



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

Reply to the attention of Terra Kaethler
ALC File: I-37788

February 11, 2008

William and Diana Montgomery
2400 Anderson Road
Comox, BC V9M4E5

Dear Sir/Madam:

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

Please find attached the Minutes of Resolution # 24/2008 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', written in a cursive style.

Erik Karlsen, Chair

cc: Regional District of Comox-Strathcona (3110-20/ALR4B-07)

Enclosure: Minutes/Sketch Plan

TK

i/37788d1.doc



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on January 15, 2008 in Parksville, B.C.

PRESENT:	Lorne Seitz	Chair, Island Panel
	David Craven	Commissioner
	Donald Rugg	Commissioner
	Terra Kaethler	Staff

For Consideration

Application: # I- 37788
Applicant: William and Diana Montgomery
Proposal: Non-farm use to construct an additional dwelling for farm staff, to include residential space for farm employees, as well as work space for a winery manager and winemaker.
Legal: PID: 001-130-315
Lot 3, District Lot 216, Comox District, Plan 31808, Except Plan 44900
Location: 2400 Anderton Road

Site Inspection

A site inspection was conducted on January 15, 2008. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- David Craven Commissioner
- Donald Rugg Commissioner
- Bill Montgomery Applicant

The Commission met with the applicant and viewed the property. The Commission noted the extensive agricultural improvements that have been made on the property to develop a vineyard, and spoke with the applicant about his plans for additional development. It was further noted that the area of the proposed dwelling was clustered with other buildings on the property and would not impact the agricultural potential of the property.

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

The Commission assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission considered the extensive agricultural improvements that have been made on the property to develop a vineyard and the projected

farm activities. It was also noted that the proposed location of the additional dwelling was clustered with other buildings on the property and not utilized in the farming operation. Given the high level of investment that has been made, and the expected production levels of the winery, the Commission considered that there was demonstrated need for a dwelling to provide full time residence and work space for farm staff, including a winery manager and resident winemaker. As such, the proposal met the criteria for an additional dwelling for farm help as outlined within *ALC Policy #9*.

The Commission also considered the positive comments of support made by the Regional District, the Regional Agrologist, the Agricultural Advisory Committee, and the Advisory Planning Committee.

Conclusions

1. That the proposal will not impact agriculture.
2. That the dwelling is necessary to support the agricultural activities on the property.

IT WAS

MOVED BY: Commissioner Craven

SECONDED BY: Commissioner Rugg

THAT the application be approved.

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

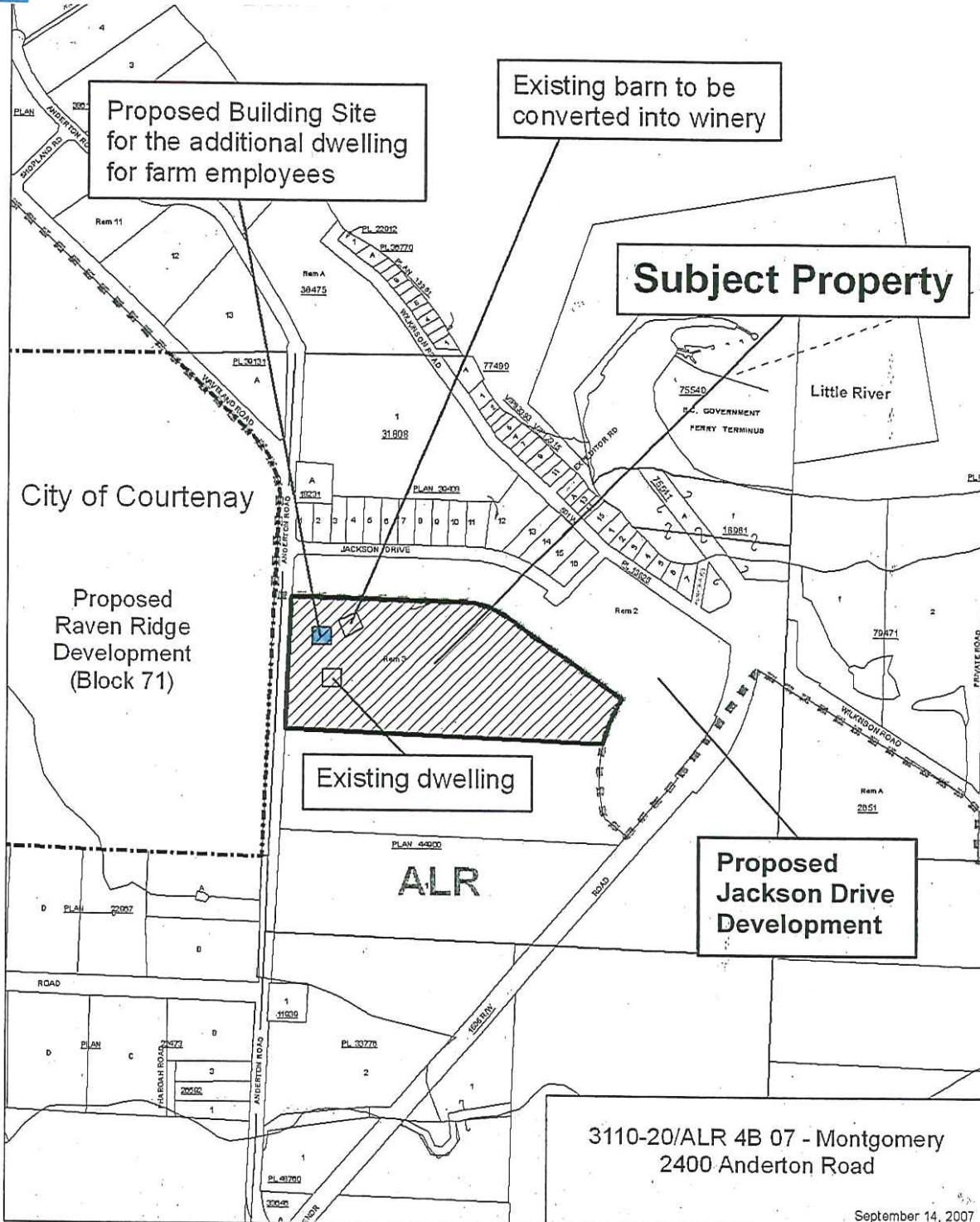
Resolution # 24/2008



Subject property



Approved area for dwelling



September 14, 2007