



Agricultural Land Commission
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Reply to the attention of Terra Kaethler
ALC File: C-38001

June 26, 2008

Landworks Consultants Inc
864-3rd Street
Courtenay, BC V9N1G1

Dear Sir/Madam:

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

Please find attached the Minutes of Resolution # 295/2008 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

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: Islands Trust Salt Spring Island (SS-ALR-2006-9)
Salt Spring Island Fire Protection District (105 Lower Ganges Road, Salt Spring Island,
BC V8K2T1)
Vanessa Farias (2450 Fulford-Ganges Road, Salt Spring Island, BC V8K 1Z4)
Agricultural Advisory Committee

Enclosure: Minutes

TK/
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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 14, 2008 in Chemainus, B.C.

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

For Consideration

Application: # C- 38001
 Applicant: Salt Spring Island Fire Protection District
 Agent: Landworks Consultants Inc
 Proposal: Non-farm use to expand the fire training facility.
 Legal: PID: 005-445-850
 Lot 1, Section 10, Range 1, South Salt Spring Island, Cowichan District, Plan 10051
 Location: 2470 Fulford/Ganges Road, Salt Spring Island

Site Inspection

A site inspection was conducted on May 14, 2008. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- David Craven Commissioner
- Jennifer Dyson Commissioner
- Terra Kaethler Staff
- Roger Cheetham Staff
- Michael Schubart Representative of Application
- David Enfield Representative of Application
- Vanessa Farias Adjacent landowner

The Commission met with the applicants on site and discussed the proposal to expand the training facility. The applicants explained that the facility was the only volunteer fire department on Salt Spring island and one of the few training facilities in the gulf islands area. The Commission clarified that the facility was only in use on Tuesday evenings and for four (4) training camps a year. Some of the correspondence that was received with the application was discussed, namely a letter from the Island Natural growers and a letter from Anne Macey, Independent Organic Inspector, each containing a list of conditions should the facility be allowed to expand. The applicants generally were amenable to these terms.

The Commission also met the adjacent landowner, who operates an organic farm on her property. Ms. Farias discussed her concerns regarding the potential negative impact of the expanded facility. She was concerned that contamination would threaten her farm's organic status and u-pick operation. She also raised questions regarding the implementation of the plan and the way in which it would be monitored.

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 recognized the community value of an expanded training facility for the Firehall. However, the Commission was also sympathetic to the adjacent landowner's concerns regarding the potential impact of the non-farm use proposal on her farm's organic status. In considering all of the factors regarding the proposal, the Commission believed that to allow the expanded facility indefinitely would have a negative impact on agriculture and would be inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

However, the Commission considered that the training facility could be allowed to operate in the proposed area temporarily for a maximum of three (3) years to allow a substantial transition period for the Fire District to find a more suitable alternative location.

The Commission also discussed that a temporary approval would be subject to several conditions such as limited training hours and restrictions on contaminants, which the Commission believed would minimize the impact on the adjacent farm as well as the agricultural use of other surrounding lands. The three (3) year time limit would also allow for the monitoring of the expanded use and a review of the Fire District's commitment to the conditions as specified in this decision.

IT WAS

MOVED BY: Commissioner Craven

SECONDED BY: Commissioner Seitz

THAT the application to expand the training facility be approved for a temporary period of three (3) years

AND THAT the approval is subject to the following conditions:

- that no additional buildings be constructed on the property during the three year approval period
- that training activities be confined to 6 pm-10 pm on Tuesday evenings, and that training camps be confined to a maximum of six (6) times a year and avoid fire season
- that only propane be used for burning
- that only metal burn props be used with no burning of potentially hazardous substances
- that water used for training be contained and separated from oil and any other contaminants before its release back to the environment
- that the use of herbicides to control weeds on the berm or elsewhere on the property be prohibited

- that extinguishing material be restricted to water and that the use of chemical foam be prohibited.
- that should an activity at the fire training center threaten the certified organic status of any neighbours, that the activity will cease until a solution or alternative method can be found.
- that an oversight committee be formed to ensure that these principals are being followed. This committee would consist of representatives from the Fire Protection board, the farming community, and adjacent neighbours.
- that the Fire District work with the Agricultural Advisory Committee to identify appropriate agricultural activities on the unused portion of the property.
- that a progress report be submitted to the Commission three (3) months before the time limit expires.

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 # 295/2008