



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
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www.alc.gov.bc.ca

December 17, 2012

ALC File: #52835

Cam MacIntyre
2012 Penang Road
Sooke, BC
V9Z 0R8

Dear Mr. MacIntyre:

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

Please find attached the Minutes of Resolution #447/2012 as it relates to the above noted application. As agent, it is your responsibility to notify your client accordingly.

The Commission draws your attention to Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on specific criteria.

33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:

- (a) evidence not available at the time of the original decision has become available,
- (b) all or part of the original decision was based on evidence that was in error or was false.

A revised proposal does not constitute new evidence and as such is not a basis for reconsideration. The time limit for submitting a request for reconsideration is one (1) year from the date of this letter.

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 #447/2012

cc: District of Sooke (File: PLN00948)

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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 #52835.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
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:

Liz Sutton	Land Use Planner
Colin Fry	Executive Director

PROPOSAL

To construct a second dwelling on the 6.5 ha parcel for farm help.
(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.
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COMMISSION CONSIDERATION

After considering the information the Commission concluded as follows:

1. In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI),

'Soil Capability Classification for Agriculture' system. The improved CLI rating applicable to the subject property is Class 2X.

Class 2 - land is capable of producing a wide range of crops. Minor restrictions of soil or climate may reduce capability but pose no major difficulties in management. Limitations: (X) combination of soil factors.

Additional residences generally have two negative effects on the agricultural land base. Firstly, they require land both for the dwelling, yard, septic field and access. Secondly additional dwellings increase the residential density of a property and the surrounding area.

Conclusion:

The property has good agricultural capability and an additional residence would occupy arable land.

2. While there are agricultural activities taking place on the subject property, and the applicant states that approximately 6 hours of help a day is needed, the Commission is not convinced that farm worker help is required to reside full-time on the property.

Conclusion:

Based on your submission, the Commission does not believe that the present level of agricultural activity on the property is sufficient to warrant an additional dwelling for farm help.

IT WAS

MOVED BY: Commissioner Gillette

SECONDED BY: Commissioner Collins

THAT the request be refused.

CARRIED

Resolution #447/2012