



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

June 10, 2014

ALC File: #53561

Danielle Marley
8525 Bourne Terrace
Sidney, BC V8L 1L9

Dear Ms. Marley:

Re: Application for a Second Dwelling in the Agricultural Land Reserve

Please find attached the Minutes of Resolution #187/2014 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: 

Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution #187/2014

cc: District of Central Saanich (File #3360-40-6/13)

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MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on May 29, 2014 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53561.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner

COMMISSION STAFF PRESENT:

Jennifer Carson	Planner
Liz Sutton	Planner
Brian Underhill	Deputy Chief Executive Officer
Colin J. Fry	Chief Tribunal Officer

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

To use the existing residence for occupation by farm help (one worker year-round) and to build a new primary residential dwelling.

PROPERTY INFORMATION:

Owner: Beverly Marley

Legal: PID: 006-522-033
Lot 6, Section 10, Range 3 East, South Saanich District, Plan 2028, Except Part in Plan 2306

Location: 7219 East Saanich Road

Size: 1.5 ha

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:

As a general comment additional residences have two negative effects on the agricultural land base. Firstly, they require agricultural land for the footprint of the dwelling, yard, septic field and access. Secondly, additional dwellings increase the residential density on a property. The Commission believes the number of residences on ALR land should be commensurate with the needs and scale of the agricultural operation. While the Commission understands that legitimate arguments can be made for additional residences for farm help in more rural settings that are not in proximity to a sufficient population base to draw on for farm labour, this is not the circumstance in this situation.

Conclusion:

Based on your submission, the Commission does not believe the present level of agricultural activity on the property is sufficient to warrant an additional dwelling for farm help. Furthermore, the Commission believes there is sufficient opportunity to acquire farm help without the need to place a second residence on this small-sized lot.

IT WAS

MOVED BY: Commissioner Gillette

SECONDED BY: Commissioner Miles

THAT the request to have two dwellings on the property be refused.

CARRIED

Resolution #187/2014