



Agricultural Land Commission
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March 3, 2014

ALC File: #53319

Grant McHardie
3147 Sherman Road
Duncan, BC V9L 4B3

Dear Mr. McHardie:

Re: Application for an Addition Living Accommodation in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #431/2013 as it relates to the above noted application. As agent, it is your responsibility to notify your clients accordingly.

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

Enclosures: Minutes of Resolution #431/2013

cc: Cowichan Valley Regional District (File: 2-E-13ALR)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 28, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53319.

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	Planner
Brian Underhill	Executive Director
Colin Fry	Executive Director

PROPOSAL (Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

To convert an attic space above an existing equipment shed for farm worker accommodation. The accommodation is proposed for the owners' son who is looking to transition into managing the blueberry farm.

PROPERTY INFORMATION:

Owner: Roland and Daphne Zeitz

Legal: PID: 009-649-671
The East 3.17 Chains of Section 10, Range 1, Quamichan District

Location: Rowe Road, Duncan

Size: 2.8 ha

SITE INSPECTION

A site inspection of the property was conducted on November 12, 2013. Those in attendance included Commissioners Bullock and Dyson, ALC Planner Liz Sutton, Mr. Wayne Haddow, Regional Agrologist with the Ministry of Agriculture and the applicants' agent Mr. Grant McHardie, and applicant Mr. Zeitz.

Mr. McHardie explained that the proposed living accommodation be built in the attic of an existing farm structure which is associated with the blueberry operation. A septic system is already in place.

Section 14(2) of the *Agricultural Land Commission Act* provides that a member of the Commission who was not present at a meeting to determine an application or other matter may vote on the application or matter only if a summary of the meeting is given to the member before the vote. Commissioner Dyson gave a verbal summary of the site inspection to all Commission members recorded above.

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:

As a general rule additional residences have two negative effects on the agricultural land base. Firstly, they may require arable land both for the dwelling, yard, septic field and access. Secondly additional dwellings increase the residential density of a property and the surrounding area. However, in this circumstance, the proposed living accommodation is to be located in the attic of an existing farm building and therefore does not increase the residential footprint of the property and all but eliminates the potential for future expectations for subdivision.

Conclusion:

The Commission is amenable to second dwelling based on the requirement for farm help. The Commission, however, wishes to make it clear that additional living accommodations built for farm purposes are intended to remain as part of the farm infrastructure. While it is acknowledged that the applicants are asking for the additional living accommodation in order to carry on farm operations, prior to doing so they should take into consideration that the planned capital investment is for farm development and not as a residential or non-agriculturally related rental investment.

IT WAS

MOVED BY: Commissioner Dyson
SECONDED BY: Commissioner Pranger

THAT the request to construct the additional living accommodation within an existing farm structure be approved as proposed.

AND THAT the approved additional living accommodation is for farm help purposes only.

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 #431/2013