



Agricultural Land Commission Staff Report

DATE: February 16, 2010
TO: Vice Chair and Commissioners - Island Panel
FROM: Gordon Bednard

RE: Application # 51071

PROPOSAL: Subdivision of two legal lots and 4 strata lots into 24 strata lots and a 25 ha remainder.

PROPOSAL INFORMATION

Background: To create a 48 ha estate vineyard, five separate parcels will be consolidated and 24 Strata lots will be created, the remaining 25 ha under covenant as a vineyard.

Received Date: November 27, 2009

Applicant: Irene Wenngatz

Agent: N/A

Local Government: Regional District of Nanaimo

DESCRIPTION OF LAND

Legal Description: Common Property - Remnant Strata Lot

Civic Address:

Area: 38.3 ha
ALR Area: 38.3 ha
Purchase Date: October 1, 2006
Owner: Irene Wenngatz

PID: 025-115-936

Legal Description: Lot 1 Section 15 Range 5 Cedar District Plan VIP72710

Civic Address: Lofthouse Road

Area: 8.7 ha
ALR Area: 8.7 ha
Purchase Date: October 1, 2006
Owner: Irene Wenngatz

PID: 000-460-842

Legal Description: Strata Lot 1, Section 15, Range 4, Cedar District, Strata Plan 1362 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata lot as Shown on Form 1

Civic Address: Lofthouse Road

Area: .5 ha

ALR Area: .5 ha

Purchase Date: October 1, 2006

Owner:

PID: 000-460-851

Legal Description: Strata Lot 2, Section 15, Range 4, Cedar District, Strata Plan 1362 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1

Civic Address: Lofthouse Road

Area: .5 ha

ALR Area: .5 ha

Purchase Date: October 1, 2006

Owner: Irene Wenngatz

PID: 000-460-869

Legal Description: Strata Lot 3, Section 15, Range 4, Cedar District, Strata Plan 1362 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strat Lot as Shown on Form 1

Civic Address: Lofthouse Road

Area: .5 ha

ALR Area: .5 ha

Purchase Date: October 1, 2006

Owner:

PID: 000-460-877

Legal Description: Strata Lot 4, Section 15, Range 4, Cedar District, Strata Plan 1362 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1

Civic Address: Lofthouse Road

Area: .5 ha

ALR Area: .5 ha

Purchase Date: October 1, 2006

Owner: Irene Wenngatz

Total Land Area: 49 ha

Total ALR Area: 49 ha

Current Land Use: Four single family dwellings on Strata Lots 1,2,3,4 with remnant logged. Separate Lot 1 is pasture.

PROPOSAL DETAILS

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
49.0	Mixed Prime and Secondary	BCLI

Number of Lots	Lot Size (ha)
24	1.0
1	28.0

Surrounding Land Uses:

North	Forested large lots in ALR
East	Stuart Channel
South	Forested and cleared lots in the ALR
West	Large rural residential & hay field in the ALR

Official Community Plan

Bylaw Name: Area A OCP
Designation: Rural Resource
OCP Compliance: Yes

Zoning

Zoning Bylaw Name: Bylaw 500
Zoning Designation: Rural 4
Minimum Lot Size: 2.0 ha
Zoning Compliance: No

PREVIOUS APPLICATIONS

Application #: 28576
Applicant: Round Island Farms Ltd.
Proposal:

Decisions:

Resolution Number	Decision Date	Decision Description
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Note: Proposal to construct additional dwelling and remove "No-Build covenant" Allowed subject to removal of another dwelling and consolidation of lot.

Application #: 28574
Applicant: Round Island Farms Ltd.
Proposal:

Decisions:

Resolution Number	Decision Date	Decision Description
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Note: Proposal to increase the size of the strata lots from .8 to 1.3 acres. Allowed

Application #: 16348
Applicant: Ikona, Atkinson, Row

Proposal: subdivide to create a 5 and two 2.5 acre lots

Decisions:

Resolution Number	Decision Date	Decision Description
4205	July 7, 1976	refused

Note: Application to create two additional lots
Refused

Committee Recommendations

Type	Recommendation	Description
Board/Council	No Comment	Nanaimo Regional District board does not comment on ALC applications

STAFF COMMENTS

Land is likely very suitable for vineyards as proposed, however, this does not suggest that creation of 24 lots would benefit the development of agriculture on the remaining area.
It should be noted that the neighbouring landowners are very concerned with the past history of the property and the proposed development. Letters on file.
It should also be noted that the present owner purchased the property in 2006 and has recently logged the timbered portion of the land.

ATTACHMENTS

END OF REPORT

Signature

Date