



Staff Report
Application # C – 37760
Applicant: Geoffrey & Jane Bunting

DATE RECEIVED: October 24, 2007

DATE PREPARED: December 11, 2007

TO: Chair and Commissioners – Island Panel

FROM: Jennifer Carson, Land Use Planner

PROPOSAL: To exclude the 9.8 ha subject property. This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The subject property consists of a nine hole golf course which was approved by the Agricultural Land Commission on March 9, 2001. (File C-33592). The subject property is currently listed for sale.

Local Government:

The District of Sooke

Legal Description of Property:

PID: 003-300-234

Lot 1, Section 27, Sooke District, Plan 22652, Except Parts in Plans 34483 and 39338

Location of Property:

6518 Throup Road, Sooke

Size of Property:

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

Present use of the Property:

Residence and nine hole golf course

Surrounding Land Uses:

WEST: Journey Middle School (Agricultural Land Reserve)

SOUTH: Vacant, future multi family residential

EAST: Residential

NORTH: Demaniel Creek, future multi family residential (the Pointe)

Agricultural Capability:

Data Source: Agricultural Capability Map # 92B/5
The majority of the property is identified as having Prime Dominant ratings.

Official Community Plan and Designation:

Sooke OCP (2001)
Designation: Agricultural

Zoning Bylaw and Designation:

Sooke Zoning Bylaw No. 270
Designation: P-1 Public Recreation Zone
Minimum Lot Size: 1 ha

PREVIOUS APPLICATIONS:

Application #33592-0

Applicant: Bunting, Geoffrey & Jane
Decision Date: March 27, 2001
Proposal: To develop and operate an executive 9 hale golf course on the subject property. A clubhouse and parking area would be located in the southwestern portion of the property on approximately 0.3 ha.
Decision: Allowed the par-3 golf course, clubhouse and parking as requested.

RELEVANT APPLICATIONS:

Application #30287-0

Applicant: Monnington, Lester
Decision Date: February 1, 1996
Proposal: To exclude the 5 ha property from the ALR for residential development, mini - storage and or a trailer park.
Decision: Allowed the request for exclusion on the grounds that the property had minimal agricultural capability because of historic debilitation (soil removal) and because of unfavorable location and the negative impacts of non farm uses.

Application #30287-1

Applicant: Monnington, Lester
Decision Date: November 18, 1996
Proposal: The Commission approved the exclusion of 3 ha from the ALR subject to the submission of a site plan, fencing the north property boundary and the registration of a covenant against the title of the property for a no build covenant 10 meters deep on the nor
Decision: The Commission allowed the release of its fencing and covenant conditions because the Regional District's fencing and covenant conditions were adequate.

Application #30287-2

Applicant: Monnington, Lester
Decision Date: March 09, 2001
Proposal: To waive the fencing requirement as rezoning will require screening.
Decision: Allowed the removal of the fencing requirement as the property to the north has received permission from the Commission to build a golf course with clubhouse and parking and therefore no longer requires the protection of a buffer.

Application #01593-0

Applicant: Worthington, Douglas
Decision Date: September 8, 1976
Proposal: To exclude the 5 ha property from the ALR on the grounds that the land has never been used agriculturally and is bisected by a ravine.
Decision: Refused as requested on the grounds that most of the property had reasonably good agricultural potential.

Application #02685-0

Applicant: Worthington, Douglas
Decision Date: March 15, 1977
Proposal: To exclude the 5 ha property due to a large, deep ravine that bisected it.
Decision: Refused as proposed, but would allow the exclusion of the 1 ha portion consisting partially of ravine.

Application #09021-0

Applicant: LRC/Capital RD- Sooke Area
Decision Date: January 15, 1981
Proposal: Fine tuning review for Sooke and surrounding area. Proposal is to include 90.7 ha and exclude 269.5 ha from the ALR.
Decision: Exclusion allowed by Cabinet (269.5 ha).

