



**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 28, 2006

Reply to the attention of Gordon Bednard

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**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to renovate an existing barn structure to create accommodation for farm help. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you for taking the time to meet with its representatives on June 5, 2006 at the property. The Commission found the meeting and site visit informative.

The Commission appreciates your interest and agricultural development ideas. However, the Commission finds it difficult to approve additional dwellings when the current level of agricultural production on a farm property is somewhat low, and both owners work off-site. This is not the usual situation when a second dwelling is requested. Normally such a request is received when one or both of the owners are working full time on the farm and the demands of their particular type of farming makes it necessary for on-farm full-time help to expand operations.

For these reasons, the Commission refused your application as proposed. The Commission will reconsider this application should the level of agricultural production in the future warrant such a review.

The decision noted above is recorded as Resolution # **292/2006**.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karsen, Chair

pc: Regional District of Nanaimo - Attn: Norma Stumborg

GB/lv/36605d1





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

**DATE PREPARED:** May 29, 2006

**TO:** Chair and Commissioners – Island Panel

**FROM:** Gordon Bednard, Regional Research Officer

**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:**

There already appears to be two dwellings on this property - the main residence and a cabin. The need for more accommodation should be clarified with the applicant.

The applicants are also referring to the provision of accommodation for Bed and Breakfast on the property, although no specific number of beds, locations, or plans are included in the application - again, this may need clarification with the applicants as to how much additional accommodation they plan for this property, give its modest size and present limited agricultural development. Both applicants work off the farm, which is listed as a reason on-farm help is needed.

**Local Government:**

Regional District of Nanaimo

**Legal Description of Property:**

PID: 010-320-407  
Lot A, Section 5, Range 2, Cedar District, Plan 46461

**Purchase Date (m/d/y):**

06/01/2004

**Location of Property:**

2689 Cedar Road, Nanaimo

**Size of Property:**

8 ha (The entire property is in the ALR).

**ALR Area under application:**

0.2 ha

**Present use of the Property:**

residence, cabin/studio, 3 barns (one being the subject of this application), various sheds, forested land and hay fields

**Surrounding Land Uses:**

- WEST:** forested and developed farm properties
- SOUTH:** forested land and large farm properties
- EAST:** forested land and hayfields, farms and rural residences beyond
- NORTH:** rural residential, Cedar road, mixed residential and farm properties beyond

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92G.001  
The majority of the property is identified as having Prime Dominant ratings.

**Official Community Plan and Designation:**

Rural Residential

**Zoning Bylaw and Designation:**

Rural -4  
2 ha MLS

**PREVIOUS APPLICATIONS:**

**Application #19132-0**  
**Applicant:** Wallace, Gregory  
**Decision Date:** June 1985  
**Proposal:** Establish a legal access to a landlocked parcel (present subject property)  
**Decision:** Allowed

**RELEVANT APPLICATIONS:**

**Application #21958-0**  
**Applicant:** Little, Ernest and Eileen  
**Decision Date:** April 29, 1988  
**Proposal:** To construct an additional permanent dwelling which is better suited to the applicants who are having health problems and cannot easily utilize the existing house.  
**Decision:** Allowed provided one of the existing dwelling units is removed, made uninhabitable or converted for farm use. The intent of the Commission's decision is to have only two dwellings on the subject property.

**Application #31973-0**  
**Applicant:** Wood, Michael & Elaine  
**Decision Date:** June 30, 1998  
**Proposal:** To construct a second permanent dwelling, approximately 2000 sq. ft., for the applicant's mother and father. This would allow the applicant to continue her career off the farm.  
**Decision:** Refused based on the small size of the property and the limited level of agricultural activity on the property.

---

**Application #31973-1****Applicant:** Wood, Michael & Elaine**Decision Date:** June 21, 1999**Proposal:** To construct a second permanent dwelling for the co-owners of the property.**Decision:** Refused on the grounds that present level of agricultural activity on the farm does warrant the necessity for a second permanent dwelling.

---

**Application #34616-0****Applicant:** Wallace, Greg**Decision Date:** January 22, 2003**Proposal:** Greg Wallace is requesting permission to subdivide his 8 ha property along Cedar road which would create a .7 ha piece north of the road and a 7.3 ha remainder. Mr Wallace has been joint tenants on the property with his father since 1970 and is applying under the homesite severance policy of the Commission.**Decision:** Allow the subdivision of the 8 ha property along the road to form one 0.7 ha lot and a 7.3 ha remainder.

---

**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

Forwarded without comment

**STAFF COMMENTS:**

Staff recommends an onsite meeting with the applicants and a discussion of their goals for the farm to determine if the additional accommodation is warranted. At present the fact that both applicants work off the farm and the level of agricultural development is somewhat limited leads staff to be cautious about allowing additional dwellings until a need is proven.

---

**END OF REPORT**

---

**Signature****Date**