

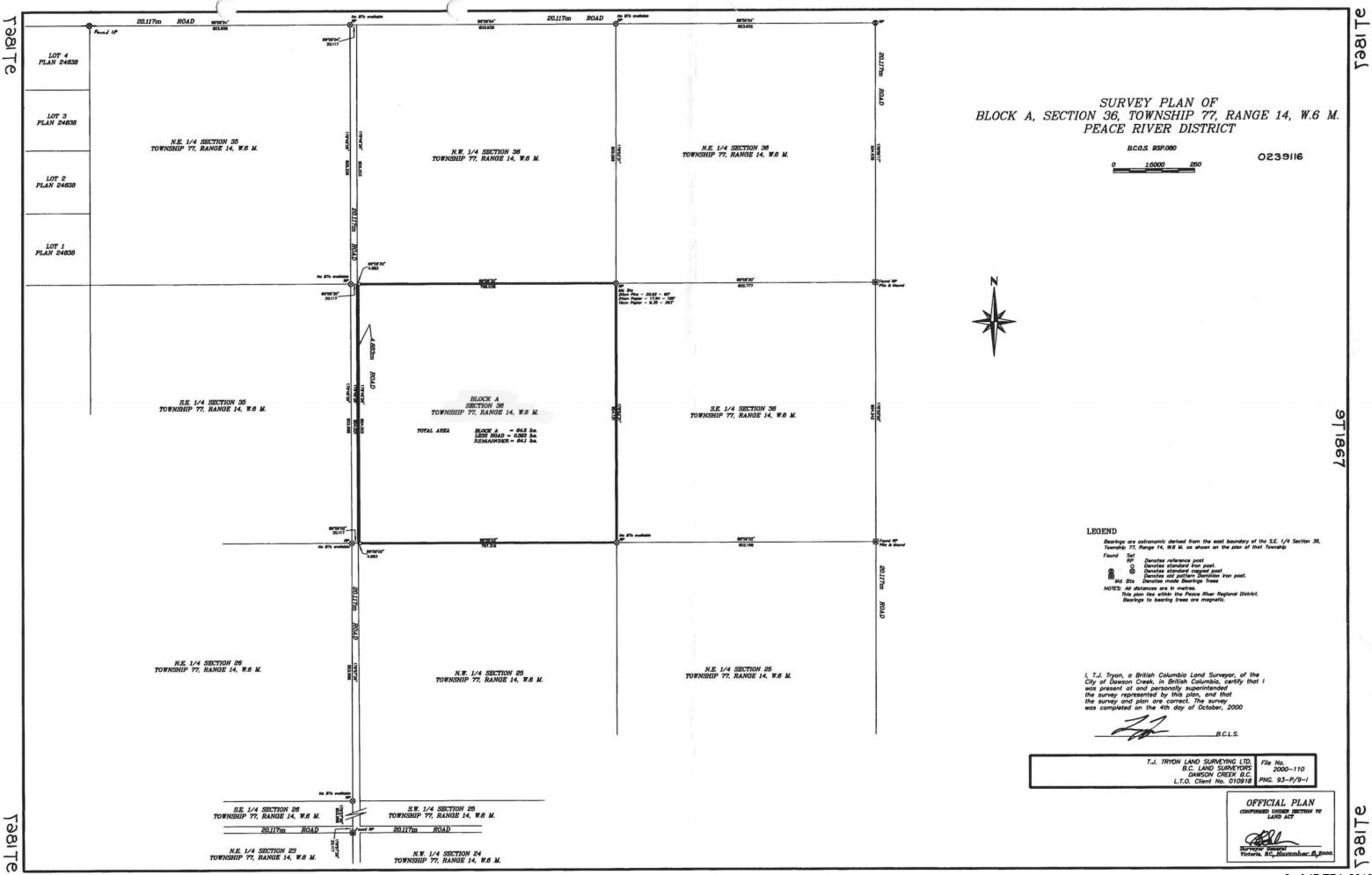
Minis And SEP 10 2015 Transportation and Highways PR

