



**Staff Report
Application # C – 38301
Applicant: Laura Dowhy**

DATE RECEIVED: July 09, 2008

DATE PREPARED: August 27, 2008

TO: Chair and Commissioners – Island Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: Subdivision for a Relative: to subdivide the 1.6 ha subject property into two equal sized lots to provide a residence for a family member.

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

BACKGROUND INFORMATION:

Local Government:

The District of Sooke

Legal Description of Property:

PID: 000-909-009
Lot 3, Block 6, Section 11, Sooke District, Plan 2434

Purchase Date:

1984

Location of Property:

2150 Parkland Road

Size of Property:

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

Present use of the Property:

Residential

BACKGROUND INFORMATION (continued):

Surrounding Land Uses:

WEST: ALR land
WEST: T'Souke Reserve Lands
EAST: Poultry barn/rural residential
NORTH: Poultry barn

Agricultural Capability:

Data Source: Agricultural Capability Map # 92B/5
The majority of the property is identified as having Prime Dominant ratings improvable to Class 2.

Official Community Plan and Designation:

Sooke OCP, 2001
Designation: Agricultural (ALR)

Zoning Bylaw and Designation:

Sooke Zoning Bylaw No. 270, 2006
Designation: Agricultural Zone (RU-3)

RELEVANT APPLICATIONS:

Application #27248-0

Applicant: Donna Collins
Decision Date: 1992
Proposal: To exclude the 1.0 property
Decision: Refused, due to agricultural capability and impact on the subject block of ALR lands.

Application #38302-0

Applicant: Arden, Brent
Decision Date: N/A
Proposal: To construct a duplex for relatives on the 0.3 ha property
Decision: *Currently under consideration.*

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

District of Sooke Council: Forwarded the application with a recommendation of support.

Local Government Staff: Recommend that the application be supported, subject to final approval by the District of Sooke and Vancouver Island Health Authority (VIHA).

STAFF COMMENTS:

- The majority of surrounding lands were excluded from the ALR in a fine tuning review in 1981.
- Although the property is small and in a small block of ALR land, it is rated as having prime capability for agriculture.
- Section 3(1)(b) of the ALC Regulations allows for each parcel:
 - (i) one secondary suite within a single family dwelling
 - (ii) one manufactured home, up to 9 m wide, for use by an immediate family member of the owner.

These options may satisfy the applicant's intentions of providing for family members, while minimizing any impact on the long-term use of the property.


ATTACHMENTS:

- ALC Context Maps (2)
- Aerial Photograph
- Subject Property Map
- Sketch of proposal
- Letter from applicant

