



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

June 26, 2014

ALC File: #53665

Ilya Amrhein
1438 Mount Newton Cross Road
Saanichton, BC V8M 1S1

Dear Sir/Madam:

Re: Application for a Non-Farm Use of Land in the Agricultural Land Reserve (ALR)

Please find attached the Minutes of Resolution #231/2014 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 #231/2014

cc: District of Central Saanich (File: 3360-40-3/14)

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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 #53665.

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 s. 20(3) of the *Agricultural Land Commission Act*)

To replace an existing cottage with a new dwelling for farm help.

PROPERTY INFORMATION:

Owners: Heather, Jane & Brian Stretch and Lamont Leatherman

Legal: PID: 000-239-101
Lot 2, Section 4, Range 1 East, South Saanich District, Plan 33318

Location: 1438 Mount Newton Cross Road, Central Saanich

Size: 8.2 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.

COMMISSION CONSIDERATION

The Commission reviewed two previous applications involving the subject property:

Application # 28266
(Dartford Investments and
Stadacona Properties, 1978)

To applicants originally proposed to exclude approximately 28 ha from the ALR but amended their proposal to subdivide four properties into twenty-six lots consisting of one 40 ha lot, one 8 ha lot and twenty-four 4 ha lots. The amended proposal was approved by Resolution #9856/78 dated September 12, 1978.

Note: ALC Resolution #9856/78 created the subject property.

Application #34304
(Longhee, 1976)

The applicant proposed to locate a double-wide mobile home on the subject property for the manager of the farm operation. Approved by Resolution #4366/76 dated August 5, 1976.

BACKGROUND

There are currently two habitable dwellings on the subject property consisting of (1) the main house and (2) a suite within the main house. Two of the landowners occupy the main dwelling, and two occupy the suite within the main dwelling. The property supports mixed vegetable and fruit production and chickens.

In addition to the main dwelling and suite, there is also a decommissioned cottage located on the subject property. The applicants propose to replace the former cottage with a dwelling that will be occupied by two additional farm managers for a total of six persons living full-time on the property.

After considering the information the Commission concluded as follows:

It is stated in the District of Central Saanich's *Local Government Report* (the "Report") that there are approximately 13 seasonal workers and four full-time farm managers working on the farm. The full-time farm workers provide year round care for the chickens, vegetable production and harvest, blueberry pruning, and general farm maintenance. It is further stated in the Report that the landowners purchased the property in 1979 and have maintained "farm status" ever since.

Conclusion:

The Commission believes the level of agricultural activity on the property is sufficient to warrant an additional dwelling for farm help purposes.

IT WAS

MOVED BY: Commissioner Bullock
SECONDED BY: Commissioner Dyson

THAT the request to construct a residence for farm help be approved subject to the second dwelling being constructed on the footprint of the decommissioned cottage to a maximum floor area of 200 m² as per the District of Central Saanich's recommendation.

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 #231/2014