



Staff Report
Application # C – 37651
Applicant: 0739712 BC Ltd
Agent: Mark Wyatt

DATE RECEIVED: August 29, 2007

DATE PREPARED: October 1, 2007

TO: Chair and Commissioners – Island Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: To subdivide the 9.0 ha subject property into three (3) lots. The proposal is also to include a minor road alignment for Isabella Point Road to stabilize the roadbed and the old roadbed would be closed. Lot 1 (0.8 ha) and Lot 2 (0.4 ha) would be located east of the road, and mostly contain the land outside of the ALR. The remainder Lot 3 (7.8 ha) would be west of the proposed road and within the ALR and would require 3 easements for the common property septic field and wells servicing the 2 smaller properties across the road.

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

BACKGROUND INFORMATION:

The proposal was originally for 6 residential lots, but due to public opposition, has been scaled back to three proposed lots.

Local Government:

Islands Trust Salt Spring Island

Legal Description of Property:

PID: 009-727-574

Section 14, Range 1, South Salt Spring Island, Cowichan District, Lying South Westerly of Fulford Harbour, EXCEPT Parts in Plans 6456, 1463R and 36338

Purchase Date:

2006-06-01

Location of Property:

Isabella Point Road

Size of Property:

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

Present use of the Property:

Older dwelling on the property in the South West Corner, otherwise the property is vacant and in scrub bush.

Surrounding Land Uses:

WEST: Old gravel pits and rural residential properties
SOUTH: Rural Residential properties, mostly second growth forest
EAST: Fulford Harbour
NORTH: Fulford Harbour and small lots out of the Agricultural Land Reserve

Agricultural Capability:

Data Source: Agricultural Capability Map # 92B/14
The majority of the property is identified as having Secondary ratings of improvable to Class 4 with limitations of moisture deficiency and topography.

Official Community Plan and Designation:

Salt Spring Island OCP
Designation: Agriculture (A) and Rural Neighbourhoods (1)

Zoning Bylaw and Designation:

Zoning: Salt Spring Island Land Use Bylaw No. 355
Designation: A1 and R
Minimum Lot Size: A1 - 8 ha , R-2 ha (minimum average)

PREVIOUS APPLICATIONS:

Application #09859-0

Applicant: Otter Bay Logging Ltd
Decision Date: April 1980
Proposal: To exclude 2 ha portion of property
Decision: Allowed

Application #04859-0

Applicant: Danielson, A
Decision Date: 1977
Proposal: Subdivision of 3 lots into 4.
Decision: Refused as proposed, but allowed subdivision of 2 lots subject to consolidation of properties west of the road.

RELEVANT APPLICATIONS:

Application #36715-0 (to the south)

Applicant: Harris, Patricia
Decision Date: August 03, 2006
Proposal: To build a seasonal cottage on the 1.86 ha property.
Decision: Refused on grounds of precedent and no justification from agricultural perspective

Application #35576-0

Applicant: Ateah, Ron & Donna
Decision Date: October 14, 2004
Proposal: To construct a seasonal guest cottage of 560 sq ft within the ALR. They intend to use the cottage for family members and for paying guests.
Decision: Allow subject to removal of existing mobile home when present occupant vacates.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Island Trust Committee: The local committee forwarded the application with a recommendation of support

Agricultural Advisory Committee: Recommends the support of the application.

Local Government Staff: Recommended referral to the AAC and Farmer's Institute. Noted that the proposal is consistent with the OCP.

STAFF COMMENTS:

See comments under staff report #37652


ATTACHMENTS:

- ALC Context Map 1:20,000
- ALC Context Map 1:50,000
- Islands Trust Staff Report
- Sketch of proposal
- Aerial Photo
- See Additional Attachments of Staff Report #37652

END OF REPORT



Signature



Date