



Agricultural Land Commission
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December 18, 2012

ALC File: #52712

Douglas, Alfred, Tanya & Linda Williams
4930 Waters Road
Duncan, BC
V9L 6S9

Dear Sirs/Mesdames:

Re: Application to Construct a Second Dwelling in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #461/2012 as it relates to the above noted application.

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 #461/2012

cc: Cowichan Valley Regional District (File: 2-E-12ALR)

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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 #52712.

COMMISSION MEMBERS PRESENT:

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

PROPOSAL

To replace a cabin with a smaller second dwelling (960 ft²).
(Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

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.

COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

Based on the information submitted by the applicant, the Commission understands there are currently two dwellings on the property which pre-date the ALR. The applicants propose to replace the existing cabin with a smaller dwelling (960 ft²) in order to conform with Cowichan Valley Regional District bylaws.

Conclusion:

The Commission is amenable to replacing the existing cabin with a new 960 ft² dwelling in the same location. The existing cabin must be removed so that there are only two dwellings on the property. The approval of this second dwelling is based primarily on the fact that construction of the cabin pre-dated the ALR.

IT WAS

MOVED BY: Commissioner Johnson

SECONDED BY: Commissioner Thibeault

THAT the application be approved subject to the following conditions:

1. The existing cabin is to be demolished;
2. The new dwelling is to be sited on the footprint of the demolished cabin; and
3. The size of the new dwelling is not to exceed 1,000 ft².

AND FINALLY THAT 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 #461/2012