



Agricultural Land Commission Staff Report

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

RE: Application # 51740
PROPOSAL: Subdivision - Homesite Severance

PROPOSAL INFORMATION

Background: Subdivision of property into 2 lots under the homesite severance policy.
Received Date: May 14, 2010
Applicant: Steve Horel, Katherine Burns, Tony & Martha Sullivan
Agent: N/A
Local Government: Comox Valley Regional District

DESCRIPTION OF LAND

PID: 006-846-807
Legal Description: Lot 4, Block 2, Section 5, Township 6, Comox District, Plan 1818
Civic Address: 3615 Winn Road
Area: 3.2 ha
ALR Area: 3.2 ha
Purchase Date: December 21, 1972
Owners: Katherine Burns
Steve Horel
Tony & Martha Sullivan

Total Land Area: 3.2 ha
Total ALR Area: 3.2 ha
Current Land Use: Primary residences of joint owners and market garden / greenhouses / pasture

PROPOSAL DETAILS

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
3.2	Prime Dominant	BCLI

Number of Lots	Lot Size (ha)
2	1.6

Surrounding Land Uses:

North Pasture
East Pasture
South Treed homesite
West Treed homesite

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 #: 4372

Applicant: Comox Strathcona - Fine Tuning

Proposal: To include and exclude lands from the ALR. Fine Tuning Project in the Oyster River area.

Decisions:

Resolution

Number

Decision Date

Decision Description

13478

April 5, 1979

Recommend inclusion of District Lot 31 into the ALR (2,774.5 ha) on the grounds that the middle and southerly portions have reasonable agricultural capability.

Cabinet approved inclusion by OIC (2,774.5 ha). This resolution number is used to enter statistical information relating to the area approved for inclusion and subsequent decision by Cabinet.

Note: Fine Tuning application for inclusion of this property and surrounding lands into ALR (1977)

Committee Recommendations

Type

Recommendation

Description

Planning Staff

Approve

Supports proposal as it will not alter the use of the property for market gardening

Board/Council

Approve

Supports proposed HSS application

Agricultural Advisory Committee

Approve

Supports proposal from long time farmer and market gardener/ vendor at farmer's market

Ministry of Agriculture and Lands

Partial

While not as straightforward as a typical HSS, this proposal would help in farm succession (daughter to keep farming).

STAFF COMMENTS

The two families who own this land purchased it prior to the advent of the ALR in this area.

This being said, this proposal does not meet the criteria for consideration under the Homesite Severance policy, and is a subdivision based on multiple ownership - two owners who went into the purchase together and would now like separate title.

Staff notes that both owners also individually own adjacent lands, and consideration might be given to subdivision with consolidation.

ATTACHMENTS

END OF REPORT

Signature

Date