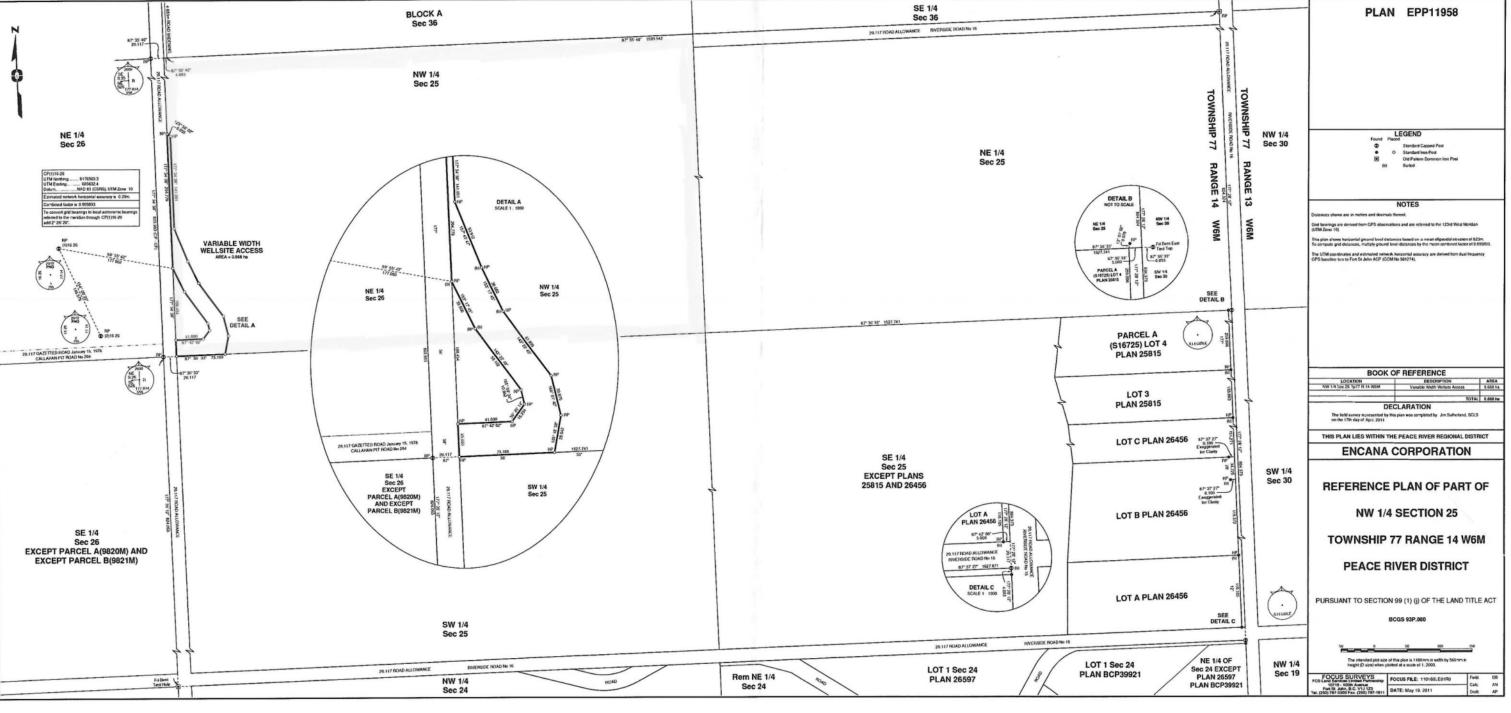
(2015-04777

A. PROPOSAL This is an application for preliminary layout approval for all properties involved. Subdivision Type Full Legal Description(s) - per State of Title Description(s) - per State of Title A. PROPOSAL This is an application for preliminary layout approval for all properties involved. Bare Land Strata The North West 1/4 section 25 Township 77 Range 14 West of the 6th Meridian
Subdivision Type Fee Simple Sec. 946 Municipal Act Bare Land Strata Other (specify)
Full Legal Description(s) - per State of Title Other (specify) The North West 1/4 section 25 Township 77 Range 14 West of the 6th Meridian
Full Legal Description(s) - per State of Title Range 14 West of the 6th Meridian
Description(s) per State of Title Range 14 West of the 6th Meridian
per State of Title Kange 14 West of the 6th Meridian
Certificate(s) Peace River District
Full Civic Address 73 Riverside Rd
P C GG
Kilometers North South East West From D
Access Road C
Existing Land Use
Cicest / Shale Meside La
Surrounding Land Use Bush Bush Residential Rush
Sewage Disposal Septic Tank Community System Other (specify) Existing Lagon. Number of Lots
Water Supply Well Community System Other (specify)
Water Licenses N/A
3. APPLICATION INFORMATION
- copies of all charges indicated on the title (restrictive covenants, easements, etc.); - a current B.C. Assessment Authority Tax Notice showing property tax classification; - copies of the subdivision plan dated - sell percolation test data; - the preliminary layout application fee indicated on the reverse side of this form. 2. Under section 26.1 of the Waste Management Act, a person who knows or reasonably should know that a site has been used or is used for industrial or commercial purposes or activities must in certain circumstances provide a site profile. (Site profile attached.) Schedule 2 of the Contaminated Sites Regulation sets out the types of industrial or commercial purposes or activities to which site profile requirements apply. (Schedule 2 attached.) 3. I have flagged the corners of the property, the lot lines, the proposed roads and the percolation test holes.
4. Is the property location within the Agricultural Land Reserve? Yes \(\subseteq No \) Particles. If yes, I have enclosed a copy of the B.C. Agricultural Land Commission Approval. (see affected)
5. Is the property located within the Forest Land Reserve? Yes You No If yes, I have enclosed a copy of the B.C. Forest Land Commission Approval.
6. I have indicated in section D:
 if the property is subject to any natural hazards (i.e. land slide, rock fall, erosion, snow slide, avalanche); if the subdivision is for a relative (i.e. Section 946 Municipal Act).

C. SUBDIVISION APPLICATION FEE	210	ts @\$350.00 = \$700	PAYABLE UPON	
1. Preliminary Layout Application	\$10.00	Per Fee Simple or proposed Strata Lot	Application	
2. Final Fee Simple Plan Examination	\$50.00	Per examination		
2. That if de diriple Flatt Examination	\$100.00	Per lot on the final plan	Final subdivision plan	
3. Final Strata Plan Examination	\$100.00	Per examination	submission	
3. Final Strata Flatt Examination	\$100.00	Per lot on the final plan		
4. Other Strata Fees	\$100.00	To examine a Form E for any phased development	Application	
4. Other Strata Fees	\$100.00	To issue a Certificate of Approval for each phase of a building strata development	Certificate issuance	
Subdivision Engineering Requirements Booklet \$18.24 If road construction is involved Booklet issuance				
Note: These fees may change without notice or amendment subdivision. To find out more, contact the D. FURTHER INFORMATION AND COMMENT TO SUFE Closes	TS (Attach	a separate sheet if more space is required)	Trust if located on the Gulf	
This sive cloes	hav	e a shale pit o	h It	
Barin Plan	/	+	200	
Dasically we	want	to seperate	1 Joacre	
parcel Por 71	1	home site off	KIS 24 SECTION	
Thore is a time portion still in the ALR				
The six of				
subdivided.				
3010 Viaea		,	,	
Peace River Region	0 0	istrich has referred	als: Fr	
11 10	lic Line		9711	
10 copper 30 scholator				
E. OWNER(S)/APPLICANT INFORMATION	<u> </u>	n HLC Planner.		
	în +	Dale 5.22 Callahan	s.22	
-				
Agent Full			Home Telephone	
ddress Business Telephone			Business Telephone	
			Fax	
I certify that all the information ab	ove and on :	all plans and other attachments is true, correct an	nd complete	
I understand that the	is submissi	on constitutes a preliminary application only.		
		liminary approval from the Ministry of Transpor		
Date (yyyy/mm/dd) Applicant/Agent Signature Date (yyyy/mm/dd) 2015/09/03 Applicant/Agent Signature Date (yyyy/mm/dd)				
	01/0	<i>J</i>		

The personal information on this form is collected under the authority of the Land Title Act. The information collected will be used to process your preliminary subdivision application. If you have any questions about the collection, use and disclosure of this information, contact the local Ministry of Transportation and Highways District Development Technician.





