

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

Applicant: ABH Tire LTD

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.

Applicant: ABH Tire LTD

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

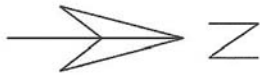
Lance Martens
Printed Name

May 15/17
Date


Signature

Jeremy Martens
Printed Name

May 15/17
Date



NORTH FORK ROAD

75TH AVE

27TH ST

JOHN A. HUTTON
ELEMENTARY SCHOOL

PROPOSED SUBDIVISION
0.4568 HECTARE

25TH ST

HIGHWAY 3





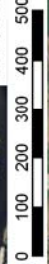
Subject Property

Legend

- cadastral_Nov_2016
- CityBoundary

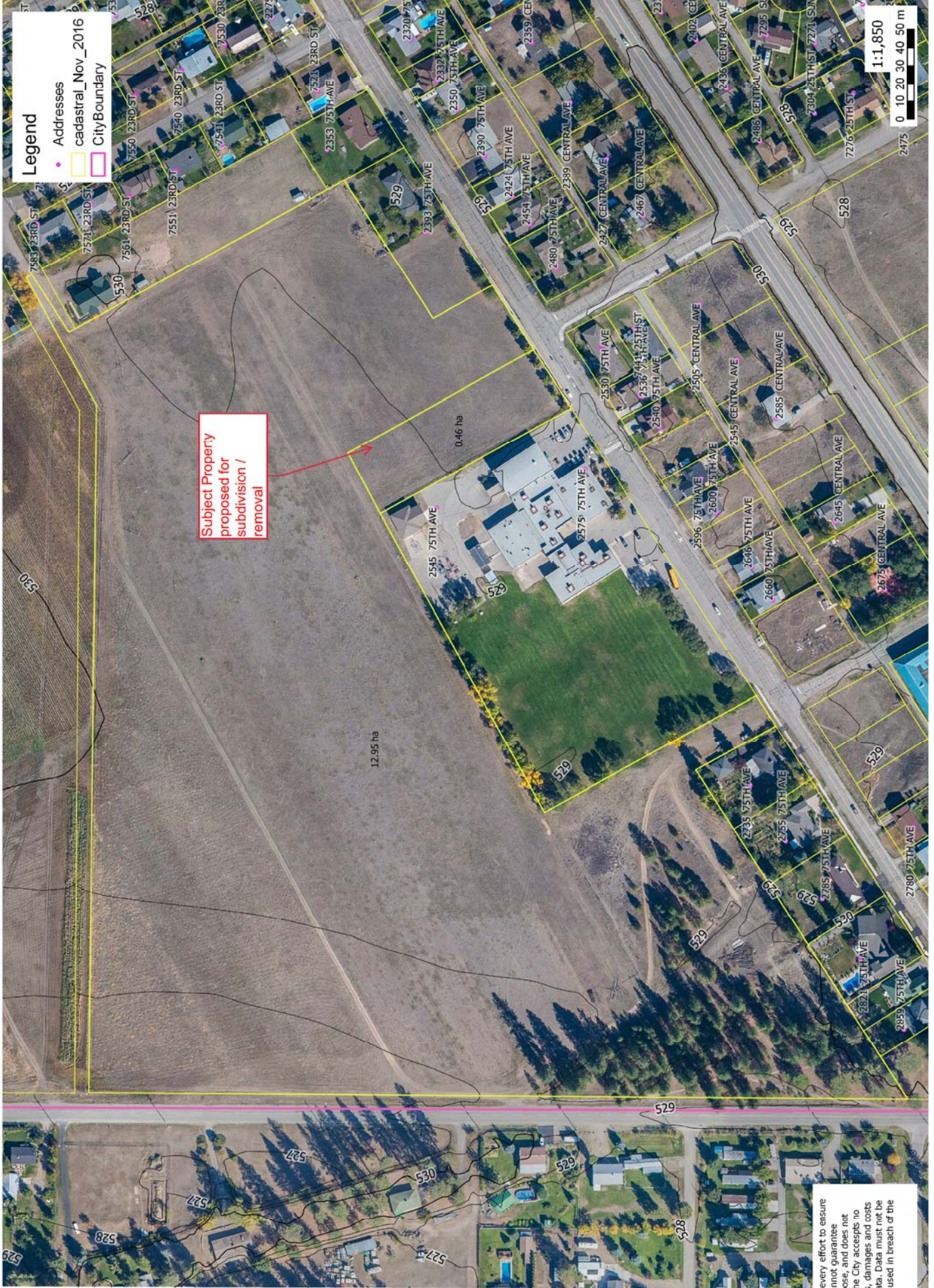
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Merchandise for Sale

