



**Agricultural Land Commission**  
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June 19, 2007

Reply to the attention of Terra Kaethler  
ALC File: #S - 37355

Shane Lassam  
2627 Barnes Road  
Nanaimo, BC V9X 1N3

Dear Sir:

**Re: Application for Non-Farm Use in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 293/2007 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

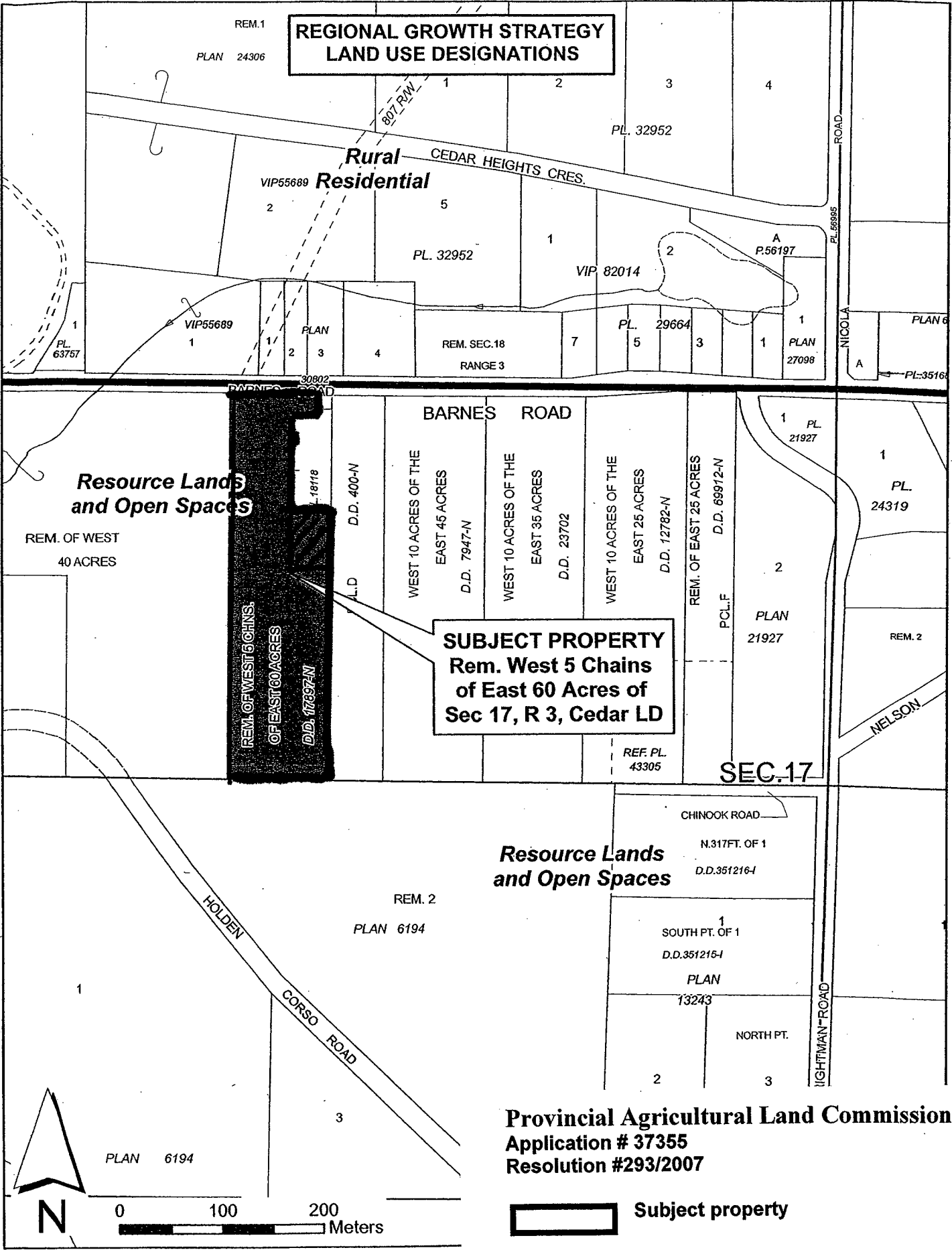
Erik Karlsen, Chair

cc: Regional District of Nanaimo (#6635-05-0701)

Enclosure: Minutes/Sketch Plan

TK/lv/37355d1.



