



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

June 28, 2006

Reply to the attention of Gordon Bednard

Alireza Taghi
4037 Dove Creek Road
Courtenay, BC V9J 1S1

Dear Sir:

RE: Application #I-36545
PID: 004-372-042
Lot 120, Parcel A (DD33759I), Comox District, EXCEPT Those parts included
in Plans 3011 and 601R

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to construct a second residence on your property. The existing house would be used by your mother and father-in-law and the new residence would be for yourself. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you for taking the time to meet with its representatives on June 6, 2006 at the property.

In reviewing your application, the Commission considered that it had refused similar requests in the immediate area based on the low level of agricultural production on these lands which could not be seen as justifying a second permanent dwelling for farm help. The Commission believed the level of agricultural production did not warrant an additional dwelling for farm help.

However, should you wish to locate a modular home on the property for a family member, as you indicated during the onsite inspection, there are allowances in the Regulation which would permit such a use without the necessity of an application to the Commission. As well, you could construct a larger home for yourself and render the present house uninhabitable once the new home is complete. Finally, the Commission wished to indicate that it would be prepared to reconsider this application should you secure title to the logging road property which transects your property, and consolidate that title with your present lands.

For the above reasons, the Commission refused your application as proposed.

The decision noted above is recorded as Resolution # 298/2006.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

pc: Regional District of Comox Strathcona - Attn: Carlos Felip
GB/lv/36545d1.



Staff Report
Application # I – 36545-0
Applicant: Alireza Taghi

DATE PREPARED: April 11, 2006

TO: Chair and Commissioners – Island Panel

FROM: Ron Wallace, Regional Research Officer

PROPOSAL: The applicant wishes to construct a secondary residence for his mother and father-in-law who are coming to live on the property. The existing house is small and the owner wishes to build a bigger one for himself and allow the relatives to reside in the existing dwelling.

This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

There has been one previous application on the property as noted below.

Local Government:

Regional District of Comox-Strathcona

Legal Description of Property:

1. PID: 004-372-042
Lot 120, Parcel A (DD33759I), Comox District, EXCEPT Those parts included in Plans 3011 and 601R

Location of Property:

4037 Dove Creek Road, Courtenay

Size of Property:

30.3 ha (The entire property is in the ALR).

Present use of the Property:

The lot is used to produce hay and there are horses, which are part of the owners hobby.

Surrounding Land Uses:

WEST: Same
SOUTH: Same
EAST: Small hobby farms, hay fields, forested lots
NORTH: Small hobby farms, hay fields, forested lots

Agricultural Capability:

Data Source: Agricultural Capability Map # 92F.075
The majority of the property is identified as having mixed primary and secondary ratings.

Official Community Plan and Designation:

The property is designated Agriculture

Zoning Bylaw and Designation:

Rural ALR, 8.0 ha minimum lot size

PREVIOUS APPLICATIONS:

Application #22763-0

Applicant: Watson, Harry
Decision Date: December 12, 1988
Proposal: To subdivide a 10 ha parcel from the 30.7 ha property for development as a separate farm.
Decision: Refused on the grounds that the land has good agricultural capability for agriculture.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Regional District Board

That the ALC be advised that the Board does not support the application for an additional dwelling within the ALR on the subject property.

Community Planning Committee

That the ALC be advised that the Regional District does not support application for an additional dwelling within the ALR on the subject property.

Agricultural Advisory Committee

The Committee recommends that the application be refused for the following reasons

- Approval for this application would set an undesirable precedent.
- The application is inconsistent with the RDCS Agricultural Plan, which seeks to "restrict subdivision and housing development on agricultural land".
- The application is inconsistent with the ALR policy regarding second homes for family or farm help.

Local Government Staff

As there is no farming activity on the lot requiring full-time farm help, the Planning Department recommends:

That the ALC be advised that the Regional District does not support application for an additional dwelling within the ALR on the subject property.

OTHER COMMENTS:

Regional Agrologist, Ministry of Agriculture and Food

“Temporary mobile homes are currently allowed for use by an immediate family member with the understanding that once they (the mobile) are no longer needed, the land can be returned to full agricultural production. However, the construction of a second permanent dwelling precludes the land from being returned to a productive state.

The configuration of the proposed second dwelling is also of concern. Homes placed in the middle of agricultural properties require lengthy driveways, consuming even more agricultural land, and make farm management difficult. This type of siting, particularly if it is associated with a large building footprint would severely restrict the future agricultural use of the property.