Page 05 to/à Page 06

Withheld pursuant to/removed as

Page 07

Withheld pursuant to/removed as

s.22

Page 08

Withheld pursuant to/removed as

Copyright

COLUMBIA The Best Place on Earth	RECEIPT	051696 L
ON ACCOUNT OF	NDROD	DOLLARS \$ 700.00
	SUB FOUS	
CCT MINNED		
	ount receipted above includes GST in th	e amount of \$
R 1 0 7 8 6 4 7 3 8 The amo		e amount of \$ YYYY MM DD ON 12 4 5 1 2 0 1
GST NUMBER R 1 0 7 8 6 4 7 3 8 The amo		YYYY MM DO





DATE: NOV 25 FILE:

Provincial Approving Officer Ministry of Transportation and Infrastructure

s.22 , hereby acknowledge that the Environmental Management Act, 2003, is effective as of March 31, 2005.

Based on my personal knowledge of the property in question, I do not believe that it is or has been used for any of the industrial or commercial purposes and activities specified in Schedule 2 of the regulations. Accordingly, I elect not to complete and submit a 'site profile' as outlined in Section 4.1 of the Act.

I further acknowledge that this election does not remove any liability which may otherwise be applicable under the legislation.

s.22	s.22		
			٠.
Applicant/agent	Witness	1	
NOV -25 2015		,	
Date			

Please complete this form OR the site profile attached

Ministry of Transportation and Infrastructure

Northern Region

Mailing Address: District Office Address: #300, 10003 - 110th Avenue Fort St John, BC V1J 6M7 Telephone: (250) 787-3237

Facsimile: (250) 787-3279

Area Office Locations: 1201 103 Ave, 3rd floor Dawson Creek, BC

4744 - 52 Street Chetwynd, BC V0C 1J0

SUBDIVISION FIELD INSPECTION CHECKLIST

File No. 2015 - 04777
Inspection Date Nov 26, 15
Technician(s) Nicole and Carley
Topographic Description - rolling topo - steep but gradual - clevation mapping needed - treed to east
Speed Zone 80 Km/hr
Pipelines
Flood Check hab: fut wizard None noted at time of inspection
Geotech manmade p:t No major concerns poted
Crate at access - ask Dean Cret story on pit

Development Approvals Technician 300-10003 110th Avenue Fort St John, BC V1J 6M7 PRRD File # 260/2015 MOTI File # 2015-04777 November 26, 2015

Dear Melissa,

Re:

Proposed Section 946 Subdivision

NW ¼ of Section 25, Township 77, Range 14, W6M, PRD

In response to this subdivision proposal, please note the following:

- Approximately 1.75 ha of the northeast corner of the property is within the ALR. Although the subdivision line does not cross the ALR boundary, please contact the ALC for confirmation of permitted subdivision.
- 2. Pursuant to the South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012, the subject property is designated 'Agriculture'. Parcels within the Agriculture designation should have a minimum parcel size of 63 ha (155 acres) unless: the subdivision is being made for the purpose of providing residence to the landowner, or a relative of the landowner, the subdivision is limited to not more than one lot per parent parcel and such a subdivision may be approved on a one time only basis per parent parcel.
- 3. Pursuant to the Peace River Regional District Zoning Bylaw No. 1343, 2001, the subject property is zoned A-2 (Large Agricultural Holdings Zone). This zone has a minimum parcel size of 63 ha (155 acres). This proposal is inconsistent with the zoning bylaw. However, should this proposed subdivision qualify under Section 946 of the Local Government Act a zoning amendment would not be required.

If you, or the applicant, have any questions regarding the above, please contact the planning staff at the Dawson Creek office.

Sincerely,

Jacqueline Burton

Development Services Coordinator

Cc. Leonard Hiebert, Director of Electoral Area 'D'

s.22

diverse, vast, abundant,





SECTION 946 SUBDIVISION FOR LAND NOT IN THE AGRICULTURAL LAND RESERVE APPLICANT'S AFFIDAVIT

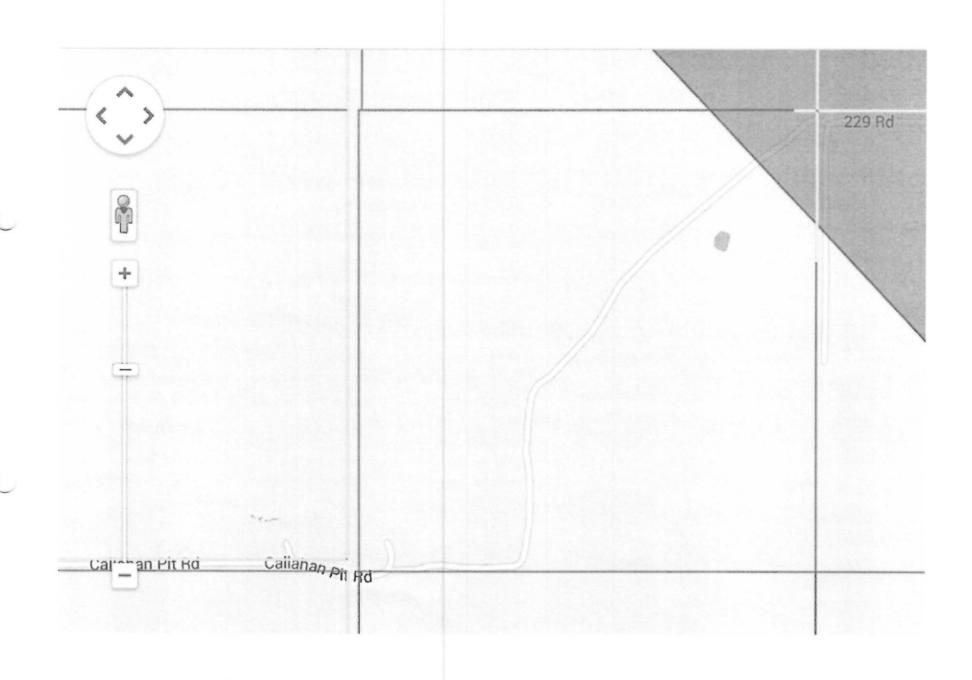
Section	946 subdivision for land NOT IN the ALR – Covenant required (no further 946 on either parcel)
Date:	
In the Act	matter of applying for subdivision purposes under Section 946 of the Local Government
I, _	
of _	
in the	Province of British Columbia do solemnly declare that:
•	The purpose of the subdivision is to provide a residence for
	who is the applicant's(Name) (Name)
•	For 5 years after subdivision under this section,
•	(a) the use of the parcel subdivided for the purpose of providing a residence as stated in subsection (2) (b) must be residential use only,
•	And (b) the use of the remainder of the original parcel must not be changed from the use of the original parcel, unless the use is changed by bylaw.
	(ii) will not subdivide under this section, and (b) the covenants referred to in paragraph (a) be registered under Section 219 of the <u>Land Title Act</u> at the same time that the application is made to deposit the subdivision plan.
that it i	nake this solemn declaration conscientiously believing it to be true, and knowing s of the same force and effect as if made under oath and by virtue of the "Canada ce Act"
Declare	ed before me at the)
of	, in the)
Provinc	e of British Columbia this)
day of _	, 20
	Applicant's Signature
A 0	
	ssioner of Taking Affidavits for the Province of Dlumbia or A Notary Public in and for the

