



Staff Report
Application # J – 37640
Applicant: Grande Development Ltd.
Agent: Henk Schoten

DATE RECEIVED: August 27, 2007

DATE PREPARED: September 26, 2007

TO: Chair and Commissioners – Island Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: To enlarge the existing residential apartment situated on the second floor of an existing commercial building by constructing a three storey residential addition adjoining the west wall of the existing structure.

This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Local Government:

The Corporation of the District of North Cowichan

Legal Description of Property:

PID: 005-287-693

Lot 1, Section 18 and 19, Range 6, Quamichan District, Plan 9384, EXCEPT Part in Plan 39079, VIP52075

Purchase Date:

1996

Location of Property:

2591 Beverly Street, Duncan

Size of Property:

5.5 ha (The entire property is in the ALR).

Present use of the Property:

Owner's residence (2nd floor), golf academy, 10 hole mini golf, driving range (golf) par 9 golf circuit, go kart track, coffee shop

Surrounding Land Uses:

WEST: Seasonal hay field
SOUTH: Beverly Street, commercial buildings
EAST: School District Maintenance Yard
NORTH: Somenuous marsh/lake

Agricultural Capability:

Data Source: Agricultural Capability Map # 92B.072(digital)
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

OCP: N/A
Designation: Urban Green Corridor

Zoning Bylaw and Designation:

Zoning: N/A
Designation: Commercial Recreational Zone C4
Minimum Lot Size: 0.056 ha

PREVIOUS APPLICATIONS:

Application #01893-0

Applicant: Tiemer, O & E
Decision Date: June 8, 1976
Proposal: To exclude the property for residential development
Decision: Refused on the grounds that the land is located in a floodplain and has excellent capability for agriculture.

Application #22891-0

Applicant: Tiemer, Ella
Decision Date: April 03, 1989
Proposal: To develop a 9 hole golf course and driving range on the 5.5 ha subject property.
Decision: The Commission required that the perimeter of the property be fenced and that a \$6,750.00 letter of credit be submitted to ensure compliance with the fencing condition. conditions

Application #22891-1

Applicant: Tiemer, Ella
Decision Date: June 24, 1996
Proposal: The applicant is requesting that the irrevocable letter of credit be released and the fencing condition be relaxed because there are substantial ditches and existing fences separating the golf course from the surrounding ALR land.
Decision: The Commission had no objection to the release of the Letter of Credit provided the District Agrologist confirmed the existing fencing and ditching were adequate to prevent trespass.

Application #25363-0

Applicant: Fun Pacific Holdings

Decision Date: March 07, 1991

Proposal: To operate a go cart track on a 0.15 ha portion of the 5.5 ha property. The track would be paved and adjacent to the road and parking area for the golf driving range.

Decision: To allow the proposal for a two year period, which must be reviewed on expiration.

Application #25363-1

Applicant: Fun Pacific Holdings

Decision Date: March 25, 1997

Proposal: The applicant has been operating a motorized go cart track on a 0.2 ha portion of a 5.5 ha property within the ALR since 1992.

Decision: The Commission allowed a continuation of the motorized go cart track use on a 0.2 ha portion of the property with no time limit

Application #25962-0

Applicant: Tiemer, Otto

Decision Date: May 17, 1990

Proposal: To operate a tethered hot-air balloon ride from the parking lot of the driving range between May and September.

Decision: Allowed for a one year term only.

Application #31414-0

Applicant: Grande Development Ltd.

Decision Date: February 24, 1998

Proposal: To place 140 m³ of gravel & crushed rock under go kart track

Decision: The Commission approved the request to place approximately 140 m³ of gravel in support of the go-cart track proposal the Commission had approved by Resolution #151/97.

Application #37084-0

Applicant: Grande Developments Ltd.

Decision Date: January 11, 2007

Proposal: To permit a seasonal campground on 1.5 ha of the subject property. The applicant wishes to have 34 trailer and RV campground spaces with additional areas for tents to operate from April to October. A laundry and washroom are also proposed. The subject property presently accommodates the Fun Pacific Recreation Centre.

Decision: Refused as the development would diminish agricultural potential of the property

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Municipality of North Cowichan Council: The council forwarded the application with a recommendation of support

Technical Planning Committee: the TPC supports the application

Agricultural Advisory Committee: The AAC has no objection to the proposed residential addition.

ATTACHMENTS:

- Local Government Planning Report: Dated August 9, 2007 - Municipality of North Cowichan
- ALC Context Map - 92B.072 - 1:20,000 (created by ALC Staff)
- Airphoto - 1:10,000 (created by ALC Staff)

END OF REPORT

Simon Rivers
Signature

Sept 26, 2007
Date