



**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

July 16, 2008

Reply to the attention of Ron Wallace  
ALC File: Z-38067

Judith Hayward, Sharon Williams and  
Elizabeth Baxter  
c/o 1697 Lockyer Road  
Roberts Creek, BC V0N2W1

Dear Madams:

**Re: Application to develop a Non-Farm Use in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 391/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a horizontal line.

Erik Karlsen, Chair

cc: Sunshine Coast Regional District ()

Enclosure: Minutes



A meeting was held by the Provincial Agricultural Land Commission on June 17, 2008 in Roberts Creek, B.C.

|                 |                |                          |
|-----------------|----------------|--------------------------|
| <b>PRESENT:</b> | Erik Karlsen   | Chair                    |
|                 | Sylvia Pranger | Chair, South Coast Panel |
|                 | Michael Bose   | Commissioner             |
|                 | John Tomlinson | Commissioner             |
|                 | Ron Wallace    | Staff                    |
|                 | Tony Pellett   | Staff                    |

**For Consideration**

Application: # Z- 38067  
 Applicant: Elizabeth Baxter  
 Proposal: To construct a second dwelling on the north east corner of the subject property. The subject property is owned by two parties (i.e., undivided 1/2 interest as joint tenants) and the proposal will enable one of the owners to build a second permanent dwelling in which to live.  
 Legal: PID: 011-652-136  
 District Lot 3377, Block 12, Plan 4271  
 Location: 1737 Lockyer Road, Roberts Creek

**Site Inspection**

A site inspection was conducted on June 17, 2008. Those in attendance were:

- Erik Karlsen Chair
- Sylvia Pranger Chair, South Coast Panel
- Michael Bose Commissioner
- John Tomlinson Commissioner
- Ron Wallace Staff
- Tony Pellett Staff
- Judi Hayward Applicant

The Commissioners and staff met with the applicant and toured the subject property. It was noted the property has three owners and that the existing dwelling is used by one of the owners. The property is being used for horse breeding and egg production.

**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**

### **Assessment of Agricultural Capability**

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is

Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Class 5 – Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

Class 7 – Land in this class has no capability for arable or sustained natural grazing

#### Subclasses

M soil moisture deficiency  
P stoniness  
T topography

### **Assessment of Agricultural Suitability**

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. It was noted that the existing dwelling is used by one of the owners and that the other two owners wish to relocate on the property in order to develop its agricultural potential. In light of this the Commission believes it would be appropriate to support the construction of a second dwelling on the north east corner provided it is removed upon the sale of the property by the owners or by either of the ½ interest parties.

### **Conclusions**

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal for a second dwelling will improve the agricultural production of the property.
4. That the proposal is consistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

**IT WAS**

**MOVED BY:** Commissioner Tomlinson

**SECONDED BY:** Commissioner Bose

THAT the application to construct a second dwelling on the north east corner of the property be allowed subject to the following conditions:

- the registration of a covenant for the purpose of ensuring that upon sale of the property by the owners or by either of the ½ interest parties, one of the additional dwellings must be removed.
- Approval for an additional dwelling is granted for the sole benefit of the applicant and is non-transferable.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

**CARRIED**  
**Resolution # 391/2008**