Local District Address

Province of British Columbia

Peace District #300, 10003-110 Avenue Fort St. John, BC V1J 6M7 Phone: 250-787-3237

Page 1 of 1



Page 16 to/à Page 19

Withheld pursuant to/removed as

Copyright

Drawn by KD
Compared by

BRITISH



COLUMBIA

Crown Grant No. <u>9789</u> 1367

PEACE RIVER DISTRICT SHAWNA LEE WOLFE

11	1:7500	N
NE 1/4 S35 TP 77 R14 W6M	NW 1/4 S36 TP 77 R14 W6M	NE 1/4 S36 TP 77 R14 W6M
SE 1/4 S35	S36 TP 77 R14 W6M	
TP 77 R14 W6M	BKA	SE 1/4 S36 TP 77 R14 W6M
NE 1/4 S26 TP 77 R14 W6M	NW 1/4 S25 TP 77 R14 W6M	NE 1/4 S25 TP 77 R14 W6M



No. 8509 656

LAND ACT.

Compared. BRITIS

PROVINCE OF BRITISH COLUMBIA.

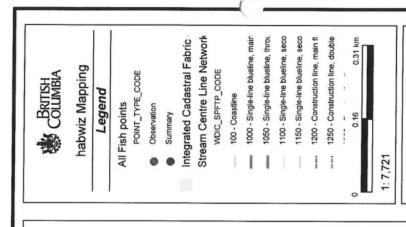
Deartheast Deputy Minister of Lande

GEORGE VI., by the Grace of God, of Great Britain, Ireland, and the British Dominions beyond the Seas, KING, Defender of the Faith, Emperor of India.

En all to whom these presents shall come, Greeting:

	one	sents, for Us, Our heirs and successors, in consideration of the sum o
OIL TO THE LAND BUT OF THE PARTY OF THE PART	s.22	and grant unit

All that Parcel		his_heirs and assign
said to contain	or Lot of Land nitualing	- ARCAN PA
	the described on the Man	One hundred and sixty acres, more or
erter of Section	on Twenty-five (25)	Churkernicannersconderkneised, and numbered North-wost Township Seventy-seven (77), Range Fourteen (14),
st or the Sixth	(6th) Moridian, as	shown on the plan of said Township dated Ottawa
th February, 19	13,	
		of Land, and all and singular the premises hereby granted, with their
ppurtenances, unto the		s.22
PPOVIDED NEVEDOW	NI NOA II.	,hisheirs and assigns, for ever:
hich may be thereupon or the longing, for the purpose of	hereunder situate, and to raise and hereunder situate, and to use and e f such raising and getting, and eve	lawful for Us, Our heirs and successors, or for any person or persons acting in that behalf which it may be deemed necessary to resume for making roads, canals, bridges, towing-heless, that the lands as to be resumed shall not exceed one-twentieth part of the whole of any lands on which any buildings may have been erected, or which may be in use as such buildings: Our heirs and successors, or for any person or persons acting under Our or their authority, it oget thereout any minerals, preclous or base, including coal, petroleum, and natural gars, andy any and every part of the same land, and of the easements and privileges thereby other purpose connected therewith, paying in respect of such raising, getting, and use authorized in that behalf by Us, Our heirs and successors, to take and occupy such water er, through, or under any parts of the hereditaments hereby granted, as may be reasonably of the said hereditaments, paying therefor a reasonable compensation to the aforesaid S.22
PROVIDED also that it si	hall be at all times lawful for any	his heirs and assigns:
r successors:	ots where the lots are not divided in	person duly authorized in that behalf by us, Our heirs and successors, to take from or ensation, any gravel, sand, stone, lime, timber, or other material which may be required bridges, or other public works: granted being divided into lots containing one acre or less, one-fourth of all the blocks of to blocks, to be selected as provided in the "Land Act," shall be reconveyed to Us and
empted from this grant.	nighways, within the meaning of	the "Highway Act," existing over or through said lands at the date hereof shall be
t festimann mbereat	f We have govered these Own	
		Letters to be made Patent, and the Great Scal of OUR PROVINCE OF WITNESS, His Honour ERIC WERGE HAMBER
		ur Government House, in Our City of Victoria, this Thirty-first
Lieutenant-Governo		Touse, in our ore or victoria, miss
day of Jan	22141 7219	of our Lord one thousand nine hundred and Thirty-sight
day of Jan	22141 7219	of our Lord one thousand nine hundred and Thirty-eight of Our Reign.



Copyright/Disclaimer

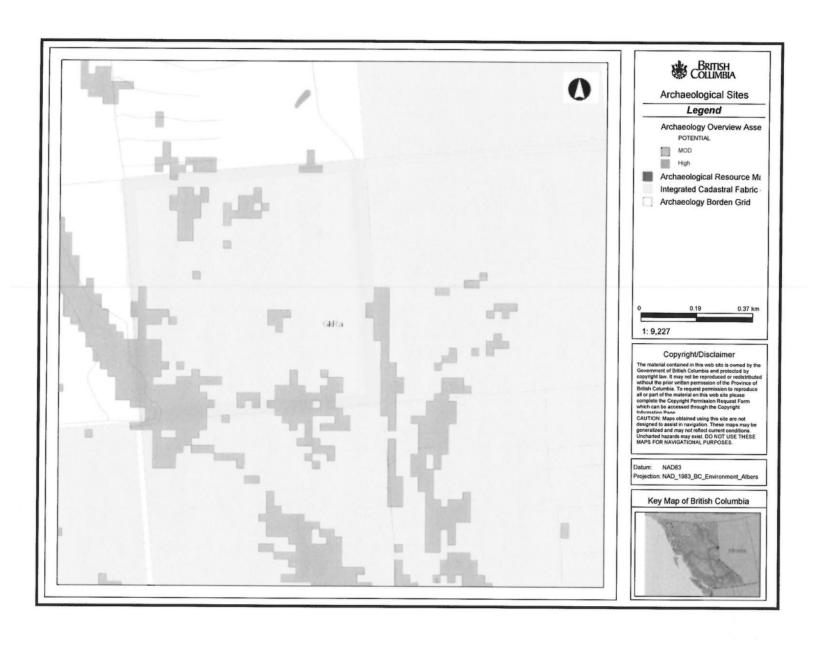
The material contained in this web site is owned by the Government of British Columbia and protected by copyright law. It may not be reproduced or redistributed without the prior written permission of the Province of all for some of the province of all or part of the material on this web site please misting complete the Copyright Permission Request Form which can be accessed through the Copyright to Copyright Permission Request Form which can be accessed through the Copyright to Copyright of the province of the province