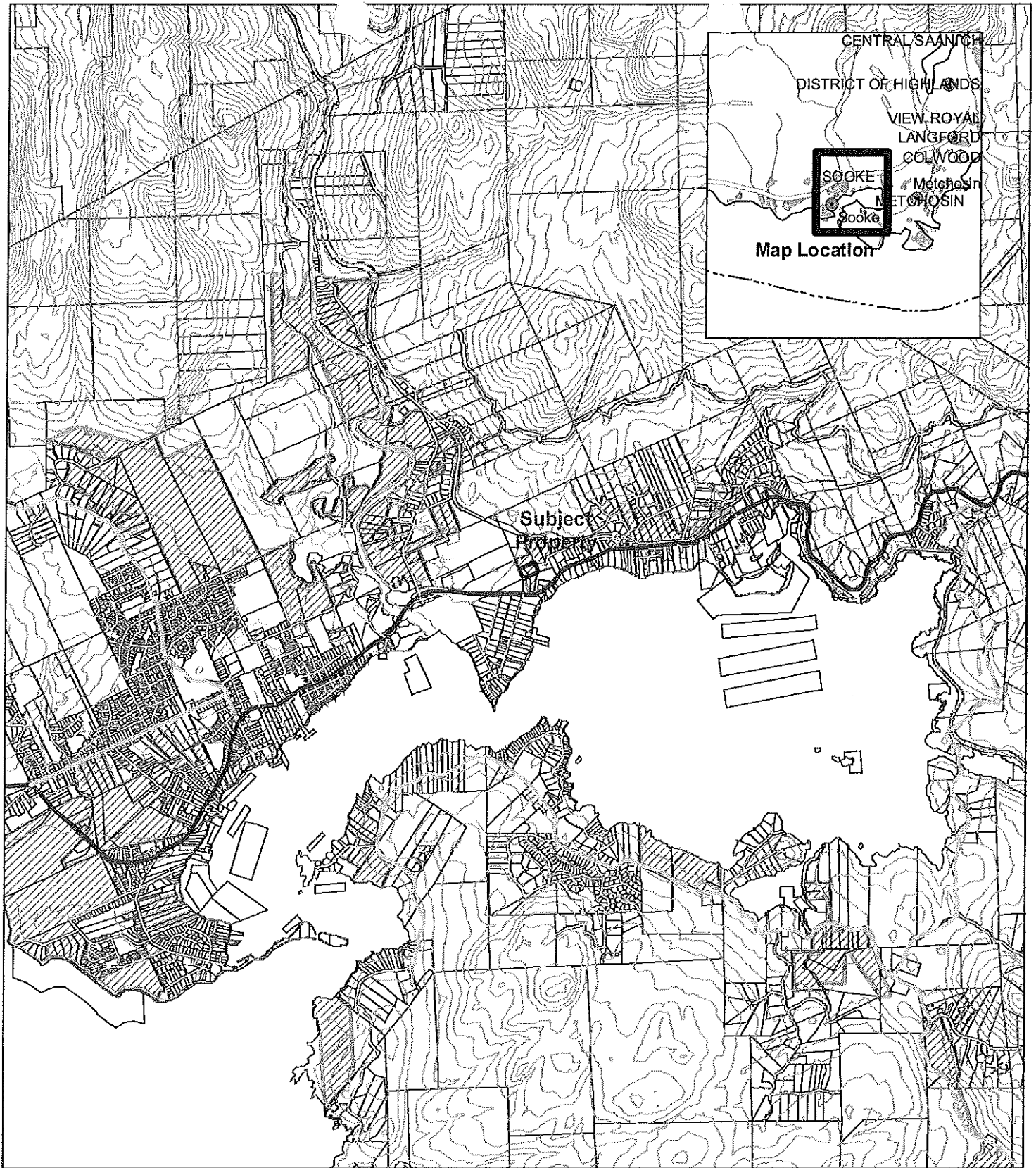
END OF REPORT



Signature



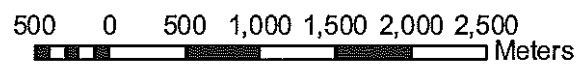
Date



ALC File #: 21-2008-38301
 Mapsheet #: 92B.032
 Map Produced: August 12, 2008
 Regional District: Capital

