



**Agricultural Land Commission**  
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December 18, 2012

ALC File: #52754

Donald & Karen Tucker  
3231 Cowichan Valley Highway  
Duncan, BC  
V9L 5Z4

Dear Mr. and Mrs. Tucker:

**Re: Application to Conduct a Non-Farm Use in the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution #456/2012 as it relates to the above noted application.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

- 33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:
- (a) evidence not available at the time of the original decision has become available,
  - (b) all or part of the original decision was based on evidence that was in error or was false.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

Further correspondence with respect to this application is to be directed to Liz Sutton.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosure(s): Minutes of Resolution #456/2012

cc: District of North Cowichan (File: 3020-20 11.03)

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## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 21, 2012 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #52754.

### COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

### COMMISSION STAFF PRESENT:

Roger Cheetham	Regional Planner
Liz Sutton	Land Use Planner

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### PROPOSAL

To use a portion of the 1.3 ha property for the seasonal storage of up to 15 recreational vehicles.

(Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

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### LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
    - (a) to preserve agricultural land;
    - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
    - (c) 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.
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### COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the BC Land Inventory (BCLI), 'Land

Capability Classification for Agriculture in B.C.' system. The improved BCLI rating applicable to the subject property is Class 2TD.

Class 2 - land is capable of producing a wide range of crops. Minor restrictions of soil or climate may reduce capability but pose no major difficulties in management. Limitations: (T) topography and (D) undesirable soil structure.

**Conclusion:**

The property has good agricultural capability.

2. The mandate of the Commission is to preserve agricultural land and to encourage farming within the Agricultural Land Reserve. The proposal to store recreational vehicles on ALR land does not encourage agriculture development. On the contrary, the Commission experience suggests these types of developments tend to grow either by the number of vehicles being stored or from a desire to construct buildings to offer clients inside storage.

**Conclusion:**

The proposal for non-farm use to store recreational vehicles is inconsistent with objective of the *Agricultural Land Commission Act* to preserve and encourage agriculture.

**IT WAS**

**MOVED BY:           Commissioner Gillette**

**SECONDED BY:       Commissioner Miles**

THAT the request be refused.

**CARRIED**

**Resolution #456/2012**