



Provincial Agricultural Land Commission - Staff Report

Application: 52391

Applicant: Pierre Berdahl
Local Government: Sunshine Coast

Proposal: Non-farm Use - Second Dwelling on a 3.9 ha parcel.

BACKGROUND INFORMATION

The 2500 sq. ft. second dwelling is proposed to be located in the NE corner of the property with access from Byng Rd and hydro already present. The 912 sq ft cabin (located in the SW corner) would become a full time residence for a family member.

The subject property is located within an area of the ALR supported for exclusion by the ALC (Res # 97/1994). This area was retained in the ALR as requested by the Regional District to be dealt with on an application by application basis.

PROPERTY INFORMATION

PID: 003-877-469
Legal Description: Lot 13 District Lot 1622 Plan 2929
Property Area: 3.9 ha
ALR Area: 3.9 ha
Purchase Date: April 17, 1997
Location: 2338 Sunshine Coast Highway, Roberts Creek
Owner: Pierre Berdahl

Total ALR Area:

LAND USE

Current Land Use:

The parcel under application is currently a small tree farm. There is a small shop and a 912 ft pre-fab cabin. Two old sheds are scheduled for removal.

Surrounding Land Uses:

North: ALR: Treed Residential lot north of Lemon Rd.
East: ALR: Byng Rd, vacant fenced land
Non ALR: rural residential lots
South: ALR: Sunshine Coast hwy, small treed residential lots.
West: ALR: Treed residential lots.

PROPOSAL DETAILS

Non- Farm Use Area: 0.1 ha
Non- Farm Use Type: Residential: Additional Dwelling(s)

Agricultural Capability:

The majority of the area under application is rated as: Secondary

Source: On-Site

RELEVANT APPLICATIONS

Application ID: 44937

Legacy #: 38080

Applicant: Anthony Thomas Sweet

Proposal: To subdivide the 3.55 ha subject property into two (2) parcels using Robinson Creek Forest Service Road, (Plan LMP2361 Lemon Road) as the dividing line.

Decision:

Resolution #	Decision Date	Decision Description
393/2008	June 17, 2008	The Chair and GM of the Commission, Erik Karlsen, allowed the application for subdivision due to the property's low capability for agriculture.

Application ID: 2719

Legacy #: 29399

Applicant: John White

Note: '94 - allowed permanent second dwelling as it aligns with the OCP.

Application ID: 1333

Legacy #: 27510

Applicant: John Brown

Note: '92 - allowed permanent second dwelling as it aligns with OCP designation for this area.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Agriculture

Designation: A

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: 310

Zoning Designation: RU3 Rural Residential 3

Minimum Lot Size: 1.8 ha

Zoning Compliance: Yes

Comments and Recommendations:

Advisory Planning Committee

The APC supports the AAC's decision and should it decide to approve a larger footprint, it would also be supported.

Agricultural Advisory Committee

The ACC recommend that the ALR application be approved to proceed subject to a covenant being placed upon the title limiting the cabin on the property to its existing size.

Board/Council

Council voted to allow application for a permanent second single family dwelling subject to the registration of a Section 219 Restrictive Covenant on Title limiting the floor area of the first dwelling to 900 sq ft and the footprint of the second dwelling to 3000 sq ft.

Planning Staff

Staff recommend that council support the application for a second dwelling but requests a Section 219 Restrictive Covenant be registered on Title to limit the floor area of the existing dwelling to 900 sq ft and the footprint of the 2nd dwelling to 3000 sq ft.

ALC STAFF COMMENTS

Staff would like the Commission to note the following:

1) The subject property is located in an area suggested for block exclusion by the ALC (Res # 97/1994). Local Government requested this area be kept within the ALR and as such the ALC passed Resolution #236/2005. This establishes the criteria under which the CEO may approve any or all applications of any type within the area covered by the Sunshine Coast Regional District "Roberts Creek Official Community Plan Bylaw No.375", as follows:

a) Decisions should reflect the fact that although the Commission sees no need for ALR designation, the area is rural residential and may support isolated hobby-farms for the foreseeable future;

b) The CEO must consider the policies of Bylaw #375 or its successor before reaching a decision (see attached Bylaw #375); and

c) The CEO must consider the effect of any proposed exclusion, subdivision or non-farm use on adjacent lands in farm use or having prime-dominant agricultural capability "improved" ratings per the 1993 Schori Consultants report filed in #Z-22858.

2) Council, Regional District Planning staff, ACC and the APC all support the application pending a restrictive covenant on the size of both dwellings.

3) Due to the limiting nature of the area for agriculture, and the Commission position regarding future land use in the area, staff believes that a covenant restricting size and location of a second dwelling is not necessary from the ALC perspective; but, that it may be appropriate for the Regional District to require a covenant.

ATTACHMENTS

52391_ContextMap20k.pdf

52391_Airphoto_Google.pdf

52391 Current orthophoto map.pdf

52391 Proposal sketch.pdf

52391 onsite soil cap map.pdf

END OF REPORT

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