



## Agricultural Land Commission Staff Report

**DATE:** December 8, 2009  
**TO:** Vice Chair and Commissioners - Island Panel  
**FROM:** Gordon Bednard

**RE:** Application # 50364  
**PROPOSAL:** Subdivision - subdivide into 2 parcels

### PROPOSAL INFORMATION

**Background:** The proposal is to subdivide the parent parcel into two lots of (120 and 28 acres - 48.5 and 11.3 ha) to facilitate the setup and financing of a berry farm for one of the owner's sons. The land is not presently used extensively for agriculture - consists of some cleared areas but mainly forested and scrub lands.  
**Received Date:**  
**Applicant:**  
**Agent:** August 6, 2009  
**Local Government:** Carole Walton  
Jim McManus  
Alberni-Clayoquot Regional District

### DESCRIPTION OF LAND

**PID:** 001-823-671  
**Legal Description:** Lot 82, Alberni District, Except the Right of Way of the Esquimalt and Nanaimo Railway Company containing 5.73 Acres, More or Less and Shown on Plan 66 RW and Except Part in Plan 24430  
**Civic Address:** 6999 Swanson Road  
**Area:** 60 ha  
**ALR Area:** 60 ha  
**Purchase Date:** August 11, 1955  
**Owner:** Carole Walton

**Total Land Area:** 60 ha  
**Total ALR Area:** 60 ha  
**Current Land Use:** 1 Single-family dwelling & 2 mobile homes, riding ring, accessory buildings and part cleared pasture & 2nd growth timber

### PROPOSAL DETAILS

**Subdivision**

<b>Area</b>	<b>Agricultural Capability</b>	<b>Agricultural Capability Source</b>
60.0	Mixed Prime and Secondary	BCLI

<b>Number of Lots</b>	<b>Lot Size (ha)</b>
1	11.0
1	48.5

**Surrounding Land Uses:**

North	5-10 acre parcels (rural residential, hobby farming lots)
East	2-6 acre rural residential and hobby farming lots
South	Large forested lot and Somas River
West	Un-subdivided District Lot, cleared farmland

**Official Community Plan**

**Bylaw Name:** Beaver creek OCP  
**Designation:** Agriculture  
**OCP Compliance:** Yes

**Zoning**

**Zoning Bylaw Name:** RD Bylaw 15  
**Zoning Designation:** A2  
**Minimum Lot Size:** 2.0 ha  
**Zoning Compliance:** Yes

**RELEVANT APPLICATIONS**

**Application #:** 42356

**Applicant:** Allan and Debora Frank

**Proposal:** The proposal is to reconfigure the existing two properties, including an old railway right-of-way, into two new lots as divided by Pledsted Creek that traverses the property in an east-west direction.

**Decisions:**

**Resolution Number**

**Decision Date**

**Decision Description**

621

November 16, 2005

Allow proposed subdivision as the reconfiguration of the two existing properties results in better utilization of the site for agriculture.

**Note:** Adjacent properties to the south - Commission approved reconfiguration of existing 2 lots.

**Committee Recommendations**

<b>Type</b>	<b>Recommendation</b>	<b>Description</b>
Planning Staff	Approve	Support subject to obtaining proof of irrigation easements and water licences for both properties.
Board/Council	Approve	Concerns over water availability for the proposed lot.
Agricultural Advisory Committee	No Comment	Forward the application to the ALC.

**STAFF COMMENTS**

No other large lots in this area have been approved for subdivision. The owner has (with her husband) owned the property since before the ALR, however, the present proposal is not for a homesite for the owner, rather a subdivision for the son in order to facilitate the startup of a berry farm. Staff has concerns with the creation of separate parcels based on crop options. The owner could lease a portion of the property to the son which would allow for some capitalization, while keeping the farm intact.

**ATTACHMENTS**

- 50364 airphoto.pdf
- 50364 context map.pdf

**END OF REPORT**

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**Signature**

\_\_\_\_\_  
**Date**