d) One of the following types of dwelling units is allowed on a parcel of land in an R-4A zone:

        (i) One single family detached dwelling or;
        (ii) One two-family dwelling unit.

    Height

    (e) No building or structure shall exceed 10 metres (33 ft) in height. This height restriction does not apply to any farm buildings or structures.

SECTION 50 CU (Community Use) Zone

Permitted Uses

1. The following uses and no others are permitted in a CU zone:

(a) libraries;
(b) museums;
(c) cemeteries;
(d) deleted by Bylaw 1679
(e) hospital, including medical clinic, dental clinic, ambulance station, rest home or private hospitals;
(f) post office;
(g) deleted by Bylaw 1679
(h) community centres/recreation facilities or community halls;
(i) open space passive recreational areas;
(j) municipal, local government or educational buildings, ***day care centers;*** Bylaw 1679
(k) senior citizen complexes, senior activity centres and congregate care facilities;
(l) any building or structure operating under a Private-Council partnership agreement.

Permitted accessory uses and buildings on any parcel includes the following:

(m) accessory buildings for any of the above.

Regulations

2. On a parcel located in a CU zone:

Minimum Parcel Size for Subdivision purposes

(a) There is no minimum parcel size and the parcel shall be connected to a community sewage and water system.

Height

(b) No building or structure shall exceed 10 metres (40 ft) in height, except fire halls;

Setbacks

(c) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within: Bylaw 1679

(i) 6 metres (20 ft) of a front parcel line;
(ii) 1.5 metres (5 ft) of an interior side parcel line;

Subdivision of agricultural land reserve

21 (1) A person must not subdivide agricultural land unless permitted under this Act.

(2) An owner of agricultural land may apply to the commission to subdivide agricultural land.

Covenants

22 (1) The commission may enter into a covenant under the *Land Title Act* with an owner of agricultural land.

(2) A covenant that restricts or prohibits the use of agricultural land for farm purposes has no effect until approved by the commission.

Exceptions

23 (1) Restrictions on the use of agricultural land do not apply to land that, on December 21, 1972, was, by separate certificate of title issued under the *Land Registry Act*, R.S.B.C. 1960, c. 208, less than 2 acres in area.

(2) The restrictions on the use of agricultural land do not apply to land lawfully used for a non-farm use, established and carried on continuously for at least 6 months immediately before December 21, 1972, unless and until

(a) the use is changed, other than to farm use, without the permission of the commission,

(b) an enactment made after December 21, 1972, prohibits the use, or

(c) permission for the use granted under an enactment is withdrawn or expires.

(3) For greater certainty, the exception in subsection (2) applies only to the land that was actually being used for a non-farm use and not to the entire parcel on which that use was being carried on.

Preservation of rights

24 Despite sections 2 and 3, if Crown land continued as an agricultural land reserve under this Act has been leased by the government, or sold by agreement for sale by the government and not transferred to the purchaser before December 21, 1972, and on that date was being used for a non-farm use, and not in contravention of the terms of the lease or agreement, that use may continue until termination of the lease or issue of title to the purchaser under the agreement for sale.