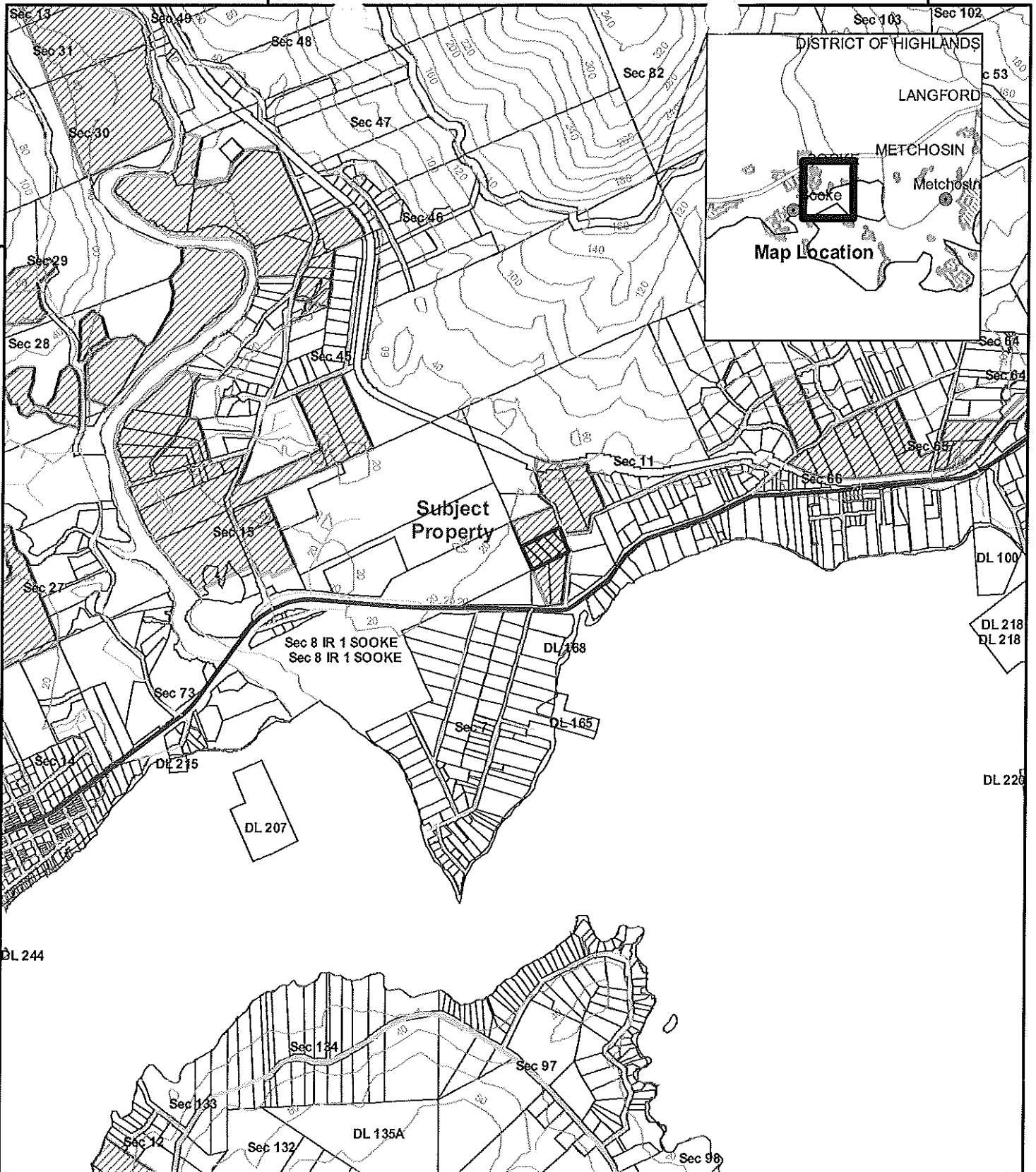
ALC Context Map

Map Scale: 1:50,000



123°42'0"W

123°40'0"W