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

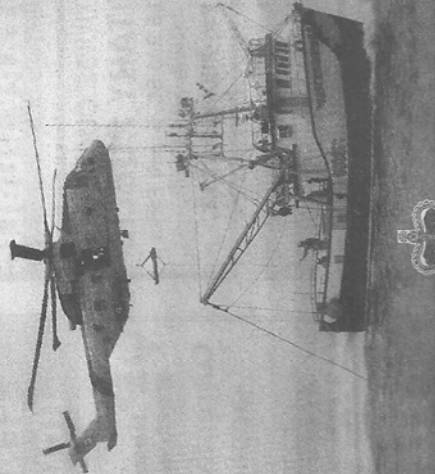
Legal Notices

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.

Volunteers Saving Lives on the Water



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

BOUNDARY BUSINESS DIRECTORY

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.**

[illegible]

Level: Intermediate

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!

How they
SAU 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

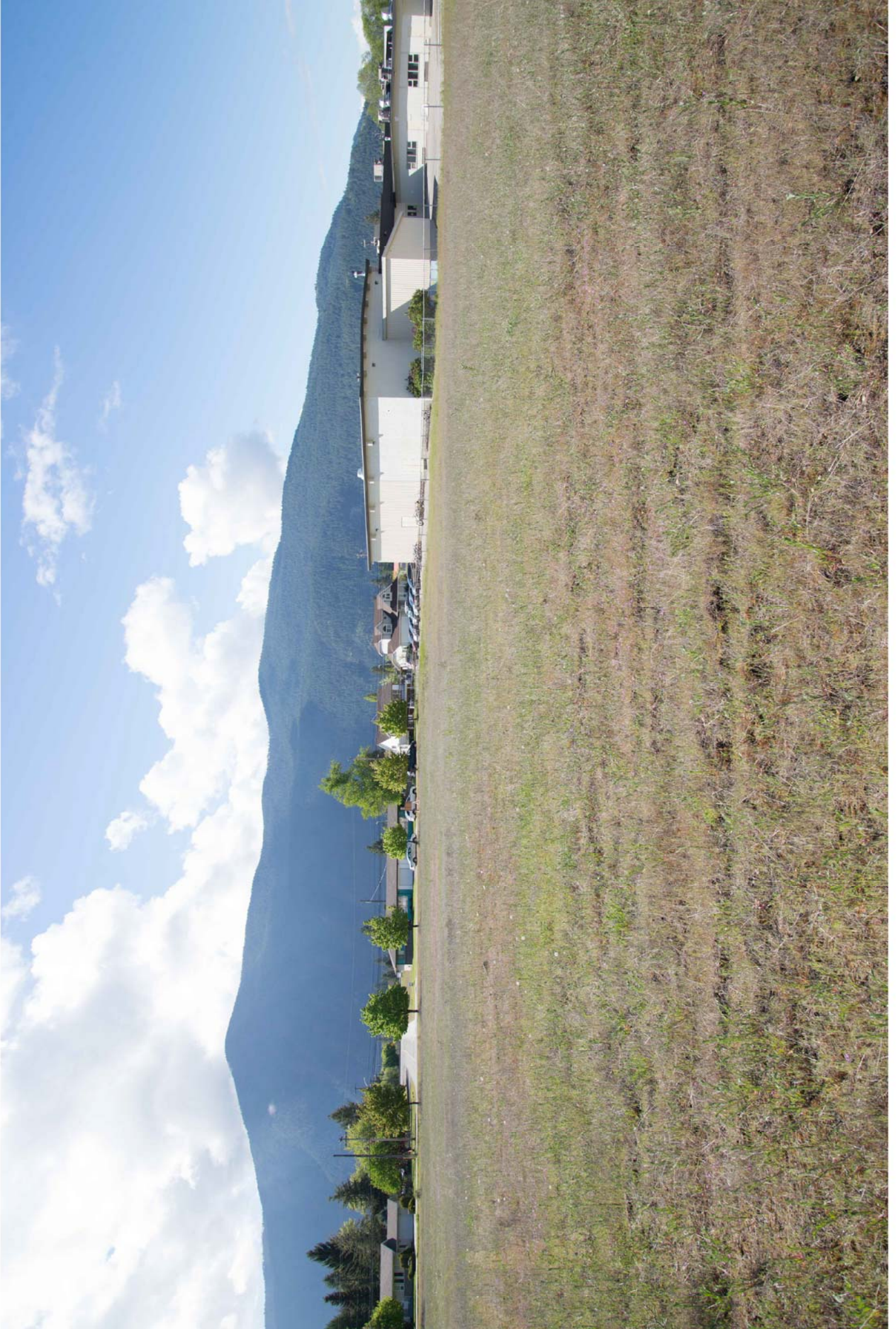
And I make this solemn declaration believing it to be true and correct to the best of my knowledge.

