



STAFF REPORT TO COMMITTEE

DATE OF REPORT November 22, 2018
MEETING TYPE & DATE Electoral Area Services Committee Meeting of December 5, 2018
FROM: Development Services Division
Land Use Services Department
SUBJECT: Application No. ALR18A01 (2860 Wilkinson Road)
FILE: ALR18A01

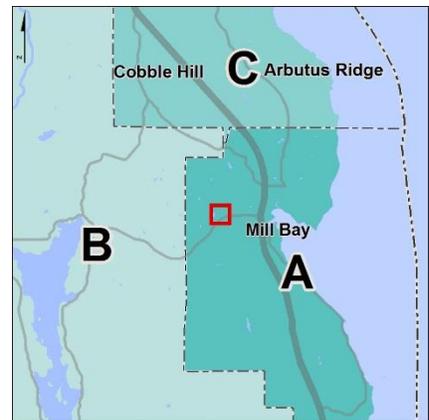
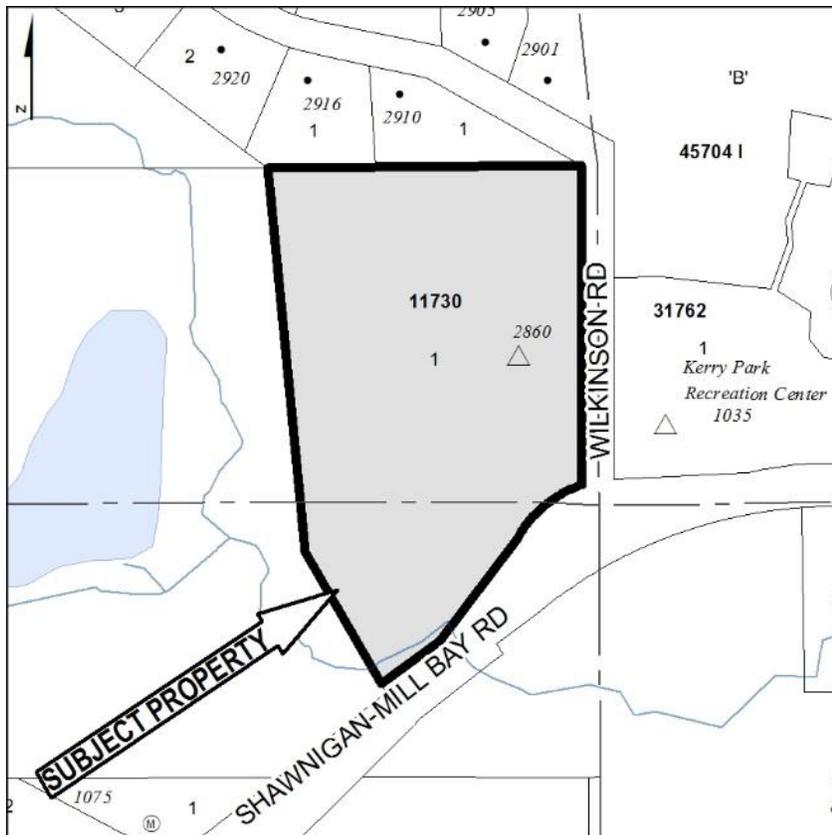
PURPOSE/INTRODUCTION

The purpose of this report is to present an application for the expansion of a non-farm use within the Agricultural Land Reserve (ALR) for a skate park.

RECOMMENDED RESOLUTION

That it be recommended to the Board that Application No. ALR18A01 (2860 Wilkinson Road) for expansion of the skate park at 2860 Wilkinson Road be forwarded to the Agricultural Land Commission with a recommendation for approval.

LOCATION MAP



BACKGROUND

<u>Address:</u>	2860 Wilkinson Road
<u>Legal Description:</u>	Lot 1, Sections 3 and 4, Range 7, Shawnigan District, Plan 11730 (PID: 002-112-752)
<u>Applicant / Owners:</u>	Cowichan Valley Regional District (CVRD)
<u>Size of Existing Parcel:</u>	4.56 ha (11.29 acres)
<u>Existing Use of Property:</u>	Recreation Centre (sports fields, playground)
<u>Use of Surrounding Properties:</u>	<u>North:</u> Residential <u>South:</u> Residential <u>East:</u> Recreation Centre (Arena) <u>West:</u> Agricultural (ALR)
<u>Existing Water:</u>	On-site well
<u>Existing Sewage Disposal:</u>	Kerry Village Sewer System (CVRD)
<u>Fire Protection:</u>	Mill Bay Volunteer Fire Department
<u>Archaeological Site:</u>	None known
<u>Environmentally Sensitive Areas:</u>	None identified in Sensitive Ecosystem Inventory
<u>Wildfire Hazard Rating:</u>	Moderate
<u>Agricultural Land Reserve:</u>	In
<u>Official Community Plan Designation:</u>	Agricultural Resource (A)
<u>Zoning:</u>	Agricultural Resource 1 Zone (A-1)
<u>Development Permit Area (DPA):</u>	South Cowichan Rural DPA

Site and Surrounding Properties:

The subject property is located in Electoral Area A and is 4.56 hectares. The property is part of the Kerry Park Recreation Centre and currently contains 3 softball diamonds, 2 soccer fields, concession, restrooms, picnic area, playground, skate park, and a parking area. Residential lots abut the property to the north and are also located south across the road. A farm exists to the west that is within the ALR. And the Kerry Park Recreation Centre/Arena is located east of the site. The existing skate part is located in the southern portion of the property, adjacent to Shawnigan Mill-Bay Road.

