



Agricultural Land Commission Staff Report

DATE: March 25, 2010
TO: Vice Chair and Commissioners - Island Panel
FROM: Gordon Bednard

RE: Application # 51004
PROPOSAL: Subdivision

PROPOSAL INFORMATION

Background: Subdivide 0.81 ha from owner's 3.37 ha property and create a new parcel, leaving a remainder lot of 2.56 ha.
Received Date: November 17, 2009
Applicant: Mike & Shannon Harris
Agent: N/A
Local Government: Islands Trust Gabriola Island

DESCRIPTION OF LAND

PID: 002-404-630
Legal Description: The South West 1/4 of the South East 1/4 of Section 18, Gabriola Island, Nanaimo District, Except Parts in Plans 19996, 21031, 22425, 25598, 43006
Civic Address: North Road, Gabriola Island
Area: 3.4 ha
ALR Area: 3.4 ha
Purchase Date: October 19, 1993
Owner: Mike & Shannon Harris

Total Land Area: 3.4 ha
Total ALR Area: 3.4 ha
Current Land Use: Dwelling unit, pump house, horse shelter, chicken coop, wood shed, fenced riding ring

PROPOSAL DETAILS

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
3.4	Prime Dominant	CLI

Number of Lots	Lot Size (ha)
1	0.4

1

3.0

Surrounding Land Uses:

North 0.8 - 2.0 ha parcels. House and forest - access from Haney Suckle Lane, Not in ALR
 East 0.4 - 3.6 ha parcels. No dwellings, mostly forest. Access from Colleen Close, ALR land.
 South 2.0 - 0.1 ha lots - 3 residences and trees. Access from North Road, Non-ALR
 West one lot of similar size in ALR

Official Community Plan

Bylaw Name: Bylaw 166
Designation: Agricultural
OCP Compliance: No

Zoning

Zoning Bylaw Name: Bylaw 177
Zoning Designation: Agriculture
Minimum Lot Size: 8.0 ha
Zoning Compliance: Yes

PREVIOUS APPLICATIONS

Application #: 28337
Applicant: Doanld J. McCollum
Proposal:

Decisions:

Resolution Number	Decision Date	Decision Description
----------------------	---------------	----------------------

Note: Subdivision of parent parcel - allowed and created present property under application.

Application #: 28336
Applicant: K&D&G McCollum
Proposal:

Decisions:

Resolution Number	Decision Date	Decision Description
----------------------	---------------	----------------------

Note: Subdivision of parent parcel to the present application property - refused - opposed to fragmentation of lands in ALR

Committee Recommendations

Type	Recommendation	Description
Board/Council	Approve	Supports subdivision subject to a covenant which

would restrict the number of dwellings on each property to one.

STAFF COMMENTS

Note previous applications - one refused and one allowed which created the present subject parcel. Property purchased by present owners in 1993; 20 years after inception of ALR. Title endorsed, so applicants are deemed to have know of the restrictions implied by the Act and Regs.

ATTACHMENTS

END OF REPORT

Signature _____

Date _____