



Agricultural Land Commission Staff Report

DATE: December 2, 2009
TO: Vice Chair and Commissioners - Island Panel
FROM: Gordon Bednard

RE: Application # 50663
PROPOSAL: Exclusion or subdivision into 5 lots

PROPOSAL INFORMATION

Background: Due to poor soil classification and lack of irrigation/water source, the soils are of no agricultural value, therefore the proposal to exclude has been applied for.
Received Date: September 9, 2009
Applicant: Howard Morris Fowler
Agent: N/A
Local Government: Regional District of Nanaimo

DESCRIPTION OF LAND

PID: 006-416-250
Legal Description: That part of Lot 1, District Lot 141, Nanoose and Newcastle District, Plan 2273, lying to the north of a boundary parallel to and perpendicularly distant 977 feet from the northerly boundary of said Lot 1
Civic Address: Coombs
Area: 12.3 ha
ALR Area: 12.3 ha
Purchase Date: December 23, 1997
Owner: Howard Morris Fowler

Total Land Area: 12.3 ha
Total ALR Area: 12.3 ha
Current Land Use: No buildings, two small sheds, 4 acres of steep hillside into French Creek, used to separate mares and geldings from stallions to control breeding. No pasture.

PROPOSAL DETAILS

Exclusion

Area	Agricultural Capability	Agricultural Capability Source
12.3	Prime Dominant	BCLI

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
12.3	Prime Dominant	BCLI

Number of Lots	Lot Size (ha)
5	2.5

Surrounding Land Uses:

North	20.2 acres with several rental units, and a couple of horses
East	2 ha parcels out of the ALR - Horse barn & Stowe Road - House
South	4 ha in ALR. Nor farming or agricultural use. One house (E & N)railroad, Alberni Highway & Coombs
West	French Creek and an acreage out of the ALR owned by Island Timberlands

Official Community Plan

Bylaw Name: Area F OCP
Designation: Resource lands in ALR
OCP Compliance: Yes

Zoning

Zoning Bylaw Name: Bylaws 1285
Zoning Designation: Agriculture 1
Minimum Lot Size: 4.0 ha
Zoning Compliance: Yes

PREVIOUS APPLICATIONS

Application #: 18094
Applicant: Howard Morris Fowler
Proposal: To exclude 12.3 ha of land from the ALR for the purpose of subdividing the property into 2 ha lots for rural residential development.

Decisions:

Resolution Number	Decision Date	Decision Description
103	February 25, 2003	Refuse application - Commisison is convinced that land could be effectively managed for agriculture.

Note: Commission refused exclusion of subject property.

RELEVANT APPLICATIONS

Application #: 37475

Applicant: H.M. Fowler

Proposal:

Decisions:
**Resolution
Number**

Decision Date
September 22, 1987

Decision Description
Refuse exclusion of 61.0 ha

Note: Property adjacent to east - exclusion refused by Commission, exclusion allowed by ELUC.

Committee Recommendations

Type	Recommendation	Description
Board/Council	No Comment	RDN Board does not comment on ALR applications

STAFF COMMENTS

Attached to the summary report are reports from 3 agrologists (Fitzpatrick, Hinkley and Murrie) regarding the agricultural capability of the property, as well as a drainage and irrigation study by Thompson PEng. Also attached is the summary information from the previous application and the Commission's decision letter for that file (#34255 -ID# 18094).

Please note that the applicant has stated that if the Commission does not approve the exclusion, he would like the Commission to consider subdivision of the property into 5 lots.

ATTACHMENTS

50663 air photo.pdf
50663 context map.pdf

END OF REPORT

Signature

Date