- **See Attachment A – Aerial Photo**
- **See Attachment B – Existing Skate Park Photos**

APPLICATION SUMMARY

The CVRD Kerry Park Recreation Centre has an existing skate park that is proposed to be expanded. Currently, the skate park is 610 m² in area and the existing skate terrain features are described as intermediate to advanced in terms of their individual heights. Therefore, the current skate park does not cater to the beginner-level skater/rider. The proposed expansion will contain beginner oriented features known as “flat-ledges” and “flat-bars” that remain at a constant elevation instead of moving up or down. The proposed expansion is 226 m² and will create a new

“zone” for the skate park and is also intended to spread out the current user load. See attached site plan showing the current area and the proposed expansion area.

- **See Attachment C – Proposed Expansion Plan**

COMMISSION / AGENCY / DEPARTMENTAL CONSIDERATIONS

Agricultural Land Commission (ALC)

The subject property is located within the Agricultural Land Reserve (ALR). As the skate park is an expansion of a ‘non-farm use’, an application is required to be submitted to the Agricultural Land Commission (ALC). This ALR application was submitted through the ALC’s on-line Application Portal, and forwarded to the CVRD for consideration by the Board. Once the Board has reviewed the application, the CVRD’s recommendation will be forwarded to the ALC for their consideration whether or not to approve the expansion of the skate park.

Kerry Park Recreation Commission & CVRD Board

On November 22, 2016, approval was given by the Kerry Park Recreation Commission to authorize staff to proceed with upgrades and improvements to the existing skate park located at the sports field complex at the Kerry Park Recreation Centre. This expenditure was approved by the CVRD Board on February 22, 2017.

OFFICIAL COMMUNITY PLAN/POLICY CONSIDERATIONS

The property falls within the South Cowichan Official Community Plan (OCP) and is designated Agricultural Resource (A) on Schedule B, the Plan Map. As noted above, the property is also located within the Agricultural Land Reserve (ALR). The Agricultural Resource objectives and policies within the OCP seek to preserve and enhance agricultural pursuits in the region.

- **See Attachment D – OCP Map**

Policy 11.7 states, “*ALR non-farm use applications will only be forwarded to the ALC if:*

- a. The proposed non-farm use complies with CVRD bylaws; or*
- b. If the proposed non-farm use does not comply with CVRD Bylaws, if the ALR applicant has also applied for the necessary bylaw amendments and these have received at least first reading.”*

The current application would not comply with the above conditions, however, the ALC previously granted approval to the CVRD to establish a sports-field complex/recreational park on the subject property. As such, the above policy is not considered to be applicable to the application.

Policy 11.16 states, “...*the ‘South Cowichan Rural Development Permit’ Area will apply to non-farm uses in the Agricultural Resource Designation (A)...to protect agricultural lands from non-farm uses and reduce the potential for land use conflicts between residential and agricultural uses.”*

As outlined in the above Policy, Agricultural Protection Guidelines are contained within the South Cowichan Rural Development Permit Area. An expansion to the skate park triggers the requirement for a Development Permit so that the development complies with the guidelines. Should the ALC approve this ALR application, a Development Permit (DP) would then be required to be obtained prior to construction of the skate park. The General Manager of Land Use Services has delegated authority to issue this future DP, in accordance with the CVRD Development Application Procedures and Fees Bylaw No.4204.

PLANNING ANALYSIS

The expansion of the CVRD’s skate park at the Kerry Park Recreation Centre has been supported by the CVRD Board, Kerry Park Recreation Commission, and is a desired amenity space in the community. The sports complex is already recognized by the ALC as an acceptable non-farm use on the property. The proposed expansion of the skate park is modest in size, from 610 m² to 836 m² (an increase of 226 m²). The improvements also include minor repairs to the existing skate park. In addition, the existing skate park and expansion area is located to the southern edge of the property, adjacent to the road, which keeps the concrete structure in the most suitable area of the lot, that is, not located in the middle of the property where there is more potential for future agricultural activities such as crops or livestock.

As such, staff recommend Option 1.

OPTIONS

1. That Application No. ALR18A01 (2860 Wilkinson Road) for expansion of the skate park at 2860 Wilkinson Road be forwarded to the Agricultural Land Commission with a recommendation **for approval**.
2. That Application No. ALR18A01 (2860 Wilkinson Road) for expansion of the skate park at 2860 Wilkinson Road be forwarded to the Agricultural Land Commission **without a recommendation**.
3. That Application No. ALR18A01 (2860 Wilkinson Road) for expansion of the skate park at 2860 Wilkinson Road be forwarded to the Agricultural Land Commission with a recommendation **for denial**.
4. That Application No. ALR18A01 (2860 Wilkinson Road) for expansion of the skate park at 2860 Wilkinson Road **be denied** and not forwarded to the Agricultural Land Commission.

Prepared by:

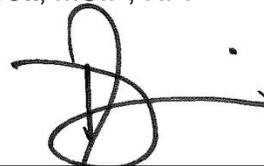


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ATTACHMENTS:

- Attachment A – Aerial Photo
- Attachment B – Existing Skate Park Photos
- Attachment C – Proposed Expansion Plan
- Attachment D – OCP Map