



**Agricultural Land Commission**  
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February 3, 2009

Reply to the attention of Terra Kaethler  
ALC File: UU-38587

Kathleen Beaton  
2165 Kelland Road  
Black Creek, BC V9J1G4

Dear Madam:

**Re: Application for Non-Farm Use in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 10/2009 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 the printed name.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Strathcona Regional District (ALR 1C-08)  
BC Assessment

TK/  
i/38587d1.doc



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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**A meeting was held by the Provincial Agricultural Land Commission on January 14, 2009 in Campbell River, B.C.**

<b>PRESENT:</b>	Lorne Seitz	Chair, Island Panel
	David Craven	Commissioner
	Jennifer Dyson	Commissioner
	Terra Kaethler	Staff
	Roger Cheetham	Staff

### For Consideration

Application: # UU- 38587  
Applicant: Kathleen Beaton  
Proposal: To construct a second dwelling for the owners to allow the owners' son and his family to move into the existing home.  
Legal: PID: 000-106-674  
Lot A, District Lot 232, Comox District, Plan 32370  
Location: 600 Comox Road, Courtenay

### Site Inspection

No site inspection was conducted.

### 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

It was noted that the applicants have owned the property since 1979 and have developed the property into a productive commercial farm. The Commission considered that the proposed second dwelling is intended to provide immediate family with an opportunity to continue the existing farm operation and would provide accommodation for farm help.

The Commission noted that the proposed dwelling was to be approximately 125 square meters and in a location that was of low agricultural capability and was not currently utilized in the farming operation. No new road access would be required.

Further, the Commission considered the recommendations of support from the Agricultural Advisory Committee, the Regional Agrologist and the Local Government.

As such, the Commission did not believe that the proposal would negatively impact existing or potential agricultural use of the subject property or surrounding lands. Further, the Commission believed that by providing an opportunity for intergenerational transfer, the proposal provided a benefit for agriculture in the long term.

**Conclusion**

That the proposal will benefit agriculture.

**IT WAS**

**MOVED BY:** Commissioner Craven

**SECONDED BY:** Commissioner Dyson

THAT the application be approved.

AND THAT the approval is subject to the following conditions:

- the location and size of the dwelling be in substantial compliance with the plan submitted with the application
- the construction of the dwelling must be completed within three (3) years from the date of this decision.

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 # 10/2009**

Provincial Agricultural Land Commission  
Application # 38587  
Resolution #10/2009



Subject Property



Approximate location of approved of second dwelling



Proposed building site for the additional

Irrigation Pond

Existing dwelling

Plot Plan

Schedule 'A'