Therefore, given the information provided, the construction of a second dwelling would not be in the best long-term agricultural interest of this property.”

STAFF COMMENTS:

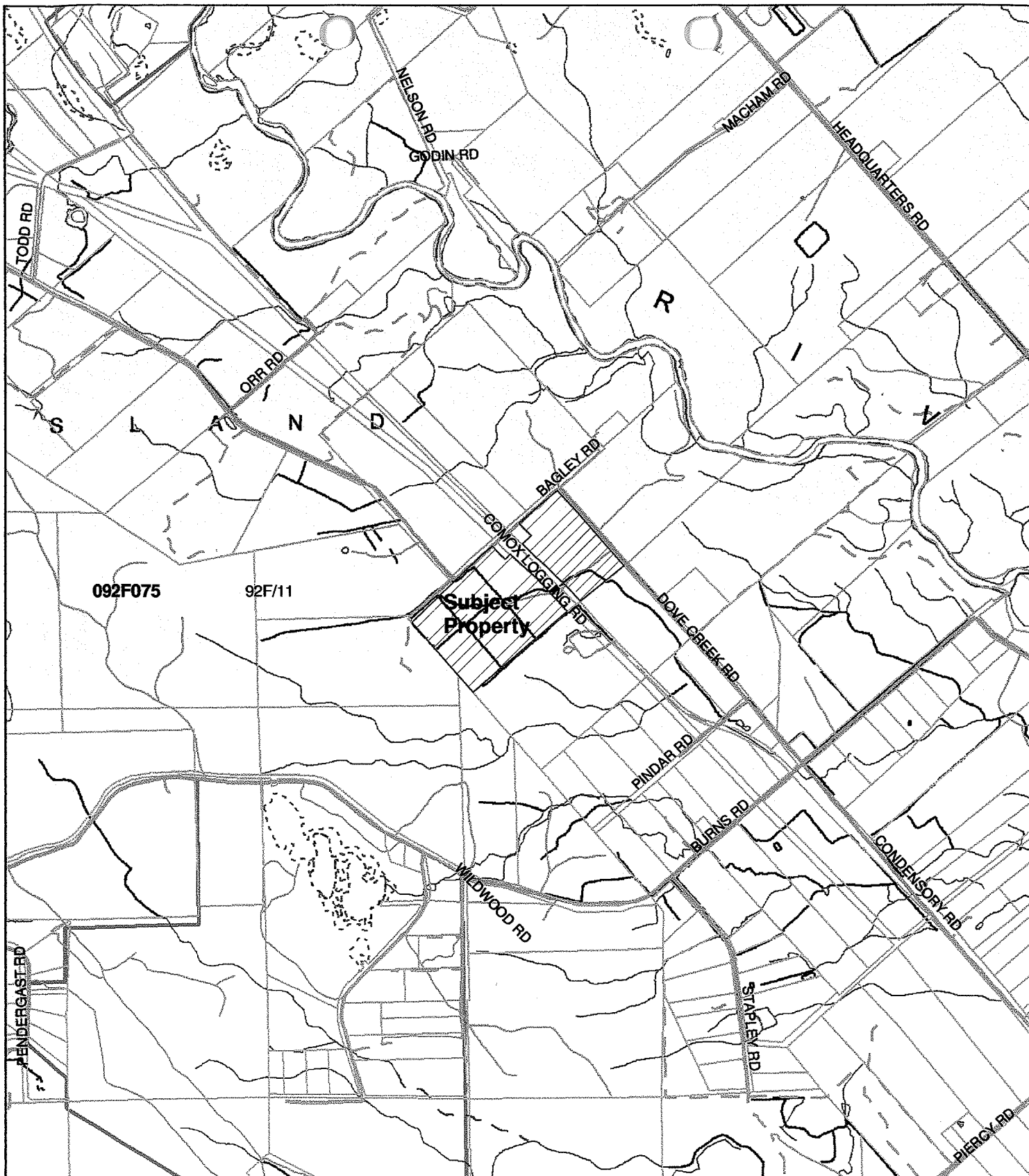
Staff recommends that the Commission conduct an on-site meeting with the applicant to discuss their proposal.

END OF REPORT



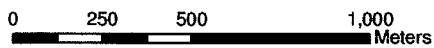
Signature

Date 11 April 2006



ALC Context Map

Map Scale: 1:20,000



ALC File#:	21-06-36545
BCGS Map Sheet #:	92F.075
Regional District:	Comox-Strathcona