



Agricultural Land Commission
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January 18, 2007

Reply to the attention of Terra Kaethler
ALC File: # S- 36605

Laurie Gourlay and Jackie Moad
2689 Cedar Road
Nanaimo, BC V9X 1K3

Dear Sir/Madam:

RE: Application #S-36605
PID: 010-320-407
Lot A, Section 5, Range 2, Cedar District, Plan 46461

Please find attached the Minutes of Resolution # 0004/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik/Karlsen, Chair

cc: Regional District of Nanaimo (#6635-05-0603)

RC/lv/Encl.
36605d2



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on 11th January, 2007 in North Saanich, B.C.

PRESENT:	Lorne Seitz	Vice Chair
	David Craven	Commissioner
	Don Rugg	Commissioner
	Roger Cheetham	Staff

For Consideration

Application # S - 36605
Applicant: Laurie Gourlay and Jackie Moad
Proposal: To reconsider an application to renovate an existing barn structure to create accommodation for farm help.
Legal: PID: 010-320-407
Lot A, Section 5, Range 2, Cedar District, Plan 46461
Location: 2689 Cedar Road, Regional District of Nanaimo.

Site Inspection

A site inspection was conducted on 10th January 2007. Those in attendance were:

- Commissioners Seitz, Craven and Rugg
- Roger Cheetham, Regional Planner
- Laurie Gourlay and Jackie Moad

The Commission noted that since its previous site inspection of the property on 5th June 2006 additional work had been carried out. The Commission also noted that the conversion of the barn would have minimal impact on agriculture.

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. 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.

Discussion

There was some debate with regard to the level of agricultural activity and the justification for additional farm help. While the Commission had reservations in this regard it also noted that there was unlikely to be any material impact on agriculture resulting from the conversion of the barn provided that the second dwelling was occupied by someone providing farm help and provided also that no expansion of the dwelling occurred.

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IT WAS

MOVED BY: Commissioner Seitz

SECONDED BY: Commissioner Rugg

THAT the Commission considered that new evidence had been received that provided grounds for the reconsideration of the application.

THAT the reconsideration request be approved subject to the second dwelling being confined to the existing barn and no further extensions being carried out and provided further that the second dwelling is occupied by someone providing farm help for the farming operations taking place on the property.

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 # 0004/2007



Staff Report
Application # S – 36605-0
Applicant: Laurie Gourlay / Jackie Moad

DATE PREPARED: December 29, 2006

TO: Chair and Commissioners – Island Panel

FROM: Terra Kaethler, Land Use Planner

PROPOSAL: To renovate an existing barn structure to create accommodation for farm help.

This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The Commission reviewed this application and met with applicants in May 2006. The application was refused as proposed, as the agricultural production of the land was limited and both owners worked off-site. The Commission stated that it would reconsider the application should the level of agricultural production warrant such a review. The applicants have provided follow-up information and a request for reconsideration.

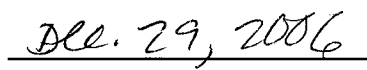
ATTACHEMENTS:

- Letter from Applicants, November 7, 2006 (18 pages)
- Original Decision letter and Minutes (Resolution #292/2006), June 28, 2006
- Original Staff Report, May 29, 2006
- ALC Map 92G.001

END OF REPORT



Signature



Date