



**Staff Report  
Application # B – 37729  
Applicant: Frank and Alice Burg**

**DATE RECEIVED:** October 9, 2007

**DATE PREPARED:** November 5, 2007

**TO:** Chair and Commissioners – North Panel

**FROM:** Ron Wallace, Land Use Planner

**PROPOSAL:** To subdivide for a relative by dividing the parent property in half from east to west to create 2 lots of 31.5 ha. The objective is to provide the applicants' children with separate titles for future estate settlement.

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

**BACKGROUND INFORMATION:**

There are no previous applications involving the subject property. There is one relevant previous application noted for an approval to subdivide a 4 ha parcel into 2 ha lots.

**Local Government:**

Regional District of Bulkley-Nechako

**Legal Description of Property:**

PID: 013-\*942-778

The Southwest  $\frac{1}{4}$  of Section 9, Township 13, Range 5 Coast District, EXCEPT thereout a strip of land being the most W 66 feet in parallel width thereof

**Purchase Date:**

1984-04-19

**Location of Property:**

Bearhead Road, approx 14 km west of Vanderhoof

**Size of Property:**

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

**Present use of the Property:**

forested with a hay field

**Surrounding Land Uses:**

**WEST:** Bearhead Road  
**SOUTH:** agricultural / residential  
**EAST:** agricultural  
**NORTH:** agricultural / residential

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 93K/1  
The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

OCP Bylaw No 840, 1995  
Designation - agricultural

**Zoning Bylaw and Designation:**

Zoning Bylaw No 700, 1993  
Designation - agricultural (Ag1)  
Minimum lot size - 16 ha

**RELEVANT APPLICATIONS:**

**Application #11510-0**

**Applicant:** McNolty, Gordon and Grace

**Decision Date:** December 16, 1980

**Proposal:** To subdivide the 4 ha parcel into two parcels of 2 ha each. There are two homes on the subject property and the applicants' daughter resides in the second dwelling.

**Decision:** Allowed provided each of the existing dwellings is situated on its own 2 ha parcel.

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Regional Board:** Recommend denial

**Advisory Planning Commission:** Recommend denial

**Local Government Staff:** The stated purpose for this application does not justify the subdivision of this large agricultural parcel into two lots. Therefore the Planning Department cannot support this application.

**OTHER COMMENTS:**

**District Agrologist, Ministry of Agriculture, Food and Fisheries:** The subject parcel is located within an active ranching area. Subdivision of large agricultural parcels to provide residents for children or for estate planning purposes is not an accepted reason for subdivision within the ALR.

**STAFF COMMENTS:**

Staff has the following comments:

- The applicant is not eligible for subdivision under the homesite severance policy.
- The Regional District's Board, Advisory Planning Commission, and Planning staff all recommend denial of the proposed subdivision.
- The Resource Stewardship Agrologist said the subject parcel is located in an active ranching area and that subdivision of large agricultural parcels to provide residents for children or for estate planning purposes is not an acceptable reason for subdivision within the ALR.
- The stated purpose of this application does not justify the subdivision of this large agricultural parcel into two lots.

**ATTACHMENTS:**

- Sketch of proposed subdivision (submitted by the applicant)
- ALC Context Map 93K.009 – 1:20,000 (created by ALC Staff)
- Airphoto – 2005 – 1:10,000 (Created by ALC Staff)

END OF REPORT

Simone Rivers  
Signature

Nov 13, 2007  
Date