



Provincial Agricultural Land Commission - Staff Report

Application: 52253

Applicant: Micheal McLaughlin
Local Government: Sunshine Coast

Proposal: The applicant is proposing a two lot subdivision in order to facilitate the improvements required to farm the subject property. The subject property would be divided into an eastern lot of 1.75 ha facing King Road and a western lot of 2.25 ha facing Hough Road. The applicant would sell the 1.75 ha lot in order to invest in improving the 2.25 ha lot, making it capable for farming. The applicant has already constructed a greenhouse, and intends on developing five greenhouses with a total area of approximately 300 square metres. In addition, the applicant has laying hens on the subject property and intends to increase the size of the laying operation. The applicant further intends to develop a 1 ha orchard on the subject property. The sale of the 1.75 ha lot would allow the applicant to pursue the proposed agricultural improvements on the proposed 2.25 ha lot.

BACKGROUND INFORMATION

In 1984, in preparation for its review of a proposed two-lot subdivision, the Commission undertook a review of the entire ALR block centred on Pratt Road (south of Highway 101). At the time, there were 55 lots in the area with about 50% of the area made up of 4 ha lots. Most of the application history for the area was west of Pratt Road. Of 23 applications, only one resulted in an approved subdivision – and that was to allow parcels consistent with the general parcel size in the area. The review concluded that it was important for the agricultural integrity of the Pratt Road ALR block that further subdivision be discouraged.

In 1986, when the Commission reviewed the Elphinstone OCP its position was that the OCP must clearly avoid creating the expectation that land will be subdivided to smaller parcel sizes, which generally provide fewer options for long term agricultural use and are thus less suitable for farming.

In 2007, the Commission refused a proposed subdivision of the subject property by the previous owners. The current applicant purchased the subject property in July, 2009, and has begun developing the land for agricultural uses.

PROPERTY INFORMATION

PID: 012-894-168
Legal Description: Lot J District Lot 909 Plan 3417
Property Area: 4.0 ha
ALR Area: 4.0 ha
Purchase Date: July 30, 2009
Location: 331 Hough Road, Elphinstone
Owner: Micheal McLaughlin

Total ALR Area:

LAND USE

Current Land Use:

Food gardens, egg and chicken production, ginseng production, greenhouse under construction. House, workshop with attached bird coop, two bird coops, two small building for sheep or goats.

Surrounding Land Uses:

North: 367 Hough Road: one residence, 4 ha., 7% cleared, remainder mixed forest; no farm use
East: 356 Hough Road: one residence, second home under construction, 4.5 ha, 25% cleared, remainder mixed forest; no farm use
South: 309 Hough Road: one house, 4 ha, 20% cleared, remainder mixed forest; no farm use
West: Vacant land, 3 ha., mixed forest, no farm use

PROPOSAL DETAILS

Subdivision - ALR Area: 4.0 ha

Number of Lots	ALR Area of Lot (ha)
1	1.7
1	2.3

Agricultural Capability:

The majority of the area under application is rated as: Mixed Prime and Secondary

Source: BCLI

Mapsheet: 92G.033

PREVIOUS APPLICATIONS

Application ID: 43510

Legacy #: 36997

Applicant: Jeffrey and Corinne Olsen

Proposal: To subdivide to create two (2) separate lots. Total size of parcel is 4.04 ha

Decision:

Resolution #	Decision Date	Decision Description
57/2007	February 19, 2007	Refused due to adverse impact on agriculture.

Note: The Commission refused the previous application to subdivide the subject property. On May 20, 2007 the Commission received a request for reconsideration from the applicant. The Commission reconfirmed resolution #57/2007 in a letter date August 13, 2007 and stated that: "While the soil may be diversified, subdivision into 2 ha size lots would only serve to limit the available crop options to a point at which agricultural utilization of the property would be extremely limited and prove detrimental to the entire surrounding agricultural community."

RELEVANT APPLICATIONS

Application ID: 3445

Legacy #: 13649

Applicant: William Hughes

Proposal: To subdivide the property into two lots, one of 2 ha and one of 2.53 ha.

Decision:

Resolution #	Decision Date	Decision Description
34/1982	January 6, 1982	Refused on the grounds that the Commission is of the opinion that the property has potential for agricultural utilization and as such should remain in as large a parcel as possible.

Note: Application to subdivide the adjoining property to the west, across Hough Road.

Application ID: 3440

Legacy #: 25600

Applicant: Ian/Manjeet/Ter Corrance/Chahal/Ryan

Proposal: To subdivide the property into two lots of 2.0 ha each and build two permanent dwellings on the land in order to separate joint ownership.

Decision:

Resolution #	Decision Date	Decision Description
910/1991	October 23, 1991	Refused as proposed. In the Commission's experience subdivision such as this are counter-productive and serve only to reduce the agricultural potential of ALR lands. In this area of the ALR, the Commission believed that it would be more beneficial to agriculture in the long term to preserve the current level of parcel size and thereby maintain as many farming options as possible.

Note: Application to subdivide the adjoining property to the north.

Application ID: 2990

Legacy #: 29653

Applicant: Gayle/Ron Preston/Neilson

Proposal: The applicants are seeking permission to subdivide the 4.0 ha subject property into two equal parcels of 2.0 ha each. All of the property is entirely within the ALR.

Decision:

Resolution #	Decision Date	Decision Description
451/1995	May 11, 1995	Refused as proposed. The Commission noted that the property has the capability to support agricultural uses. It was held that subdivision of the property would adversely affect the agricultural potential of the land and limit the number of future agricultural options. Furthermore, the introduction of smaller lots in this area would likely precipitate further applications resulting in the reduction of overall agricultural potential. It is a contention of the Commission that parcelization in agricultural areas can result in the introduction of incompatible urban influences which can have negative implications for agriculture in the long-term.

Note: Application to subdivide the adjoining property to the south.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Elphinstone OCP
Designation: Agricultural B
OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Bylaw 310
Zoning Designation: Land Use Zone RU3
Minimum Lot Size: 1.7 ha
Zoning Compliance: Yes

Comments and Recommendations:

Advisory Planning Committee

That the application meets the criteria of the OCP, but it is not up to the APC to approve but rather the Commission, which did not support previous applications for subdivision.

Agricultural Advisory Committee

The AAC agreed by consensus to re-affirm the recommendation that the application to subdivide the property be declined in light of previous history from the Commission decision declining subdivision, plus this severance would lead to a reduction of the long-term agricultural land base.

Board/Council

That the application for subdivision within the ALR be forwarded to the Commission for comments.

Planning Staff

The SCR D staff report outlined four options to the Board. The application could be forwarded to the Commission with support, without comment, opposed or not forwarded.

ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

- The applicant has owned the subject property since July, 2009.
- The Commission refused a previous application to subdivide the subject property.
- Although a 1.75 ha lot could sustain farming, this may not be an argument to create lot of this size through subdivision.
- The unimproved agricultural capability ratings of the subject property are Class 4 and 5 with limited factors of soil moisture deficiency, undesirable soil structure, stoniness, topography and excess water. However, the majority of the subject property has an improved agricultural capability rating of Class 2.

ATTACHMENTS

52253_ContextMap10k.pdf
52253_AirphotoMap5k.pdf
52253_AgCapabilityMap.pdf
52253_proposal.pdf

END OF REPORT

Prepared by: Eamonn Watson, October 14, 2011