Datum: NAD83 Projection: NAD_1983_BC_Environment_Albers



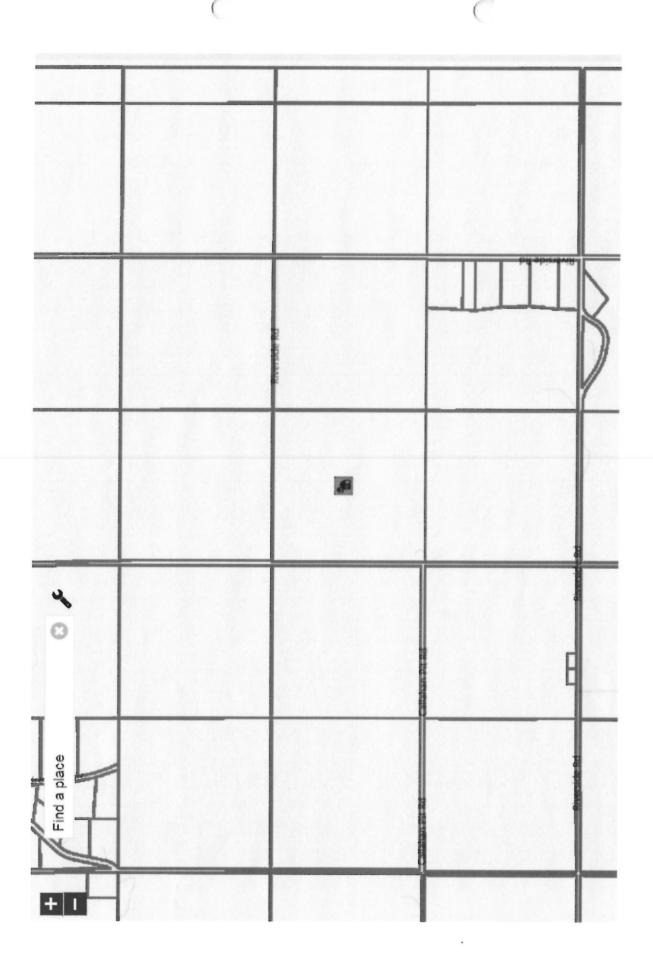






The material contained in this web site is owned by the dovernment or British Counting and protected by copyright law. It may not be reproduced or redistributed without the prior written permission of the Province of all firsh Columbia. In request permission to reproduce all or part of the material on this web site please momplet the Copyright Permission Request Form which can be accessed through the Copyright Counties who so so that the Copyright Maps obtained using this site are not designed to assist in navigation. These maps may be permarked and may not reflect current conditions. Uncharted hazards may exist. DO NOT USE THESE MAPS FOR NAVIGATIONAL PURPOSES. Integrated Cadastral Fabric Integrated Cadastral Fabric Ownership Integrated Cadastral Fabric Ownership Integrated Cadastral Fabric All Integrated Cadastral Fabric Ownership Integrated Cadastral Fabric Integrated Cadastral Fabric Datum: NAD83 Projection: NAD_1983_BC_Environment_Albers Key Map of British Columbia BRITISH habwiz Mapping All Fish points
POINT_TYPE_CODE Copyright/Disclaimer Legend Observation Summary 1: 18,455

ACCESSTO LANDS BEYOND.



Page 26 to/à Page 27

Withheld pursuant to/removed as

Copyright



PROPOSED SUBDIVISION PRELIMINARY LAYOUT APPROVAL

File #: 2015-04777 Date: Dec/18/2015

Barbara and Dale Callahan s.22

Attention: Barbara and Dale Callahan

Re: Proposed Subdivision of

PID 011-652-403, The NE 1/4, Sec 25, Twp 77, Rge 14, W6M, Peace River

73 Riverside Road, Pouce Coupe

Your proposal for a 2 lot Section 946 subdivision has received preliminary layout approval, subject to the following condition(s):

- Survey and dedication of a 25 metre wide road along the entire north boundary of both proposed lots. The 25 metre wide road dedication shall be outlined in bold and marked as road on the final survey plan.
- 2. The subdivision may be approved pursuant to Section 946 of the Local Government Act. The owner shall provide a Statutory Declaration in accordance with the provisions of Section 946 of the Local Government Act (SAMPLE ATTACHED).
- 3. Pursuant to Section 219 of the Land Title Act, the owner shall enter into a suitably worded covenant for the Remainder and proposed Lot 1 of Blk A of Sec 36, Tp 77, Rge 14, W6M, PRD, for subdivision under Section 946 of the Local Government Act.

For 5 years after subdivision under this section,

- the use of the parcel subdivided for the purpose of providing a residence as stated in subsection (2) (b) must be residential use only, and
- the use of the remainder of the original parcel must not be changed from the use of the original parcel, unless the use is changed by bylaw.
- will not subdivide again under Section 946 of the Local Government Act

Covenant to be in favour of Her Majesty The Queen in right of the Province of British Columbia as represented by the Minister of Transportation and Infrastructure, Parliament Buildings, Victoria, BC, V8V 1X4, Canada. Covenant to be registered with priority over any financial charges.

