



Agricultural Land Commission Staff Report

DATE: February 2, 2010
TO: Vice Chair and Commissioners - North Panel
FROM: Simone Rivers

RE: Application # 51177
PROPOSAL: Subdivide property into three parcels, two of them approx. 60 ha in size, and the third approx. 50 ha in size.

PROPOSAL INFORMATION

Background: The property is located south of Vanderhoof.
Received Date: December 16, 2009
Applicant: Alayne McFetridge
Agent: Blake McFetridge
Local Government: Regional District of Bulkley-Nechako

DESCRIPTION OF LAND

PID: 012-878-162
Legal Description: Lot 3, Sections 10 and 15, Township 2, Range 4, Coast District, Plan 12252
Civic Address: Blackwater Road approx. 5.5 km south of District of Vanderhoof
Area: 177.9 ha
ALR Area: 177.2 ha
Purchase Date: December 16, 1964
Owner: Alayne McFetridge

Total Land Area: 177.9 ha
Total ALR Area: 177.2 ha
Current Land Use: 35.9 ha - Pine Plantation (planted 1993); balance logged bush. 19 ha hay meadow, 3.4 ha dry land hay balance logged bush. 10.2 ha hay meadow and dry land balance logged bush

PROPOSAL DETAILS

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
177.2	Secondary	CLI

Number of Lots	Lot Size (ha)
1	49.3
2	61.9

Surrounding Land Uses:

North	Bush pasture, grassland, 5.8 ha lots bordering Blackwater Road
East	Grassland grazing, Plantation Pine, bush pasture and hay meadow
South	Cleared grassland
West	Hay field and logged bush; grassland; logged bush pasture

Official Community Plan

Bylaw Name:	Vanderhoof Rural OCP Bylaw No. 840 (1995)
Designation:	Agricultural (A)
OCP Compliance:	Yes

Zoning

Zoning Bylaw Name:	RDBN Zoning Bylaw No. 700 (1993)
Zoning Designation:	Agricultural (Ag1)
Minimum Lot Size:	16.0 ha
Zoning Compliance:	Yes

RELEVANT APPLICATIONS

Application #: 44172

Applicant: James and Lynn Breit

Proposal: To subdivide a 3.6 ha parcel from the 181.8 ha parent property.

Decisions:**Resolution**

Number	Decision Date	Decision Description
620	November 22, 2007	Refused

Note: Legacy Application # B-37520

Application #: 20532

Applicant: Kenneth Penner

Proposal: Propose to subdivide a 8.4 ha lot from the 135 ha property. The applicant notes that the proposed lot is separated from the remainder of the property by a marsh and a drainage area. Also that the subdivision will create a lot for a mobile home, pump house and lagoon that has been in use for 10 years.

Decisions:**Resolution**

Number	Decision Date	Decision Description
212	April 30, 2003	Refuse subdivision.

Note: Legacy Application # B-34555

Application #: 6961

Applicant: Ministry of Environment Lands & Parks

Proposal: Propose to subdivide the 128.7 ha property which was bought jointly and is being farmed as separate units into 2 equal parcels.

Decisions:

**Resolution
Number**

84

Decision Date

February 24, 1997

Decision Description

Allow as proposed on the grounds that 160 acres is large enough to be considered a stand along agricultural parcel.

Note: Legacy Application # B-31075

Application #: 4631

Applicant: Benjo Enterprises Ltd

Proposal: Establish a meat cutting and processing shop on approximately 2 ha in the N.W. corner of the property adjacent to Highway 16 and Teichroeb Road for processing and slaughtering of farm animals.

Decisions:

**Resolution
Number**

109

Decision Date

January 30, 1996

Decision Description

Allow in principle subject to receipt of a site plan showing all proposed buildings, parking area, access etc.

Note: Legacy Application # B-30310

Committee Recommendations

Type	Recommendation	Description
Board/Council	Approve	Regional District of Bulkley-Nechako Board: The Regional board forwarded the application with a recommendation of approval.
Agricultural Advisory Committee	Refuse	The APC commented that it was not in favour of dividing this property into three individual quarter sections. "Reason being that they feel a 3/4 section is viable for farm use, whereas 1/4 is not viable for farm". It further went on to suggest that "if a neighbour wants to purchase 1/4 section to add to their existing farm, this would be acceptable."
Ministry of Agriculture and Lands	Partial	Ministry of Agriculture and Land staff made the following comments "I agree that subdivision of these lots into 3 larger parcels will have a limited impact on local agriculture. Caution must be taken when approving an application which divides large parcels. Parcels have been created through consolidation and binding of titles for numerous reasons, including condition of sale from the Crown and reducing purchase prices. A thorough review of the history of the parcels will be necessary.

STAFF COMMENTS

Although there have been no previous ALC applications on the subject property, the boundary of the property has been adjusted in the past. The local government staff summary report gives the following history for the property. "Originally the three proposed parcels had separate titles". The south east 1/4 of Section 15 was consolidated with the NE 1/4 of Section 10 in 1983 and then consolidated again in 1989 with the south east 1/4 of section 10. The report goes on to say that "according to the applicant this was done for farm succession purposes".

There is an 11.6 ha lot that was previously subdivided from the south east 1/4 of section 15. This lot was created in 1972. Therefore, the consolidations were not done in conjunction with the creation of this lot.

The same plan that created the subject property also consolidated three adjacent quarter sized sections of land into one lot of similar size. That particular plan started with 5 properties and ended with three. An 8 ha property was also created from one of the adjacent lots at that time. A previous request to divide another 3.6 ha lot from this adjacent property was refused in 2007.

The application states that the applicant has owned the land since 1964, however, no documentary evidence to support this has been submitted.

The applicants do not state the reasons for making the subdivision request.

ATTACHMENTS

51177_AirphotoMap20k.pdf
51177 ag cap.pdf
51177 air photo.pdf
51177 local government report.pdf

51177 previous apps.pdf
51177plan 12252.pdf

END OF REPORT

Signature

Date