



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604-660-7000
Fax: 604-660-7033
www.alc.gov.bc.ca

January 18, 2007

Reply to the attention of Terra Kaethler
ALC File: # J- 37084

Grande Developments Ltd
122 Station Street
Duncan, BC V9L 1M7

Dear Sir/Madam:

Re: Application to Develop a Non-Farm Use in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution # 0005/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Robert Conway, Land Planning Services, F-951 Canada Avenue, Duncan, BC V9L 1V2
District of North Cowichan (#3025-20-06-04)

RC/lv/Encl.
37084d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on 11th January, 2007 in North Saanich, B.C.

PRESENT: Lorne Seitz Vice Chair
David Craven Commissioner
Don Rugg Commissioner
Roger Cheetham Staff

For Consideration

Application # J - 37084
Applicant: Grande Developments Ltd.
Agent: Robert Conway, Land Development Services
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 tenters to operate from April to October. A laundry and washroom are also proposed. The subject property presently accommodates the Fun Pacific Recreation Centre.
Legal: PID: 005-287-698
Lot 1, Section 18 and 19, Township 6, Quamichan District, Plan 9834, EXCEPT Part in Plan 39079, VIP 52075
Location: Fun Pacific Recreation Centre, 2591 Beverly Street, Duncan.

Site Inspection

A site inspection was conducted on 10th January 2007. Those in attendance were:

- Commissioners Seitz, Craven and Rugg
- Roger Cheetham, Regional Planner
- Rob Winter, owner
- Rob Conway, Agent

The Commission noted that the proposed site was low lying and subject to seasonal flooding. Messrs Winter and Conway explained that it is intended that some soil will be removed and gravel brought in to form a base for the roads and camping areas. The proposed standards were likened to those found in provincial forestry campsites. The Commission noted that it is intended to provide a washroom and laundry building.

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Discussion

The Commission was of the view that the site's agricultural potential would be diminished by the proposed development. It also noted that the North Cowichan District Council, the Advisory Planning Commission, the Agriculture Advisory Committee, the District's planning staff and the Somenos Management Committee all opposed the application.

IT WAS

MOVED BY: Commissioner Rugg

SECONDED BY: Commissioner Craven

THAT the application be refused.

CARRIED

Resolution # 0005/2007



Staff Report
Application # J – 37084
Applicant: Grande Developments Ltd
Agent: Robert Conway, Land Planning Services

DATE RECEIVED: November 24, 2006

DATE PREPARED: December 6, 2006

TO: Chair and Commissioners – Island Panel

FROM: Simone Rivers, Land Use Planner

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 tenters to operate from April to October. A laundry and washroom are also proposed. The subject property presently accommodates the Fun Pacific Recreation Centre.

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: 005-287-698

Lot 1, Section 18 and 19, Township 6, Quamichan District, Plan 9834, EXCEPT Part in Plan 39079, VIP52075

Purchase Date:

August 1993

Location of Property:

Fun Pacific Recreation Centre - 2591 Beverly Street, Duncan

Size of Property:

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

Present use of the Property:

Recreation centre, existing uses include a golf driving range, mini-golf, 9 hole par three golf course, go-cart track and associated facilities.

Surrounding Land Uses:

WEST: Vacant land owned by the District of North Cowichan
SOUTH: Beverly Street and a commercial shopping complex
EAST: Public road. School District 79 works yard and agricultural
NORTH: Vacant Land owned by the Nature Trust of BC (Zoned Rural (A2))

Agricultural Capability:

Data Source: Agricultural Capability Map # 92B/13
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

OCP designation: Urban Green Corridor (parks, open space, trails)

Zoning Bylaw and Designation:

Zoning designation: Commercial recreational Zone (C4)
Minimum Lot Size: 560 m² (6,028 square feet)

PREVIOUS APPLICATIONS:

Application #31414-0

Applicant: Grande Development Ltd.
Decision Date: February 24, 1998
Proposal: To place 140 m³ of gravel & crushed rock under the go kart track
Decision: The Commission approved the request to place approximately 140 cubic metres of gravel in support of the approved go-cart track proposal the Commission had approved by Resolution #151/97.

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: Allowed 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. He purchased the property from the previous owner with the track in place. However, the approval to operate the facility expired July 6 1993.
Decision: Allowed a continuation of the motorized go-cart track use on a 0.2 ha portion of the property.

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: Allowed subject to the fencing of the perimeter of the property and a \$6,750.00 letter of credit be submitted to ensure compliance with the fencing condition.

Application #22891-1

Applicant: Tiemer, Ella
Decision Date: June 24, 1996
Proposal: To release the irrevocable letter of credit 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 #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.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Municipality of North Cowichan Council: The Council forwarded the application but did not recommend support.

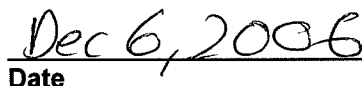
ATTACHMENTS:

- Report prepared by Robert Conway dated July 6, 2006 - Land Planning Services (agent for the applicant) (3 pages)
- Municipality of North Cowichan Report - dated October 25, 2006 - from Lisa Brinkman (3 pages)
- ALC Context Map - 92B.072 - 1:10,000 (created by ALC Staff)
- Air photo - 1:5,000 (created by ALC Staff)
- Property Context Plan showing proposed campground development (submitted by the applicants)
- Fun Pacific Campground - sketch plan of proposed development (submitted by the applicants)

END OF REPORT



Signature



Date