Application #33378-0

Applicant: Worthington, Douglas
Decision Date: October 26, 2000
Proposal: To exclude the 7.9 ha property from the ALR. He states that he has lived on the land for 51 years and never been able to make a living off it
Decision: Allowed as presented based on agricultural capability, impact and local government support for removal.

Application #33379-0

Applicant: Acreman, John & Loretta
Decision Date: October 26, 2000
Proposal: To exclude the 6.8 ha property from the ALR in order to sell the land and reinvest the money in their 160 acre farm in Campbell River. The daughter would remain in the existing house on a lot to be created, the balance so
Decision: Allowed as requested based on poor soil capability, and local government support for the removal.

Application #34031-0

Applicant: Shambrook Hills Development Corporation
Decision Date: February 21, 2002
Proposal: To exclude 104 ha of the 155 ha lands from the ALR in order to facilitate its development into a mixture of residential land with hobby farms of 5 to 10 ha in the ALR portions remaining.
Decision: Allowed exclusion of portions of the property with the poorest agricultural capability.

Application #34031-1

Applicant: Shambrook Hills Development Corporation
Decision Date: April 29, 2002
Proposal: Reconsideration of the Commission's initial approval in principle with a proposal to retain 34 ha in the ALR out of the 131 ha now in the ALR. This is an increase of 5 ha for retention over the last proposal, but the actual areas proposed have changed somewhat.
Decision: Refused as proposed but Commission would allow partial exclusion of a smaller area provided the ALR area to be retained is in two large blocks totaling 45 ha.

Application #34031-2

Applicant: Shambrook Hills Development Corporation
Decision Date: August 27, 2002
Proposal: Reconsideration.
Decision: Allowed exclusion of 102 ha. Two areas to be retained in ALR with requirements relating to stumping, drainage and irrigation.

Application #02686-0

Applicant: Bassaraba, WJ
Decision Date: May 4, 1977
Proposal: To exclude the subject property.
Decision: Allowed due to poor agricultural capability reported during onsite inspection.

Application #11797-0

Applicant: Cotterill/Rudd,
Decision Date: June 23, 1982
Proposal: To exclude the 2.4 ha property.
Decision: Allowed with conditions.

Application #08340-0

Applicant: Kozak, WM
Decision Date: May 7, 1979
Proposal: To exclude the 11.7 ha property from the ALR.
Decision: Refused due to good agricultural capability .

Application #09021-1

Applicant: ALC
Decision Date: January 15, 1981
Proposal: To include 90.7 (Sooke Review)
Decision: Cabinet approved inclusion by OIC (90.7 ha).

Application #34031-3

Applicant: Shambrook Hills Development Corporation
Decision Date: December 08, 2006
Proposal: To exclude the subject property from the ALR.
Decision: Remove the unauthorized deposited fill.

Application #37758-0

Applicant: Rowils Estates Ltd.
Decision Date: none
Proposal: To exclude the 2.7 ha subject property for future development.
Decision: Concurrent application

Application #37759-0

Applicant: Lajeunesse, Lance & Debra
Decision Date: none
Proposal: To exclude the two subject properties which total 4.8 ha for the purpose of future development.
Decision: Concurrent application

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Council for the District of Sooke:

Forwarded the application with a recommendation of non-support.

STAFF COMMENTS:

It is recommended that the Commissioners consider the following:

- The agricultural capability of the subject property is varied. The western portion is improvable to Class 2 and the eastern portion is improvable to Class 4.
- The subject property consists of a nine hole golf course which was approved by the Agricultural Land Commission on March 9, 2001. (File C-33592).
- The District of Sooke forwarded the application with a recommendation of non-support.
- One letter of support was received for this application.
- A site visit will assist the Commissioners in better understanding the application and determining its potential impact on agriculture.

ATTACHMENTS:

ALC Context Maps (2 pages)
Aerial Photograph
Agricultural Capability Map
Submission from applicant (2 pages)
Local Government Report (7 pages)
Letter of support

END OF REPORT

Signature

Date