



Staff Report
Application # A – 37602
Applicant: Roger and Glenda Francoeur

DATE RECEIVED: August 09, 2007

DATE PREPARED: November 19, 2007

TO: Chair and Commissioners – Island Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: Subdivision for a Relative: The application is in two-parts: firstly, to adjust the boundary between Lot 5 (approx. 1.5 ha) and Lot A, an E&N railway right of way (approx 0.6 ha), to create 2 parcels of approx. 1.3 ha and 0.8 ha. Secondly, to divide the remaining 0.8 ha portion of Lot 5 into two (2) 0.4 ha parcels for the applicants children.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Local Government:

Regional District of Alberni-Clayoquot

Legal Description of Property:

1. PID: 008-265-542
Lot 5, District Lot 88, Alberni District, Plan 910, EXCEPT The right of way adjacent the Esquimalt and Nanaimo Railway Company, as shown coloured red on Plan 66 RW, both being within District Lot 88
2. PID: 025-977-466
Lot A, Alberni District, Plan VIP77219

Purchase Date:

1. Lot 5: 2007
2. Lot A: 2003

Location of Property:

6091 and 6081 Beaver Creek Road, Port Alberni

Size of Property:

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

Present use of the Property:

Residential (two homes), shop, barn and small shed

Surrounding Land Uses:

WEST: Residential (Rural)
SOUTH: Residential (Rural)
EAST: Residential (Rural)
NORTH: Residential (Rural)

Agricultural Capability:

Data Source: Agricultural Capability Map # 92F.026 digital
The majority of the property is identified as having Mixed Prime and Secondary ratings. The majority of the property is rated Class 2.

Official Community Plan and Designation:

Beaver Creek OCP
Designation: Combination of Low Density Residential and Trails

Zoning Bylaw and Designation:

Alberni-Clayoquot Regional District Zoning Bylaw No. 115 (1971)
Designation: Combination of Small Holdings (A1) Rural (A2) and Forest Reserve (A3) Districts
Minimum Lot size: A1: 0.4 ha; A2: 2.0 ha

PREVIOUS APPLICATIONS:

Application #09623-0

Applicant:
Decision Date: 1979
Proposal: Port Alberni and area major street network
Decision: Railway right-of-way

RELEVANT APPLICATIONS:

Application #25603-0

Applicant: Gibson Holdings Inc
Decision Date: February 1992
Proposal: To place two radio transmission towers and radial antenna system on 6.0 ha area
Decision: Allowed, on the condition that a previous approval for a 2.0 ha subdivision be rescinded

Application #36034-0

Applicant: Madsen, John
Decision Date: July 05, 2005
Proposal: To adjust the boundary of a 0.2 ha parcel and a 0.9 ha parcel to create a 0.6 ha parcel and a 0.5 ha parcel.
Decision: Allow as requested, no impact to agriculture.

Application #36258-0

Applicant: Frank, Allan and Debora
Decision Date: November 16, 2005
Proposal: To reconfigure two properties, including an old railway right-of-way, into two new lots as divided by Pleased Creek.
Decision: Allow proposed subdivision as results in better utilization of the site for agriculture.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Alberni-Clayoquot Regional District Board: Forwarded the application with a recommendation in concurrence with the planning report (See Planning Report, Option B)

Advisory Planning Commission: Concur with the planning report recommendations (See Planning Report, Option B)

Agricultural Advisory Committee: Did not have quorum, but those present had no concerns and recommended the application be forwarded.

Local Government Staff: Recommended that the boundary adjustment and subdivision of one lot of 0.4 ha be supported (See Planning Report, Option B)

STAFF COMMENTS:

- The Regional District has supplied 3 alternative sketches of subdivision plans. Option A includes the boundary adjustment and two 0.4 ha lots; this is what the applicants propose. Option B includes the boundary adjustment and one 0.4 ha subdivision; this is the option supported by the Regional District. Option C includes the boundary adjustment only. This option appears to be the most beneficial to agriculture by reconfiguring the two existing lots to make them more usable for agriculture.

ATTACHMENTS:

- Aerial Photo
- Ag Cap Map
- Zoning Designation Map
- Proposal from Applicants
- Alberni-Clayoquot Regional District Planning Report, including Option A, B, and C subdivision proposals.

END OF REPORT



Signature

11/19/07

Date