



## Agricultural Land Commission Staff Report

**DATE:** September 7, 2010  
**TO:** Vice Chair and Commissioners - North Panel  
**FROM:** Simone Rivers

**RE:** Application # 51776

**PROPOSAL:** To subdivide the 88 ha lot into a 24 ha lot and a 64 ha lot. Alternatively the applicant would like the Commission to consider subdivision into a 16.8 ha lot and a 71.2 ha lot.

### PROPOSAL INFORMATION

**Background:** The second proposed configuration was submitted in response to concerns about the initial proposal raised by MAL staff, the APC and the Regional Board. The revised proposal includes less arable land than the initial proposal.

There have been two previous applications for the subject property in the 1980's, one for exclusion and one for a three lot subdivision. Both applications were denied.

**Received Date:** June 7, 2010  
**Applicant:** Ulrike Bredow  
**Agent:** N/A  
**Local Government:** Regional District of Bulkley-Nechako

### DESCRIPTION OF LAND

**PID:** 007-812-086  
**Legal Description:** District Lot 7922 Range 5 Coast District  
**Civic Address:** 7496 Jollymore Road. Approx 6.5km east of the Town of Smithers  
**Area:** 90.1 ha  
**ALR Area:** 90.1 ha  
**Purchase Date:** June 25, 1987  
**Owner:** Ulrike Bredow

**Total Land Area:** 90.1 ha  
**Total ALR Area:** 90.1 ha  
**Current Land Use:** Main residence, mobile home and outbuildings

### PROPOSAL DETAILS

#### Subdivision

Area	Agricultural Capability	Agricultural Capability Source
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90.1            Secondary                            CLI

<b>Number of Lots</b>	<b>Lot Size (ha)</b>
1	24.0
1	64.0

**Surrounding Land Uses:**

North	Crown Land
East	520 ha - classified residential
South	64 ha - no farm status
West	64 ha Agricultural

**Official Community Plan**

**Bylaw Name:**

**Designation:**        AG (Agricultural)

**OCP Compliance:** Yes

**Zoning**

**Zoning Bylaw Name:**

**Zoning Designation:** Ag1 (Agricultural)

**Minimum Lot Size:**    16.0 ha

**Zoning Compliance:** Yes

**PREVIOUS APPLICATIONS**

**Application #:** 17040

**Applicant:**        Eugene Bekar

**Proposal:**        to exclude 89.1 ha

**Decisions:**

**Resolution**

**Number**

**Decision Date**

**Decision Description**

687

April 28, 1981

refused due to good agricultural capability

**Note:**            Legacy Application # 11921

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**Application #:** 17038

**Applicant:**        Eugene Bekar

**Proposal:**        to subdivide 89.1 has into three parcels

**Decisions:**

**Resolution**

**Number**

**Decision Date**

**Decision Description**

775

May 11, 1983

Refused as property has good agricultural potential

**Note:**            Legacy Application # 16397

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## RELEVANT APPLICATIONS

**Application #:** 51178

**Applicant:** William & Louise Flint

**Proposal:** To remove restrictive Covenant K18630 which prevents the separate sale of the 64.5 and 53.3 ha properties and to allow for a boundary adjustment to create a 37.3 ha lot and an 79.9 ha lot. the applicants wish to sell the land located south of Jollymore Road (37.3 ha).

**Decisions:**

**Resolution  
Number**

**Decision Date**

**Decision Description**

2349

March 9, 2010

Approved the removal of covenant and the boundary adjustment along Jollymore Road

**Note:**

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**Application #:** 42317

**Applicant:** Edward and Laverne Walton

**Proposal:** To subdivide 9.1 ha from the two 64 ha parcels as a homesite severance.

**Decisions:**

**Resolution  
Number**

**Decision Date**

**Decision Description**

585

October 31, 2005

To allow the subdivision of 9.1 ha from the two 64 ha parcels subject to consolidation of the remainder of the two subject properties. The subdivision is allowed on the grounds that the applicant qualifies for consideration under the homesite severance policy and this subdivision is allowed on the understanding that the applicant will not be given further consideration under this policy.

**Note:** Legacy Application # 36240

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**Application #:** 22650

**Applicant:** G & J Stewart

**Proposal:** To subdivide the 63.1 ha property into a 10.7 ha lot and a 52.4 ha lot as divided by Jollymore Road

**Decisions:**

**Resolution  
Number**

**Decision Date**

**Decision Description**

**Note:**

Legacy Application # 12412

Resolution # 1379/1981

Decision Date: July 30, 1981

Decision: Refused on the grounds that the subject property has some capability for agricultural use and is located in an actively farmed area. Most of the parcels in this area are similar in size to the subject property. The type of agriculture prevalent here requires large holdings and it is felt that subdivision would reduce the suitability of the property for farm purposes and would introduce a rural residential holding into a bona fide farm community.

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### Committee Recommendations

**Type**

**Recommendation**

**Description**

Board/Council

Refuse

Regional District of Bulkley-Nechako Board: The

Regional Board forwarded the application with a recommendation for denial.

Advisory Planning Committee                      Refuse

Advisory Planning Commission: The APC made the following comment " Resolution: Denied. Sympathetic to the applicant's position however if applicant is willing to subdivide off non-arable land a different view would be taken by the A.P.C.

Ministry of Agriculture and Lands                      Refuse

Ministry of Agriculture and Lands: MAL staff provided the following comments: - " I do not support the application for subdivision on this parcel as it is currently presented for the following reasons:  
- There is no indication that the suggested new lot line considered the agricultural capability of the land. Ideally, the lowest capability land would be subdivided off.  
- The addition of another lot in the area increases the possibility of future conflict with surrounding agriculture.

## STAFF COMMENTS

The applicant submitted a second proposed subdivision configuration as the initial configuration was not supported by the Regional Board or other local committees. The revised proposal is for a smaller lot and does not divide the hayfield.

The new lot is for the applicant's son.

## ATTACHMENTS

51776 initial proposal.pdf  
51776 local government report.pdf  
51776 maps.pdf  
51776 revised proposal.pdf

## END OF REPORT

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Signature

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Date