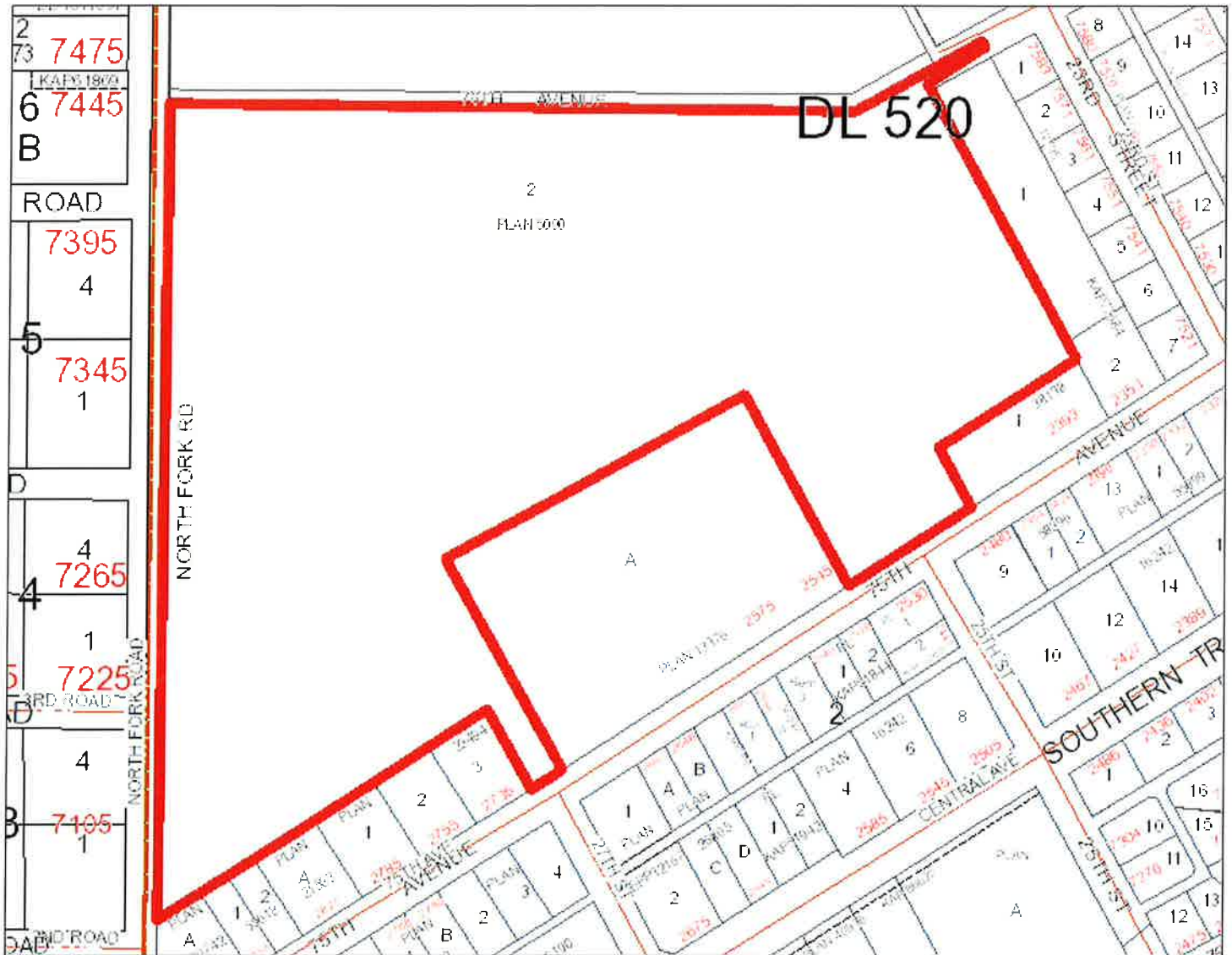
Jeremy Martens (Signature of declarant) May 15/2017 (Date)

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.









