



Provincial Agricultural Land Commission - Staff Report

Application: 51978

Applicant: Olive Luscombe
Agent: H.J. Kmit
Local Government: Cowichan Valley Regional District

Proposal: Non-farm Use - 2nd Dwelling - it is proposed that an existing building, constructed in 1998 as a farm work shop be renovated for use as 1/farm work shop 2/ farm produce/shop/gallery space 3/ art studio/home business 4/ farm equipment storage and 5/ accommodation for immediate family members of the working farm. It is further proposed that a seconding existing building, constructed in 1997, that is currently a residence, be converted from a residence to a home office and secure storage area for the farm.

BACKGROUND INFORMATION

Two previous applications on this property - both refused.

PROPERTY INFORMATION

PID: 000-107-395
Legal Description: Lot 1 Section 16 Range 9 Shawnigan District, Plan 6741
Property Area: 5.8 ha
ALR Area: 5.8 ha
Purchase Date: November 12, 2004
Location: 3915 Clearwater Road
Owner: Olive Luscombe

LAND USE

Current Land Use:

Residential, farm hay production, tree farming and fruit and nut production

Surrounding Land Uses:

North: Agricultural - small farm with 2 residences, in ALR.
East: Pacific Ocean - Boatswain Bank/ Satellite Channel
South: Residential - MOT right-of-way & Satellite Park subdivision, out of ALR
West: Agricultural - Lefran Road / large dairy farm / several large residential lots, some forested land, all in ALR

PROPOSAL DETAILS

Non- Farm Use Area: 0.4 ha
Non- Farm Use Type: Residential: Additional Dwelling(s)

Agricultural Capability:

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

Source: BCLI

Mapsheet: 92b.073

PREVIOUS APPLICATIONS

PREVIOUS APPLICATIONS

Application ID: 18535 **Legacy #:** 14798
Applicant: Leo Schulz
Note: Refused - see information in file

Application ID: 18534 **Legacy #:** 06216
Applicant: Leo Schulz
Note: Refused - see information in file

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: OCP Bylaw 1210
Designation: Agriculture
OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Bylaw 1405
Zoning Designation: A-1 Primary Agriculture
Minimum Lot Size: 12.0 ha
Zoning Compliance: Yes

Comments and Recommendations:

Advisory Planning Committee

Cobble Hill APC recommends the application be approved subject to the cottage currently being rented on the site being decommissioned.

Board/Council

Approval subject to decommissioning the existing cottage

ALC STAFF COMMENTS

Staff suggests the Commission consider refusal as proposed but would allow renovation of the existing workshop as proposed, to accommodate all non-farm activities, and removal of the old barn and the existing caretaker cottage, If the Commission is inclined to allow the proposal, staff would suggest covenants be registered against the property preventing its sale with more than the allowed number of residences.

Commission must be satisfied that the amount of agricultural activity on the property warrants additional dwellings (in any form) for farm help.

It appears that the landowner does not live on the farm property.

END OF REPORT

Prepared by: Gordon Bednard