



## Agricultural Land Commission Staff Report

**DATE:** June 24, 2010  
**TO:** Vice Chair and Commissioners - Island Panel  
**FROM:** Gordon Bednard

**RE:** Application # 51596  
**PROPOSAL:** Non-Farm Use - re-designate temporary cottage to permanent

### PROPOSAL INFORMATION

**Background:** Subject property is 4.7 ha - in Nov 25, 2005 the ALC granted approval of the 'temporary' cottage as an additional dwelling for a family member. ALC # 36277  
**Received Date:** February 17, 2010  
**Applicant:** Jean-Marc and Darlene Godin  
**Agent:** N/A  
**Local Government:** Comox Valley Regional District

### DESCRIPTION OF LAND

**PID:** 002-641-321  
**Legal Description:** Lot 9, District Lot 111, Comox District, Plan 25690  
**Civic Address:** 3571 Piercy Road, Courtenay  
**Area:** 4.7 ha  
**ALR Area:** 4.7 ha  
**Purchase Date:** July 17, 1998  
**Owner:** Jean-Marc and Darlene Godin

**Total Land Area:** 4.7 ha  
**Total ALR Area:** 4.7 ha  
**Current Land Use:** Residential property and includes a 1600 sq ft home, a 1080 sq ft shop and a 672 sq ft cottage

### PROPOSAL DETAILS

#### Non Farm Use

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

#### Surrounding Land Uses:

North Percy Road and 60 ha vacant lot  
 East Forest and residential dwelling  
 South Working farmland  
 West Menzies Road - several non-ALR residential properties

**Official Community Plan**

**Bylaw Name:** Rural Comox OCP

**Designation:** Agriculture

**OCP Compliance:** Yes

**Zoning**

**Zoning Bylaw Name:** Bylaw 2781

**Zoning Designation:** RU-ALR

**Minimum Lot Size:** 8.0 ha

**Zoning Compliance:** Yes

**PREVIOUS APPLICATIONS**

**Application #:** 42405

**Applicant:** Jean-Marc and Darlene Godin

**Proposal:** The application is to construct an additional dwelling for a relative.

**Decisions:**

**Resolution**

<b>Number</b>	<b>Decision Date</b>	<b>Decision Description</b>
616	November 15, 2005	The Commission approved the proposed temporary dwelling of no more than 800 sq. ft. for a family member. Once the family member is no longer resident in the secondary dwelling it is to be removed from the property.

**Committee Recommendations**

<b>Type</b>	<b>Recommendation</b>	<b>Description</b>
Board/Council	Approve	Forwarded with recommendation for approval

**STAFF COMMENTS**

Previous application # 17314 - Commission refused subdivision into two lots based on good agricultural capability.

Previous application # 36277 - Commisison allowed construction of a second dwelling conditional on the removal of the small existing dwelling when the owners (Godin) parent no longer lived there. Owners signed a covenant to that effect.

Ag cap is class 2 and 3 and land is of sufficient size to be suitable for farming.

**ATTACHMENTS**

- 51596\_AgCapabilityMap.pdf
- 51596\_AirphotoMap10k.pdf
- 51596\_ContextMap20k.pdf

**END OF REPORT**

**Signature**

---

**Date**

---