Local District Address

Peace District
300-10003 110th Avenue
Fort St John, BC V1J 6M7
Canada
Phone: (250) 787-3237 Fax: (250) 787-3279

H343a-eDAS (2012/09)

- 4. The final subdivision plan is to be annotated with appropriate approval block pursuant to Section 946 of the Local Government Act.
- 5. Compliance with Peace River Regional District's letter dated November 26, 2015.
- 6. If the property contains a watercourse, the surveyor is required to locate the watercourse(s) which may be required to be returned to the crown, and return the bed(s) to crown in conjunction with subdivision.
- 7. Provincial records indicate the proposed development is located within an area with only limited potential to contain archaeological sites protected by the Heritage Conservation Act.

However, the applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the Heritage Conservation Act. This would most likely be indicated by the presence of areas of dark-stained soils containing conspicuous amounts of fire-stained or fire-broken rock, artifacts such as arrowheads and other stone tools, or even buried human remains. If such material is encountered during demolition or construction, a Heritage Conservation Act Permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.

Please contact the Archaeology Branch immediately at (250) 953-3334 if archaeological site deposits are encountered on the subject property.

The approval granted is only for the general layout of the subdivision and is valid for one year from the date of this letter. However, if at any time there is a change in legislation or regulations this preliminary layout approval is subject to review and may be cancelled.

Submission of Final Plans (Survey Plan Certification and Application to Deposit) to be accompanied by a current Tax Certificate (FIN 55), together with a plan examination fee of \$50.00 plus \$100.00 per lot created by the plan (for a Total of \$250). If paying by cheque, make payable to the Minister of Finance.

If you have any questions please feel free to call Nikki Hogg at (250) 787-3445.

Please quote file number 2015-04777 when contacting this office.

Signed on behalf of Provincial Approving Officer by

Nikki Hogg

Senior District Development Technician

Attachments

cc: Peace River Regional District

H343a-eDAS (2012/09)



			Date (yyyy/mm/dd) 2015/	12/1
Subdivision Type:	Section 946	Status:	PREREV No. of Lots: 2	
File Number:	2015-04777	MoTOffice:	Peace District	
Project Description:	2 lot Section 946 Subdivision with ALC approval.	Dev Tech:	Nikki Hogg	
	This site does have a shale pit on it. Basically we want to separate a 20 acre parcel for the home site off this 1/4 section. There is a tiny portion still in the ALR. This is on the home site and will not be subdivided. PRRD has referred us to MoTI to apply for subdivision as well as Laurel Eyton ALC Planner.			
Applicant:	Callahan, Barbara and Dale	Approver:	Nicole Hansen	
Applicant File #:		Owner:		
Legal Description: Date Received:	Con 17 2015	Road Name:	CALLAHAN PIT RD, RIVERSIDE RD	
Date Neceived.	Sep 17, 2015	Confirmed Local Government:	PEACE RIVER	
Location and Land	Use			
PID OIL-	1057 - 403 NEILL SEC 25 T	- 77 Rae 1	4 Wom Pan	

Government:
Location and Land Use
PID 011-652-403, NE114, SEC 25, Tp 77, Rge 14, WbM, PRD
State Title Certificate / Certificate of Title (encumbrances): Encana Lease BB1924563
Health and Safety
Proposed Water Supply Type: Other (Specify) - Dugout
Type: Other (Specify) - Dugout
Proposed Sewage Disposal
Type: Other (Specify) - Lagoon
Topography:
Significant slope but gradual
Site Regraded:
active and open shale pit within the southwest corner of property, but no additional regrading
Road / Land Drainage OK:
downward slope to the northeast, no signs of flood concern noted at time of inspection
Natural Hazard (flooding, erosion, landslip, rockfall, avalanche, wildfire):
no evidence of slope instability noted or flooding
Contaminated Site:
Filled out acknowledgement letter. Gravel activities don't require site 1 profile as per Schedule 2 activities
□ Schedule 1 Site Profile: □ Acknowledgement of Contaminated Site Regulation:
Land Use
Confirmed Local Government: PEACE RIVER
Location Comments:
appears to be located on topographical landform (glacial maybe?)(Briar Ridge)
Property Zoning: A2
Pursuant to the Peace River Regional District Zoning Bylaw No. 1343, 2001, the subject property is zoned A-2 (Large Agricultural Holdings Zone). Thise zone has a minimum parcel size of 63 ha (155 acres). This proposal is inconsistent with the zoning bylaw. However, should this proposed subdivision qualify under Section 946 of the Local Government Act a zoning amendment would not be required.
Zoning Minimum Parcel Size:
155 ac (63 ha)
Existing Land Use: Forest/Shale/Residential

Intended Land Use:

Residence

Date (yyyy/mm/dd) 2015/12/11

Surrounding Land Use	
North:	
Bush	
South:	
Bush	
East:	
Bush/Residence	
West:	
Bush	
Comments on Surrounding Land Use:	
Crown land to the north and west. Treed and residential to the east and south.	
Conform with OCP:	
Pursuant to the South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012, the subject property is designated "Agricultute Parcels within the Agriculture designation should have a minimum parcel size of 63 ha (155 acres) unless: the subdivision is being matched purpose of providing a residence to the landowner, or a relative of the landowner, the subdivision is limited to not more than one to parent parcel and such a subdivision may be approved on a one time only basis per parent parcel.	ode for
ALR Comments / ALC Approval:	
Approximately 1.75 ha of the northeast corner of the property is within the ALR. Although the subdivision line does not cross the ALR boundary, please contact the ALC for confirmation of permitted subdivision.	+1 (
Archaeology / Aboriginal Interests:	100
OR CONTINUED APPROUNT	2 11
Environmental Value (riparian zone, wildfire, sensitive ecosystem):	
Limited Arch potential- recommend Arch C notation Environmental Value (riparian zone, wildfire, sensitive ecosystem):	SI
	/
Access and Roads	
Contract Area: South Peace	
Conflict Highway Design Line:	
no	
Rd. System Adequate for Addtnl Traffic:	
yes	
Widening Amount:	
will require private pit road through remainder property be established at 25m width for access to proposed lot 1 (approval condition)	
Posted Speed: 80 km/h See page 4	
Controlled Access Highway:	
No	
Sec. Street System Exist:	
no	
Access to all lots:	
not yet. Riverside road is a publicly maintained road but has not been legally established. Dedication of private pit access road will be required for access from proposed Lot 1 to Callahan Pit Rd. Remainder has access via Callahan Pit Rd.	
Off Street Parking?: no	
Further Subdivision / Frontage Rule:	
proposed Lot 1 does not technically meet 10% frontage rule. reccommend granting variance by way of receiving PLA	
Access to Lands Beyond:	
yes via unconstructed road allowance for bordering properties to the north and west (all crown), and via Riverside Road for bordering properties to the south and east	/
Access To Water:	
Unnamed drainage showing up on Habitat wizard, surveyor to determine if needs to be surveyed back to crown. no navigable waters requiring access.	
Road Closure:	
10	
Alternate Access:	

Page 2 of 4

Date (yyyy/mm/dd) 2015/12/11

AILEITIALE ALUESS.