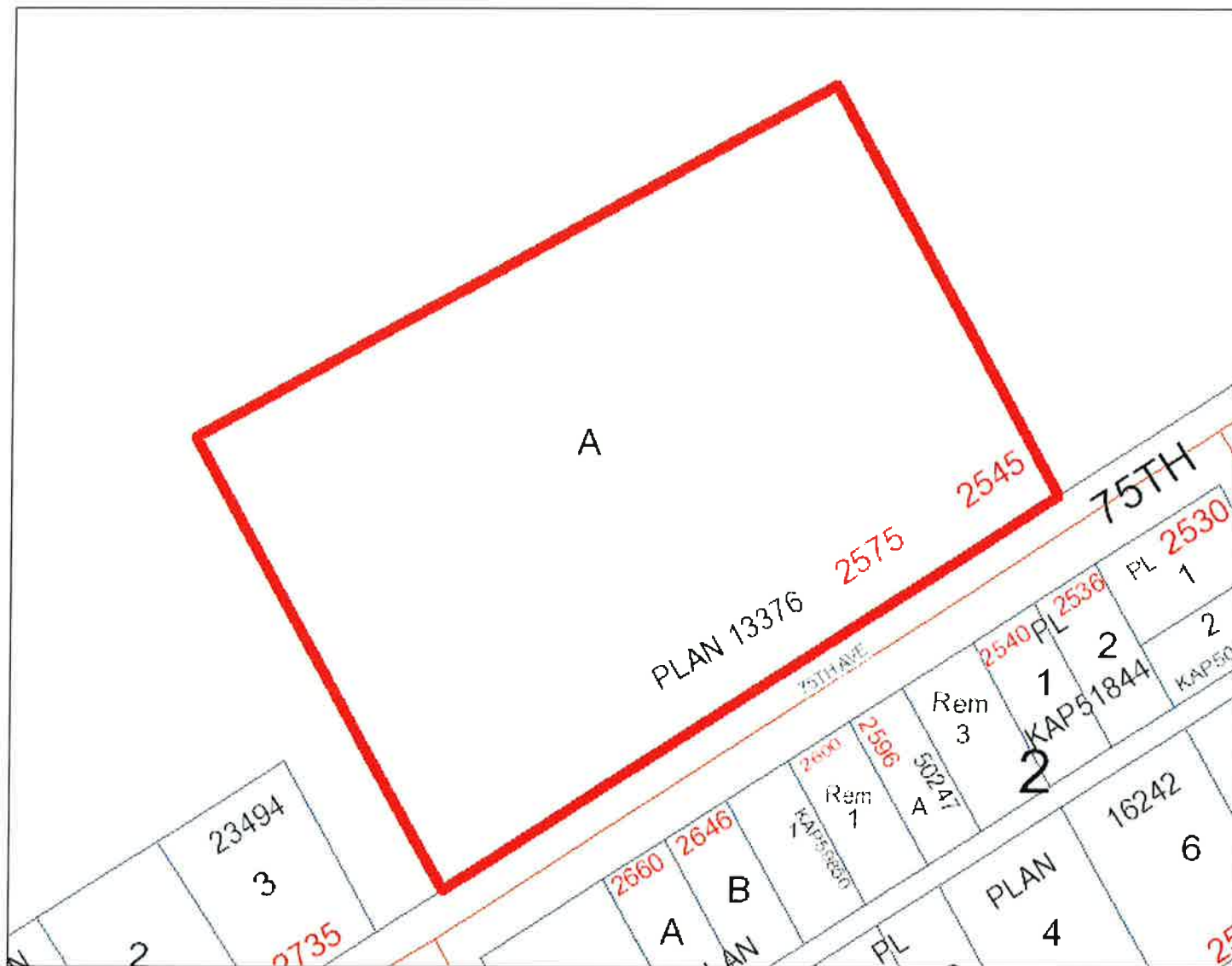
Scale 1: 3,409

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.			

Parcel Report

Thursday, June 8, 2017



Scale 1: 1,603

Legal Information

Plan: KAP13376
Block:
Lot: A
District Lot: 520
Street: 2545 75TH AVE
Description: SCHOOL LAND.

Section:
Township:
Land District: 54
Electoral Area:

Jurs: 210
Roll: 1040000
PID: 009-241-051

Lot Area: 6.04
Area Unit: acr
Width (ft): 0
Depth (ft): 0

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*;**
- (k) senior citizen complexes, senior activity centres and congregate care facilities;
- (l) any building or structure operating under a Private-Council partnership agreement.

Bylaw 1679

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.