



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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June 30, 2014

ALC File: #53664

Michael Hadfield  
Equitex Management  
500 – 707 Fort Street  
Victoria, B.C. V8W 3G3

Dear Mr. Hadfield:

**Re: Application to Conduct a Non-Farm Use on Land in the Agricultural Land Reserve (ALR)**

Please find attached the Minutes of Resolution #230/2014 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:

A handwritten signature in black ink that reads 'Liz Sutton'. The signature is written in a cursive, flowing style.

Colin J. Fry, Chief Tribunal Officer

Enclosure: Minutes of Resolution #230/2014

cc: District of Central Saanich (File #3360-40-1/14)

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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 #53664.

### 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

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### PROPOSAL (Submitted pursuant to s. 20(3) of the *Agricultural Land Commission Act*)

To use an existing second dwelling for housing farm help for horse breeding, sales and riding on a 4.8 ha property.

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### PROPERTY INFORMATION:

**Owners:** Shew Yee and Gary Lee

**Legal:** PID: 000-001-163  
That Part of Lot 2, Lying East of the Right of Way of the Canadian Northern Pacific Railway and containing 11.86 Acres more or less, of Section 17, Ranges 5 and 6 East, South Saanich District, Plan 3786

**Location:** 6281 Lochside Drive, District of Central Saanich

**Size:** 4.8 ha

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### 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 1984, the District of Central Saanich (the District) issued a building permit for a studio to be placed next to the primary dwelling on the subject property. Since its original construction, the interior of the studio has been modified and is now considered by the District to be a dwelling. The second dwelling is approximately 550 ft<sup>2</sup> and is situated approximately 2.4 metres from the primary dwelling.

**Conclusion:**

Due to the small footprint and close proximity of the converted studio, the Commission is amenable to allowing the second dwelling in its current size, in lieu of any future development of a secondary suite within the primary dwelling.

2. The applicant states that the horse farm consists of a 20 stall horse barn, a 6 stall horse barn, outdoor riding ring and the farm is used for horse breeding, sales, and riding. The applicant also states that the farm requires three full-time employees and two part-time employees. Two full-time employees live in the primary dwelling while one full-time and one part-time employee reside in the second dwelling. Based on the information provided, the Commission believes the present level of agricultural activity on the property is sufficient to warrant the continued use of the existing converted studio for farm help.

**Conclusion:**

Use of the existing second dwelling for farm help is justified due to the existing agricultural activity on the property.

**IT WAS**

**MOVED BY:**                **Commissioner Bullock**

**SECONDED BY:**        **Commissioner Dyson**

THAT the request to use the existing converted studio as a residential accommodation be approved.

AND THAT the approval is subject to the following conditions:

1. The applicants submitting an agreement in writing that with this approval they forego the right to develop a secondary suite within the primary dwelling; and
2. No expansion of the converted studio.

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 #230/2014**