If subdivided, sole legal access will be via Callahan Pit Rd for both lo though it is not legally established	s. Proposed Lot 1 would likely use publicly maintained Riverside Rd
and grant to not logally cottabilities	

-				٠			
	ro	C	0	٠	n	~	0
·	ıv	o	o			u	-

Pipeline Crossing:	
no	
Hydro / Tel Line Crossing:	
no	
Railroad Crossing:	
no	

Require Covenants?:

will require Cov't for 946 outside of ALR (approval condition) Covenant to be on both sample

Recommendations / Decisions

Preliminary Approval Recommendations:

Recommend Approval with the following conditions:

Section 946 Affidavit for Land NOT in the ALR -Suitably worded covenant for 946 NOT in the ALR

-Survey and dedicate 25m of Callahan Pit Rd extension through remainder to provide legal access to proposed Lot 1

-Arch C notation

-survey and return any watercourses

-Compliance with PRRD Letter dated November 26

Preliminary Approver's Decision Comments:

Cond	ditions	reordered conditions.
Orde	er Type	Condition
01	Approval	The subdivision may be approved pursuant to Section 946 of the Local Government Act. The owner shall provide a Statutory Declaration in accordance with the provisions of Section 946 of the Local Government Act (SAMPLE ATTACHED).
02	Pursuant to Section 219 of the Land Title Act, the owner shall enter into a suitably worded covenant for the Remainder and proposed Lot 1 of Blk A of Sec 36, Tp 77, Rge 14, W6M, PRD, for subdivision under Section 946 of the Local Government Act. For 5 years after subdivision under this section, the use of the parcel subdivided for the purpose of providing a residence as stated in subsection (2) (b) must be residential use only, and the use of the remainder of the original parcel must not be changed from the use of the original parcel, unless the use is changed by bylaw. -will not subdivide again under Section 946 of the Local Government Act Covenant to be in favour of in favour of Her Majesty The Queen in right of the Province of British Columbia as represented by the Minister of Transportation and Infrastructure, Parliament Buildings, Victoria, BC, V8V 1X4, Canada. Covenant to be registered with priority over any financial charges.	
03	Approval	The final subdivision plan is to be annotated with appropriate approval block pursuant to Section 946 of the Local Government Act.
04	Approval	Extension of Callahan Pit Rd through proposed remainder property shall be surveyed and shown as dedicated road on the final survey plan to provide legal access from Callahan Pit Road to proposed Lot 1. The road dedication is to be outlined in bold and marked as road on the final survey plan. Ledited Hois.
05		Compliance with Peace River Regional District's letter dated November 26, 2015. removed. Keep this in, but the local surveyors have not been dang this. Eventually they will catch on.

Date (yyyy/mm/dd) 2015/12/11

Order	Туре	Condition			
06 Approval		Provincial records indicate the proposed development is located within an area with only limited potential to contain archaeological sites protected by the Heritage Conservation Act.			
		However, the applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the Heritage Conservation Act. This would most likely be indicated by the presence of areas of dark-stained soils containing conspicuous amounts of fire-stained or fire-broken rock, artifacts such as arrowheads and other stone tools, or even buried human remains. If such material is encountered during demolition or construction, a Heritage Conservation Act Permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.			
		Please contact the Archaeology Branch immediately at (250) 953-3334 if archaeological site deposits are encountered on the subject property.			
07	Approval	If the property contains a watercourse, the surveyor is required to locate the watercourse(s) which may be required to be returned to the crown, and return the bed(s) to crown in conjunction with subdivision.			

widening amount: instead of road dedication through the property, lets do rd dedication along the entire N boundary of the property which will connect to 229 Rd when /i F it is formerly dedicated in the future. 25m

Please issue PLA & Dec 18/15

946 COVT SAMPLE Page 1 of 3 NOT IN ALR

PART 2 - TERMS OF INSTRUMENTS

(covenant to be in the name of the Regional District

WHEREAS:

A. The Transferor is the Registered Owner of those lands and improvements in the vicinity of (City/Town), British Columbia, legally described as follows:

LEGAL DESCRIPTION OF LANDS

(the "Lands")

- B. The Transferor proposes to subdivide the Lands according to a Plan of Subdivision (the "Plan") of (*Legal Description*), prepared by (*Surveyor's Name*), B.C.L.S. and completed and certified on (*Date*), a copy of which is attached hereto as Schedule "A", to create (*proposed New Legal Description*), as shown on the Plan (hereinafter referred to individually as "*Lot ??*" and the "*Remainder*" and collectively as the "*Lots*").
- C. A covenant under Section 946 of the <u>Local Government Act</u> is required as a condition of the consent to approval of the subdivision of the Lands by the Regional District of (Regional District), under Section 87 of the <u>Land Title Act</u>.
- D. Section 219 of the <u>Land Title Act</u> provides that there may be registered as a charged against the title to any land a covenant in favour of certain transferees that land is to be used in a particular manner or that land is not to be subdivided except in according with the covenant.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the sum of \$1.00 and other good and valuable consideration paid by the Transferee to the Transferor (the receipt and sufficiency of which is hereby acknowledged) and in consideration of the premises and covenants hereinafter contained, the Transferor does hereby covenant and agree with the Transferee under Section 219 of the <u>Land Title Act</u> of the Province of British Columbia as follows:

- 1. The Transferor, on behalf of himself and his heirs, executors, administrators, successors and assigns, hereby covenant and agree with the Transferee, as a covenant in favour of the Transferee pursuant to Section 219 of the <u>Land Title Act</u>, it being the intention and agreement of the Transferor that the provisions hereof be annexed to and run with and be a charge upon Lot?? and the Remainder, that from and after the date hereof:
 - For a period of five years after the registration of the Plan, being concurrently registered with this covenant, proposed Lot ?? will be used for residential purposes only;
 - b) For a period of five years after the registration of the Plan, concurrently registered with this covenant, the use of the *Remainder* will not change from the use of the Lands as it existed prior to the registration of the Plan;
 - c) The Transferors, covenant and agree that neither (Lot ??) or ("the Remainder") will be subdivided after completion of registration of the Plan accompanying this covenant under the provisions of Section 946 (8) of the <u>Local Government Act</u>.

