



Staff Report
Application # J – 37641
Applicant: Ming and Grace Hui

DATE RECEIVED: August 27, 2007

DATE PREPARED: September 28, 2007

TO: Chair and Commissioners – Island Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: Non-farm use to construct a 200 room hotel and conference centre on a 5.0 ha portion of the 66 ha property.

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

BACKGROUND INFORMATION:

The Commission approved an 18-hole golf course in 1994 with the condition of a covenant that prohibited any other use than the approved golf course. The current proposal is to develop the hotel and conference center on the 5.0 ha portion of the property which is currently developed as the Clubhouse and parking area.

Local Government:

The Corporation of the District of North Cowichan

Legal Description of Property:

PID: 017-442-087

Lot 2, Section 4, 5, and 6, Range 3, Somenos District, Plan VIP52892

Purchase Date:

1996

Location of Property:

6507 North Road, Duncan

Size of Property:

66.0 ha (The entire property is in the ALR). A 5.0 ha portion of the property is under proposal.

Present use of the Property:

Golf Course

Agricultural Capability:

Data Source: Agricultural Capability Map # 92B.082(digital)
The majority of the property is identified as having Prime Dominant ratings improvable to Class 2 and Class 3.

Official Community Plan and Designation:

OCP: N/A
Designation: Rural

Zoning Bylaw and Designation:

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

PREVIOUS APPLICATIONS:

Application #25442-0

Applicant: Stocco, Joseph
Decision Date: June 05, 1991
Proposal: To develop a 18-hole full size golf course with driving range, maintenance centre and clubhouse complex on a 63.3 ha portion of the property.
Decision: The request be allowed subject to the placement of the clubhouse complex in the southwest corner of the subject property and several conditions, including the placement of a restrictive covenant, the posting of a bond, and the consolidation of the property into one parcel.

RELEVANT APPLICATIONS:

Application #33763-0 (adjacent to south)

Applicant: Sacpyr Investments Ltd.
Decision Date: August 01, 2001
Proposal: The exclusion of 6.9 ha from the ALR on the eastern portion of the property, and the subdivision of the remainder into 4.0 ha lots.
Decision: Refused on the grounds of agricultural capability.

Application #34913-0 (adjacent to north west)

Applicant: Knuth, Bo
Decision Date: July 16, 2003
Proposal: Mr. Bo Knuth is requesting subdivision of the subject property to create a lot for his son. His son has helped out on the farm and Mr. Kuth wants him to have his own home, so that he can help on the larger parcel and possibly take over the farm in the future.
Decision: Approved having regard to close proximity to winery operations and opportunity to sell produce. Parcel size increased to 5 ha to make parcel more viable for small lot agriculture.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Council of the Municipality of North Cowichan:

Forwarded the application with a recommendation of support.

Agricultural Advisory Committee:

Recommend support. Noted that the proposed project would be located above the existing parking area. It was suggested that there should be consideration of how the project would provide a net benefit for agriculture. Promotion of agriculture as part of packaging of the development seen as potentially beneficial. Recommended referral to the ALC to review the basis of the restrictive covenant and to assess the impact of the project, including the potential for a net benefit to agriculture.

Local Government Staff:

See comments attached. (North Cowichan Staff Report)

STAFF COMMENTS:

- The applicant has sought to minimize impact by siting the development on the existing parking lot. The remainder of the property will not be changed. Consideration has also been given to waste/water management and LEED building principals to minimize impacts.
- The local government has noted that the project will have significant economic and visual influence on the community, and have a regional impact for the local tourism industry. However, no supporting information was received at this time to warrant an argument for community need.
- There are a number of agricultural operations in the surrounding area which may be impacted by the proposal. Particularly consideration should be given to the potential increase of urban/rural conflict, increased traffic, etc. A site visit may help to determine the potential impact of the proposal on the surrounding lands.

ATTACHMENTS:

- ALC Context Map
- Agricultural Capability map
- Aerial Photograph
- Proposal from Applicant
- Site Plan (existing)
- Site Concept Plan
- North Cowichan Staff Report
- ALC previous decision letter #25442 (3pgs)

END OF REPORT



Signature

Sept. 28, 2007

Date