123°42'0"W

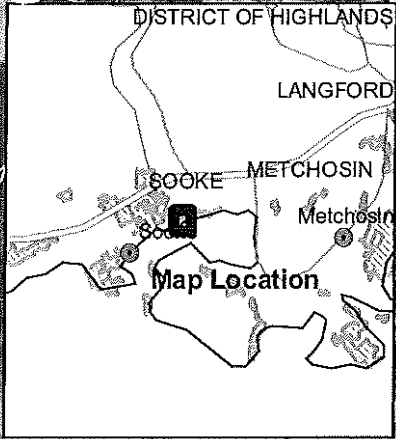
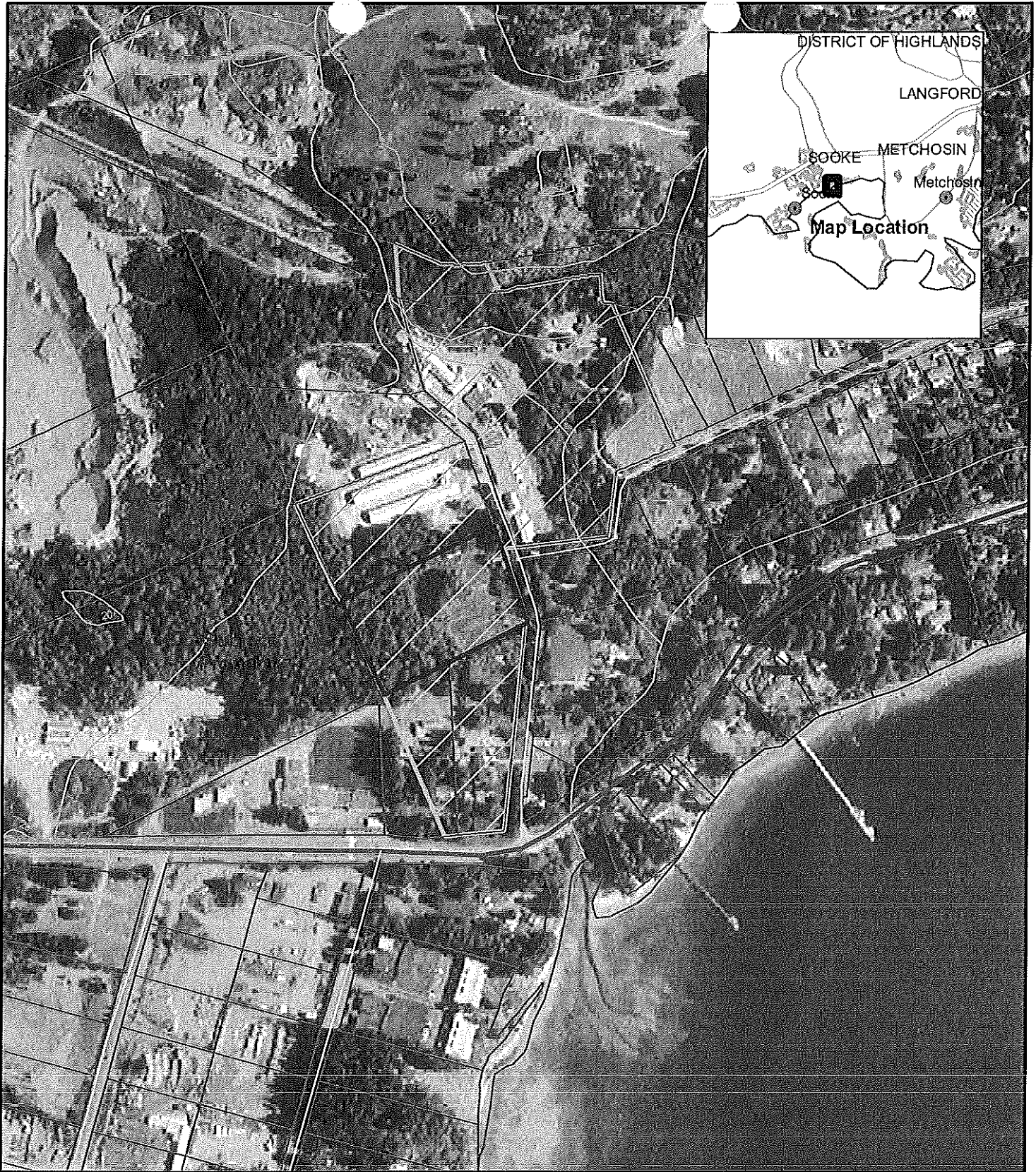
123°40'0"W