- Subject to the provisions of the <u>Land Title Act</u>, the Transferor's covenant contained in this Agreement shall burden and run with the Lots and shall ensure to the benefit of and be binding upon the Transferor, his heirs, executors, administrators, successors and assigns, and the Transferee and their assigns.
- 3. Nothing in this Agreement shall prejudice or affect the rights, power and remedies of the Transferee in relation to the Transferor, including his heirs, executors, administrators, successors and assigns, or the Lost under any law, bylaw, order or regulation or in equity all of which rights, powers and remedies may be fully and effectively exercised by the Transferee as if this Agreement had not been made by the parties.
- 4. The Transferor will do or cause to be done at his expense all acts reasonably necessary for the Transferee to gain priority for this Agreement over all liens, charges and encumbrances which are or may be registered against the Lots save and except those in favour of the Transferee and those specifically approved in writing by the Transferee.
- 5. The parties agree that this Agreement shall not be modified or discharged except in accordance with the provisions of Section 219(5) of the *Land Title Act*.
- The Transferor shall do or cause to be done all things and execute or cause to be executed all documents and give such further and other assurances which may be reasonably necessary to give proper effect to the intent of this Agreement.
- 7. (a) The Transferor or any of his heirs, executors, administrators, successors and assigns, as the case may be, shall give written notice of this Agreement to any person to whom they propose to dispose of the Lots, which notice shall be received by that person prior to such disposition.
 - (b) For the propose of this *paragraph*, the word "dispose" shall have the meaning given to it Under Section 29 of the *Interpretation Act*.
- 8. Wherever the singular or masculine or neuter is used herein, the same shall be construed as including the plural, feminine, body corporate or politic unless the context requires otherwise.
- 9. If any section or part of this Agreement in found to be illegal or unenforceable, then such sections or parts shall be considered to be separate and severable from this Agreement and the remaining sections or parts of this Agreement, as the case may be, shall be unaffected thereby and shall remain and be enforceable to the fullest extent permitted by law as though the illegal or unenforceable parts or sections had never been included in this Agreement.
- This Agreement shall be interpreted according to the laws of the Province of British Columbia.
- 11. Where there is a reference to an enactment of the Province of British Columbia in this Agreement, that reference shall include a reference to any subsequent enactment of the Province of British Columbia of like effect, and unless the context so requires, all statutes referred to herein are enactments of the Province of British Columbia.

12. Every reference to the Regional District of (Regional District name) in this Agreement shall include any person designated by them to act for or on their respective behalf with respect to any of the provisions of this agreement

INDEMNITY AND RELEASE

The Transferor

- (a) indemnifies and saves the Transferee and its servants, employees, agents and other representatives and the Approving Officer (and each of them) harmless from all actions, causes of action, claims, demands, suits, losses, damages, debts, accounts, liabilities, costs, expenses and compensation of any kind, including fees of solicitors and other professional advisors, arising out of or in connection with:
- any breach, violation or non-performance by the Transferor of this Agreement, or
- (ii) any personal injury (including death) or any loss or damage to the Land, an Improvement or its contents (including any existing Non-conforming Improvement); and
- (b) releases and forever discharges the Transferee and its servants, employees, agents and other representatives from all actions, causes of action, claims, demands, suits, losses, damages, debts, accounts, liabilities, costs, expenses and compensation of any kind, including fees of solicitors and other professional advisors, arising out of or in connection with any personal injury (including death) or any loss or damage to the Land, an Improvement or its contents (including any existing Nonconforming Improvement).

Note Text	Last Update Date Last Update By		
December 02, 2015- Felix Latour, SP Area Manager, called to notify that the applicant stopped into the Dawson Creek inquiry about the access to his property from Riverside Road.	Dec 2, 2015	Melissa Nitz (037249)	

Hansen, Nicole TRAN:EX

From: Hansen, Nicole TRAN:EX

Sent: Tuesday, December 15, 2015 8:39 AM

To: Eyton, Laurel J ALC:EX
Cc: Hogg, Nicola TRAN:EX
Subject: our file 2015-04777 - \$.22

Attachments: PRRD.pdf; ALC Boundary Map.pdf

Follow Up Flag: Follow up Flag Status: Flagged

Hi Laurel,

Just reviewing a subdivision report and I came across the PRRD's letter attached. In regards to the lot layout proposed and the ALR boundary (map attached), does the applicant need to get ALC approval? Please advise. Thanks!

Nicole Hansen Provincial Approving Officer Ministry of Transportation and Infrastructure Fort St. John 250-787-3239

Hansen, Nicole TRAN:EX

From: Eyton, Laurel J ALC:EX

Sent: Tuesday, December 15, 2015 11:27 AM

To: Hansen, Nicole TRAN:EX

Cc: Hogg, Nicola TRAN:EX

Subject: RE: our file 2015-04777 - \$.22

Follow Up Flag: Follow up Flag Status: Flagged

LTO should be able to deposit without Commission approval.

Laurel Eyton | Planner | Agricultural Land Commission 133 - 4940 Canada Way, Burnaby, BC, V5G 4K6 | **T** 604.660.7020 | **F** 604.660.7033 Laurel.Eyton@gov.bc.ca | www.alc.gov.bc.ca

From: Hansen, Nicole TRAN:EX

Sent: Tuesday, December 15, 2015 7:39 AM

To: Eyton, Laurel J ALC:EX Cc: Hogg, Nicola TRAN:EX

Subject: our file 2015-04777 - s.22

Hi Laurel,

Just reviewing a subdivision report and I came across the PRRD's letter attached. In regards to the lot layout proposed and the ALR boundary (map attached), does the applicant need to get ALC approval? Please advise. Thanks!

Nicole Hansen
Provincial Approving Officer
Ministry of Transportation and Infrastructure
Fort St. John
250-787-3239

Page 41 to/à Page 47

Withheld pursuant to/removed as

s.14