



Agricultural Land Commission
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13th January 2010

Reply to the attention of Gordon Bednard
ALC File: 50691

William and Bertha Cameron
RR2
3501 Telegraph Road
Cobble Hill, BC
V0R 1L4

Dear Sir and Madam:

Re: Application for non-farm use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 1866/2009 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 below.

Erik Karlsen, Chair

Enclosure: Minutes

cc: Cowichan Valley Regional District

rc/
i/50691d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on 18th December 2009 at Duncan, BC

PRESENT:	Lorne Seitz	Chair, Island Panel
	Niels Holbek	Commissioner
	Jennifer Dyson	Commissioner
	Roger Cheetham	Staff

For Consideration

Application: 50691
Applicant: William and Bertha Cameron
Agent: N/A
Proposal: Non-farm use – second dwelling
Legal: PID 024-611-859, Lot A, Section 11, Range 9, Shawnigan District
Plan VIP69418
Location: 3501 Telegraph Road

Site Inspection

A site inspection was conducted on 17th December 2009. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- Jennifer Dyson Commissioner
- Niels Holbek Commissioner
- Roger Cheetham Staff
- William and Bertha Cameron Applicants

The Commission walked the property noting that the area proposed for the second dwelling comprises a narrow strip at the western extremity of the property. The Commission noted that the property largely comprises a ridge of land separating components of the Arbutus Golf Course development to the north across Hutchinson Road and to the south where the golf course is located on a parcel of land owned by the applicants and leased to the golf club. The applicants indicated that their intention is to make the dwelling available to their daughter who will assist them. The property is at present used for keeping a limited number of horses.

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 based on 1:20 000 soil capability mapping undertaken by the Ministry of Environment is rated as Class 5 with soil moisture deficiency and stoniness limitations. The improved ratings are similar.

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

Assessment of Agricultural Suitability

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission did not believe that there are external factors that render the land unsuitable for agricultural use. However the Commission noted that in view of the fact that the property comprises a somewhat isolated ridge between two areas used for the golf course its agricultural potential is somewhat limited.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission considered that the proposed location of the second dwelling would cause the least impact on the property's agricultural potential. It also noted that the dwelling was required for a daughter and that the impact of the dwelling was unlikely to be any greater than that of a manufactured home permitted without Commission approval in terms of Regulation 171/2002. On balance and bearing in mind the provisions of the Regulations the Commission was of the view that the dwelling would not have any material impact on the agricultural potential of the property provided that the second dwelling was permitted in lieu of a manufactured home.

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 will not have any material impact on agriculture.
4. That the proposal is consistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner J. Dyson

SECONDED BY: Commissioner L. Seitz

THAT the application be approved subject to the second dwelling being in lieu of a manufactured home as permitted in terms of 3(1)(b)(ii) of Regulation 171/2002.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

CARRIED
Resolution # 1866/2009