ALC File #: 21-2008-38301
 Mapsheet #: 92B.032
 Map Produced: August 12, 2008
 Regional District: Capital

ALC Context Map

Map Scale: 1:20,000

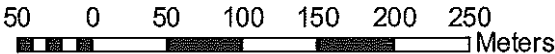




ALC File #:	21-2008-38301
Mapsheet #:	92B.032
Map Produced:	August 12, 2008
Regional District:	Capital

**Provincial Orthophoto
(1995-2003)**

Map Scale: 1:5,000



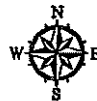


SUBJECT PROPERTY MAP

File: ALRSUB2008-0161



 Subject Property



Parkland Poultry Barns

Blythwood Road

PLAN 2434

SEC 11 LOT 3

ZONE RU3

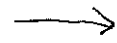
42.4918 =

10% perimeter-meters

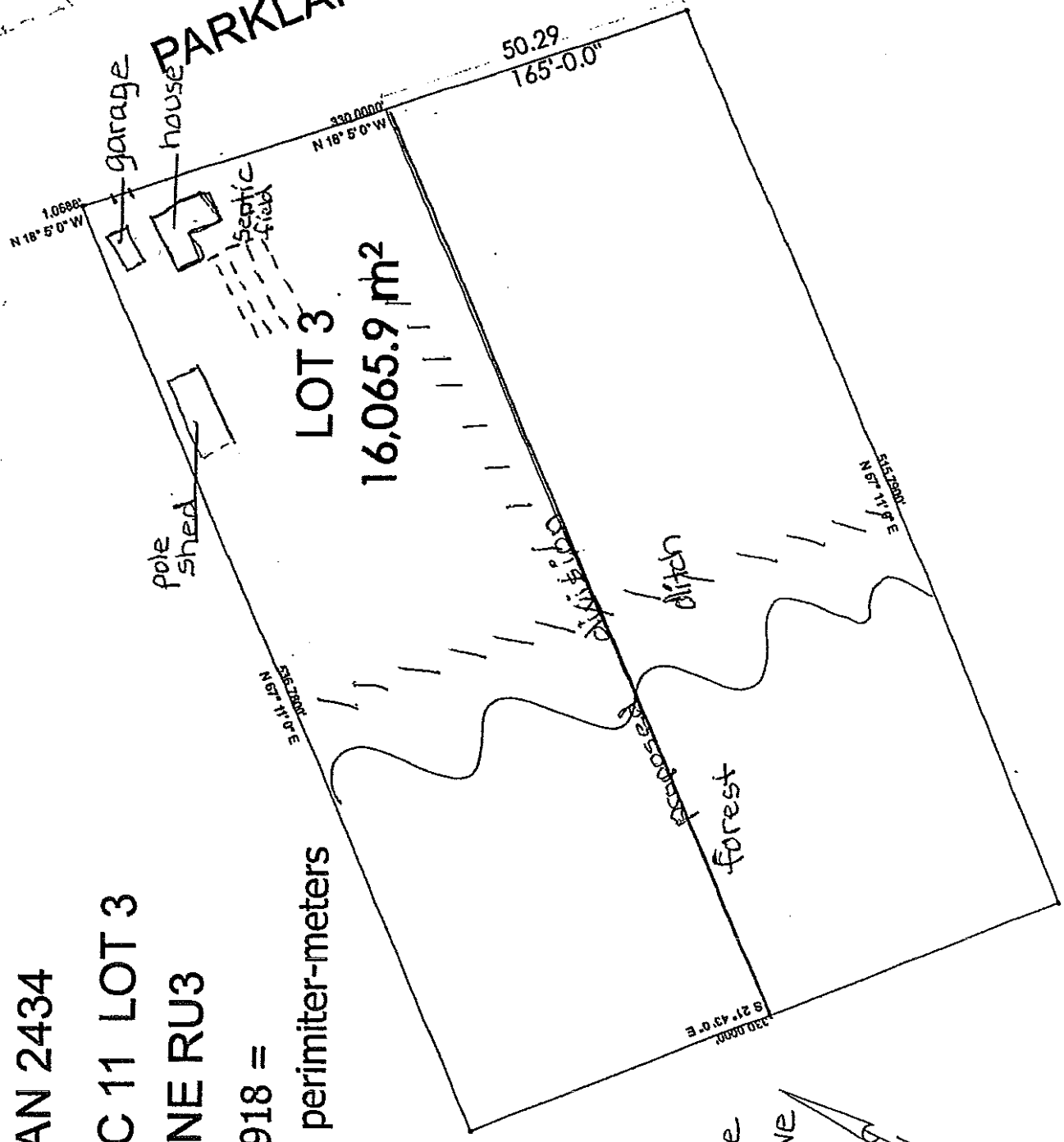
Singl

Famil

Residence



PARKLAND ROAD



Plan: 2434
 Lot: 3
 Sec: 11
 Dist: Sooke
 Address: Parkland Road
 Owner: Dowhy



WestCoast Design &
 Development Services
 250-642-8803
 SOOKE BC

This property lies in the Sooke Dist.
 The plot plan has been produced from various
 data sources. WestCoast Design &
 Development Services cannot assume any
 responsibility for damage as a result of errors
 or omissions.
 Verify all measurements and calculations with
 a registered British Columbia Land Survey

All measurements in metric
 Scale 1:1000 Mar 6, 2008 Page 1

Three Single Family Residences

school

I propose to divide my property in half, believing this change is reasonable given the changes in the area over the 34 years my family has lived here. The number of properties/homes on Parkland Road opposite (E) and adjacent (S) has increased from 5 to 9, all now smaller than the property I propose to divide. A third side (W) adjoins forested Indian Reserve land, while the fourth side (N) has transformed from forest to an enclosed egg factory. The pocket of ALR land that this property is part of is very small.

Sooke is not known as an agricultural area. In the municipality, to my knowledge, there is one other poultry farm and a small nursery for perennials. The local feed and farm equipment store has recently gone out of business. From personal experience, I know that a market garden faces high seasonal rainfall, chilly growing season nights, and deer (much worse than in Saanich) as well as labour and distribution challenges.

This property has long been a home and hobby farm. While I do not know the official classification of the soil, I must point out that we have an impermeable blue clay subsoil and already have over 500 feet of drainage lines and ditches to redirect surface water. We have tried pasturing animals and found that the land becomes a sea of mud very quickly, and that the parcel is not large enough to rotate even a few animals between areas. Over a third of the property, near the Reserve, is covered with 2nd growth forest that is surely over 100 years old. Where the forest meets the open land there is, as one would expect, a swampy area. This exacerbates the drainage issues.

An elementary school, which adjoins our SW corner, may raise concerns about possible farm uses. We were advised, for example, that keeping bees would not be appropriate. To be a viable farm we must undertake something enclosed and labour intensive. We are investigating greenhouse options. My son is willing to stay here and maintain/improve the agricultural capability of the land if he can own part of it and build a home for his family. We anticipate that our municipal government will allow this subdivision based upon provisions in relevant legislation relating to 'family members' and considering the subdivision history of the street.

I think this proposal will create little or no conflict. No expectations will be raised as this property is one of the last, within a kilometer or more, to remain unchanged since the area was surveyed in 1921.

No new roads will need to be built. The new parcel will require a short driveway and a home, as well as any farm buildings which may be required. Access to CRD water will be required, and sewage will be dealt with using a septic tank and field.