



Staff Report
Application # B – 37697
Applicant: William Arthur Wookey
Laurie North

DATE RECEIVED: September 28, 2007

DATE PREPARED: November 5, 2007

TO: Chair and Commissioners – North Panel

FROM: Ron Wallace, Land Use Planner

PROPOSAL: To subdivide the subject property along Telkwa High Road into two parcels. The proposed lot west of Telkwa High Road is currently undeveloped and would be approximately 15 ha. The proposed remainder of the property contains a house, pasture and hayfields.

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

BACKGROUND INFORMATION:

There have been two previous applications for subdivision involving the subject property as noted below. Both these application were refused.

Local Government:

Regional District of Bulkley-Nechako

Legal Description of Property:

PID: 008-975-825

The East 1/2 of District Lot 799, Range 5, Coast District, Except Plan 10259

Purchase Date:

1994-05-18

Location of Property:

4764 Telkwa High Road, approximately 6.5 km southeast of Smithers, at the junction of Telkwa High Road and Babine Lake Road.

Size of Property:

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

Present use of the Property:

Residential and agricultural.

Surrounding Land Uses:

WEST: pasture and forest land
SOUTH: pasture and forest land
EAST: hay and pasture land
NORTH: agriculture

Agricultural Capability:

Data Source: Agricultural Capability Map # 93L/11
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

Rural Agricultural (Ru-A) in the Smithers Telkwa Rural OCP Bylaw No. 546, 1987

Agricultural (Ag) in the proposed Smithers Telkwa Rural OCP Bylaw No. 1425, 2007

Zoning Bylaw and Designation:

Agricultural (Ag1), 16 ha minimum lot size

PREVIOUS APPLICATIONS:

Application #31760-0

Applicant: North, Laurie
Decision Date: February 20, 1998
Proposal: Subdivision into three (3) lots as divided by the roads currently running through the property. Lots sizes are approximately 15, 20 & 28.7 ha in area.
Decision: Refuse as proposed as the land has reasonable agricultural capability and the area is predominantly in agricultural use. The District Agriculturist has recommended refusal. Further it is agreed that the existing roads are not a hindrance to normal farm operations.

Application #21318-0

Applicant: Von Paczinsky, Joachim & Walter
Decision Date: 1987
Proposal: Subdivision into one lot of 2.02 ha and a remainder of 61.68 ha.
Decision: Refused subdivision as proposed.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional Board: Recommend approval.

Advisory Planning Commission: Recommend approval subject to rezoning.

Local Government Staff: The applicants purchased the property in 1994. The Planning Department feels that the presence of Telkwa High Road through the property is not enough of a hindrance to normal farm operations to justify creating a new building lot in the ALR. There are numerous working farms throughout the Regional District that operate under similar circumstances with few problems.

Given the above and that the proposal does not comply with Regional District zoning, the Planning Department does not support this application.

OTHER COMMENTS:

District Agrologist, Ministry of Agriculture, Food and Fisheries: The proposed subdivision provides no net benefit to agriculture and is out of character with the surrounding large agricultural parcels. The good agricultural capability of this area and most of the land along Telkwa High Road should be preserved in the existing large parcel sizes.

STAFF COMMENTS:

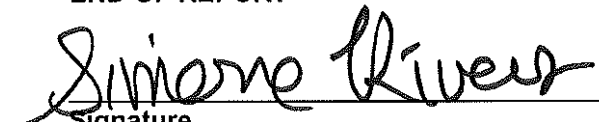
Staff has the following comments:

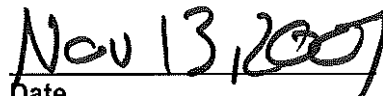
- The subject property has good soil capability and is located within an area dominated by agricultural parcels.
- The previous application by this applicant was refused due to reasons noted above.

ATTACHMENTS:

- Map showing proposed new lot (created by RDBN Staff)
- ALC Context Map – 93L.075 – 1:20,000 (Created by ALC Staff)
- Airphoto – 1:20,000 (Created by ALC Staff)

END OF REPORT


Signature


Date