



Provincial Agricultural Land Commission - Staff Report

Application: 52367

Applicant: Vancouver Island Providence Community Association
Agent: Jack Hutton
Local Government: Municipality of North Cowichan

Proposal: To exclude 2.7 ha of the 160.0 ha property from the ALR and replace it with 3.1 ha of land contiguous to the farm's existing ALR lands. The exclusion would facilitate the subdivision of a 14.5 ha parcel outside of the ALR, which would be developed as an affordable housing leasehold residential village. The area proposed for exclusion would be used for a farm-gate market.

BACKGROUND INFORMATION

The property was used as an orphanage and a school by the Sisters of St. Ann, from 1864 to the late 1970's. The non-profit Vancouver Island Providence Community Association (VIPCA) has occupied and managed the land as lessees of the Sisters of St. Ann since 1980. The VIPCA has served the community through a variety of agricultural, social and mental health programs, since their establishment. In 2009, ownership of the land was transferred outright.. Please see the Municipal staff report for more information.

PROPERTY INFORMATION

PID: 023-166-886
Legal Description: Sections 18 & 19, Ranges 2 & 3, Cowichan District, shown on Plan 36125 Except part in Plan VIP62100 and VIP86516
Property Area: 160.6 ha
ALR Area: 59.3 ha
Purchase Date: July 1, 2009
Location: 1843 Tzouhalem Rd, Duncan
Owner: Vancouver Island Providence Community Association

Total ALR Area:

LAND USE

Current Land Use:

Approximately 60 ha of the property is within the ALR, of which 28 ha are arable. Farm area includes: market garden, nursery, hay and livestock. Multiple existing buildings including a farm store, engine shop and 'Alternate School', barns and greenhouse, storage sheds, residences for staff, art studio and a Therapeutic Riding Centre.

Surrounding Land Uses:

North: Municipal forest lands, residential (non-ALR)
East: Cowichan Tribes Reserve Lands (non-ALR)
South: Cowichan Tribes Reserve Lands (partial ALR)
West: Stone farm property, Residential (non-ALR)

PROPOSAL DETAILS

Exclusion Area: 2.7 ha

Agricultural Capability:

The majority of the area under application is rated as: Mixed Prime and Secondary

Source: BCLI

Mapsheet: 92B.072

Inclusion Area: 3.1 ha

Agricultural Capability:

The majority of the area under application is rated as: Secondary

Source: BCLI

Mapsheet: 92B.072

PREVIOUS APPLICATIONS

Application ID: 18764

Legacy #: 17194

Applicant: Sisters of St. Ann

Note: 1983. Approved for a mobile home to be used as a second dwelling for farm help.

Application ID: 17949

Legacy #: 11829

Applicant: Provincial Agricultural Land Commission

Proposal: Block Application

Decision:

Resolution #	Decision Date	Decision Description
1374/1985	February 13, 1985	Exclusion allowed by Cabinet (1,031 ha). This resolution number is used to enter statistical information relating to the area under application and subsequent decision by Cabinet.

Application ID: 2273

Legacy #: 29003

Applicant: Sisters of St. Ann

Note: 1995.).8 ha was subdivided and excluded from the property for the construction of Donnay Rd.

RELEVANT APPLICATIONS

Application ID: 8012

Legacy #: 22442

Applicant: Bishop of Victoria

Proposal: To lease a 0.5 ha area for a bed and breakfast and caretakers residence from the 40 ha property.

Decision:

Resolution #	Decision Date	Decision Description
1103/1988	October 19, 1988	Allow as requested

Note: 1988. ALR property adjacent to the South.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Bylaw 3130; OCP Bylaw 2002
Designation: N/A
OCP Compliance: No

Zoning:

Zoning Bylaw Name: Bylaw 2950
Zoning Designation: Agricultural (A1)
Minimum Lot Size: 12.0 ha
Zoning Compliance: No

Comments and Recommendations:

Agricultural Advisory Committee

Supports the application. See attached Minutes.

Board/Council

Support the exclusion/inclusion application based on the AAC's recommendations.

Planning Staff

Recommend support

ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

- 1) Based on the BCLI mapsheet 92B.072, which is at a 1:20,000 scale, it appears that the 2.7 ha area proposed for exclusion ranges from Class 2WT (improvable) to Class 5TR and Class 7TR (unimprovable). Subclasses: W=excess water, T= topography, R=bedrock near the surface. The applicants state that of the area to be excluded, more than half is dry forest on shallow soil with rocky outcrops. The small field area was created 15 years ago by blasting rock – the soil is shallow and poor.
- 2) The 3.1 ha area proposed for inclusion appears to have agricultural capability of predominantly Class 7TR (unimprovable). This land is contiguous with the farm' s existing ALR lands.
- 4) The property is surrounded by non-ALR lands with the exception of a portion of its southern boundary.
- 5) The proposal is to subdivide a 14.5 ha parcel from the 160.6 ha property, of which 2.7 ha is within the ALR and proposed for exclusion. The area proposed for exclusion, according to the applicants, would provide a viable and visible location for the farm-gate market which would be close to the road and potentially create stronger ties with the community, a destination for visitors, and increase the awareness of local agriculture. The residential component of the proposal will be developed on the northern portion of the property which is already outside of the ALR.
- 6) There appear to be many existing structures on the ALR portion of the property associated with the farm activity and social programs operated on the site. Although many of these buildings likely pre-dated the ALR, a site-visit would be helpful to gain a better understanding of the current agricultural and non-agricultural uses on the ALR portion of the property.
- 7) Although the primary focus of Providence Farm appears to be to provide for a variety of community services, it does so in part through its agricultural activities on the property including: market garden and nursery production, storage, packing and processing of farm products, farm retail, agricultural land development, agri-tourism activities, timber harvesting, horse-riding, and animal husbandry (chickens, sheep). The long-term plan is to continue using the surrounding ALR land for agricultural use to continue with the mission of Providence Farm.
- 8) It appears that the proposal includes a road that would connect the southern area of the proposed parcel to the northern residential village. Should the Commission be amenable to this proposal, it is recommended that the proposed road be located in the non-ALR portion of the property.
- 9) Further, it is recommended that the Commission consider appropriate buffering along the ALR boundary to minimize any potential conflict between the residential, commercial and agricultural uses of the properties.
- 10) Two letters of opposition were received with the application. Key points include concerns about food self-sufficiency and food security, the protection of limited agricultural land resources on the Island, and housing on ALR lands.
- 11) A site visit has been scheduled to help assess the agricultural capability of the areas in question, and the overall impact of the proposal to the remainder parcel and the surrounding ALR properties.

ATTACHMENTS

52367_ContextMap50k.pdf
52367_AgCapabilityMap.pdf
52367_AirphotoMap25k.pdf
52367LGRreports.pdf
52367proposal.pdf

END OF REPORT

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