



Staff Report
Application # B – 37521
Applicant: Shawn and Sivert Andersen

DATE RECEIVED: June 27, 2007

DATE PREPARED: November 5, 2007

TO: Chair and Commissioners – North Panel

FROM: Jennifer Carson, Land Use Planner

PROPOSAL: To subdivide a 7.1 ha parcel from the 57.8 ha parent property. This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The proposed parcel contains a house, shed and is separated from the rest of the property by a creek. The parent property is undeveloped and the landowners intend to sell the proposed parcel containing the house.

Local Government:

Regional District of Bulkley-Nechako

Legal Description of Property:

PID: 015-314-383
District Lot 6598, East 1/2 of, Range 5 Coast District, Except Plan PRP13183

Purchase Date:

April 1995

Location of Property:

Located at 20524 Hutter Road, approximately 20 km northwest of Burns Lake

Size of Property:

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

Present use of the Property:

Young replanted forest managed under a woodlot plan. Historically logged and had an old sawmill, has never been actively farmed.

Surrounding Land Uses:

WEST: Forest, crown land
SOUTH: Agricultural grazing
EAST: Forest, crown land
NORTH: Forest, crown land

Agricultural Capability:

Data Source: Agricultural Capability Map # 93K/5
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

Burns Lake Rural OCP: Bylaw No. 637 (1990)
Designation: Agricultural Reserve (AR)

Zoning Bylaw and Designation:

Regional District of Bulkley-Nechako Zoning Bylaw No. 700 (1993)
Designation: Agricultural (Ag1)
Minimum Lot Size: 16 ha

RELEVANT APPLICATIONS:

Application #25426-0

Applicant: Ministry of Crown Lands
Decision Date: April 22, 1993
Proposal: To include the property into the ALR.
Decision: Approved for inclusion into the ALR by OIC.

Application #35862-0

Applicant: Badesha, Kulwinder & Amarjit
Decision Date: April 05, 2005
Proposal: To subdivide the 5.2 ha property into one lot of 1.3 ha north of Highway #1, and one lot of 3.9 ha south of the highway. The applicants state that it is not feasible to farm the land as a single unit while it is divided by the highway.
Decision: Allowed subdivision as presented - highway is a considerable barrier to the operation of the property as a single farm unit.

Application #37376-0

Applicant: Fountain, Michael and Susan
Decision Date: August 09, 2007
Proposal: To subdivide a 2 ha lot and a 4 ha lot from the 26 ha property. The applicant is proposing to develop and abattoir on the 2 ha lot and to live on the 4 ha property. The remainder would be for general farm use.
Decision: Refused but willing to consider another application providing more details and evidence of commitment to build the abattoir.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Bulkley-Nechako Regional District Board:

The Regional Board forwarded the application with a recommendation of support.

Advisory Planning Commission:

No objections.

Planning Staff:

Recommend approval

OTHER COMMENTS:

Ministry of Agriculture:

Recommend denial.

STAFF COMMENTS:

It is recommended that the Commissioners consider the following:

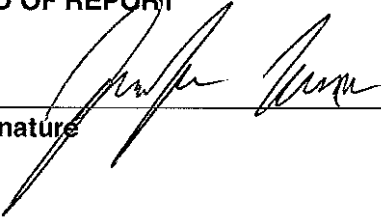
- In the Planning Department Report, planning staff mention that "Large parcels surround the property and a smaller lot is somewhat out of character for the area. However, as the proposal does not change the actual land use of the property" and therefore "Planning staff has no objections provided that the neighbouring farm operations are not significantly affected."
- The Ministry of Agriculture recommended denial of the application as it was seen to be "Removing the best land from the parcel. . . [which] would reduce this potential even further." (see attached letter)
- While onsite the Commissioners could consider the recommendation from the Agrologist that she would potentially support an application that separates the Class 7 lands from the majority of the Class 4 and 5 lands.

ATTACHMENTS:

1. ALC Context Map
2. Aerial Photograph
3. Agricultural Capability Map
4. Sketch of Proposal
5. Letter from Ministry of Agriculture Agrologist, Leah Sheffield

END OF REPORT

Signature



Date

Nov. 5, 2007