



Agricultural Land Commission Staff Report

DATE: December 7, 2009
TO: Vice Chair and Commissioners - Island Panel
FROM: Gordon Bednard

RE: Application # 50520
PROPOSAL: Inclusion and subdivision (boundary adjustment)

PROPOSAL INFORMATION

Background: The property owner would like to adjust the boundaries of his properties (4) in this area. Because of local zoning considerations (MLS) and in order to not create split zoned properties, the owner is proposing inclusion of land into the ALR and a subsequent re-alignment of property boundaries.
Received Date: September 11, 2009
Applicant: Kevin Smith Stephen Wohlleben
Agent: Steve Wohlleben
Local Government: Islands Trust Gabriola Island

DESCRIPTION OF LAND

PID: 001-166-034
Legal Description: Lot 3, Section 18, Gabriola Island, Nanaimo District, Plan 31327 EXCEPT that part in Plan 43879
Civic Address:
Area: 2.9 ha
ALR Area: 1 ha
Purchase Date: March 1, 2004
Owner: Kevin Smith Stephen Wohlleben

Total Land Area: 2.9 ha
Total ALR Area: 1 ha
Current Land Use: Vacant - no improvements, forested

PROPOSAL DETAILS

Inclusion

Area	Agricultural Capability	Agricultural Capability Source
1.0	Secondary	CLI

Subdivision

Area **Agricultural Capability** **Agricultural Capability Source**

1.0 Mixed Prime and Secondary CLI

Number of Lots **Lot Size (ha)**

3 2.2

Surrounding Land Uses:

North	principle residence of T. Cowan & K. Smith, large forested lots out of ALR
East	principle residence of S Wohlleben (registered in wifes name), large forested lot out of ALR
South	vacant 3.55ha parcel included int he ALR and owned by Joint Venture Parter - Albiol, large forested lots in the ALR, no agricultural development.
West	vacant 16.19ha gravel reserve, forested lots in and out of ALR, no agricultural development

Official Community Plan

Bylaw Name:

Designation: Large Rural Residential

OCP Compliance: Yes

Zoning

Zoning Bylaw Name:

Zoning Designation: Large Rural Residential

Minimum Lot Size: 2.0 ha

Zoning Compliance: Yes

Committee Recommendations

Type	Recommendation	Description
Board/Council	Approve	Supports both the subdivision (boundary adjustment) and the inclusion aspects of the application.

STAFF COMMENTS

Even though the area proposed for inclusion has secondary capability ratings, it is consistent with much of the balance of the area already in the ALR to which it would be attached. The proposed subdivision rationalizes the lot boundaries between these 4 lots and the subdivision can only be accomplished if the proposed area is included. Similarly, the applicant will only allow the inclusion to stand if the subsivision is approved. This is a bit of a moot point, as the subdivision could be accommodated under the Regs, once the land is in the ALR. Staff sees no impact on the ALR should the Commission approve both aspects of the application.

ATTACHMENTS

50520 context map.pdf

50520 air photo.pdf

END OF REPORT

Signature

Date