**REGIONAL GROWTH STRATEGY  
LAND USE DESIGNATIONS**

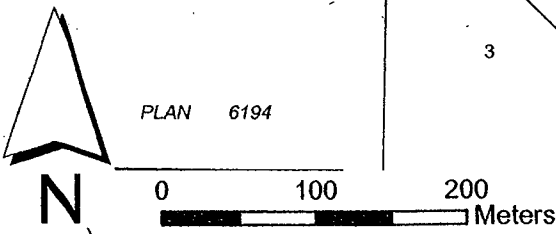


**SUBJECT PROPERTY**  
Rem. West 5 Chains  
of East 60 Acres  
of Sec 17, R 3, Cedar LD

RECEIVED  
PROV. AGRICULTURAL  
LAND COMMISSION  
APR 17 2007

**Provincial Agricultural Land Commission**  
Application # 37355  
Resolution #293/2007

-  Subject property
-  Area approved for non-farm use





# MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on June 4, 2007 in Ladysmith, B.C.

<b>PRESENT:</b>	Lorne Seitz	Chair, Island Panel
	David Craven	Commissioner
	Donald Rugg	Commissioner
	Terra Kaethler	Staff

### For Consideration

Application: # S - 37355  
 Applicant: Shane Lassam  
 Proposal: Non-farm use: 2nd dwelling  
 Legal: PID: 008-766-479  
 W 5 chains of the E 60 acres of Section 17, Range 3, Cedar District, EXCEPT part in Plan 18118  
 Location: 2627 Barnes Road, Nanaimo

### Site Inspection

A site inspection was conducted on June 4, 2007. Those in attendance were:

- Lorne Seitz , David Craven, Donald Rugg                      Commission Members
- Terra Kaethler    Staff
- Shane, Tracy Lassam    Applicants

The Commission met with the applicants and walked the property. The Commission noted that the area proposed for a second dwelling was on a steep slope and in close proximity to the existing mobile home.

The applicant confirmed that the staff report dated April 17, 2007 was received and no errors were identified.

### 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**

### **Assessment of Agricultural Capability**

The Commission noted at the site visit that the applicant and his family were currently operating a working farm and had sufficient access to water and that the property appeared to have a higher agricultural rating than had been identified. Further, the proposed location of the second dwelling is on a steep slope that is extremely limited in agricultural capability.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The proposed location of the second dwelling is in close proximity to the existing mobile home on the property. The Commission discussed that should the trailer be removed, the proposal would not impact the existing or potential agricultural use of the property or surrounding lands.

The Commission also recognized that the applicant is actively involved in farming, and that establishment of a permanent dwelling would support the intergenerational transfer of the family farm operation.

## **Conclusions**

1. That the portion of land under application has limited agricultural capability.
2. That the proposal will not negatively impact agriculture.

**I**

**T WAS**

**MOVED BY:** Commissioner Seitz

**SECONDED BY:** Commissioner Rugg

THAT the application be approved; subject to the removal of the existing mobile home within six months of occupancy of the second dwelling.

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 # 293/2007**



**Staff Report**  
**Application # S – 37355**  
**Applicants: The Lassam Family**  
**(Shane, Dave, and Doreen Lassam, Cori Kral and Tammy Raynor)**

**DATE RECEIVED:** April 17, 2007

**DATE PREPARED:** May 24, 2007

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

**FROM:** Terra Kaethler, Land Use Planner

**PROPOSAL:** Non-farm use to construct a 2nd dwelling on the 3.6 ha property.

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

**BACKGROUND INFORMATION:**

Dave and Doreen Lassam have lived on the property since 1965 and wish to continue to do so as they retire. Their son, Shane states in the application that he intends to take over the family's farm. He and his family live in a mobile home on the property and are proposing to build a second dwelling on the property for the purposes of farm help. The mobile home would be removed after the second dwelling is built. The applicants also own the adjacent property.

**Local Government:**

Regional District of Nanaimo

**Legal Description of Property:**

PID: 008-766-479

W 5 chains of the E 60 acres of Section 17, Range 3, Cedar District, EXCEPT part in Plan 18118

**Purchase Date:**

2/06/07. The applicant's parents have been on the title of the property since September 21, 1965.

**Location of Property:**

2627 Barnes Road, Nanaimo

**Size of Property:**

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

**BACKGROUND INFORMATION (cont.):**

**Present use of the Property:**

beef farm, crop field, grazing and dwellings

**Surrounding Land Uses:**

**WEST:** farm land  
**SOUTH:** farm land  
**EAST:** hobby farm  
**NORTH:** residential

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92G011  
The majority of the property is identified as having Secondary ratings.

**Official Community Plan and Designation:**

OCP: Bylaw No 1240, ( 2001)  
Designation - Rural Resource

**Zoning Bylaw and Designation:**

Zoning : Bylaw No 500, (1987)  
designation - RU4 - rural  
Minimum Lot Size - 2 ha

**RELEVANT APPLICATIONS:**

**Application #35285-0 (adjacent to south)**

**Applicant:** Roy, Joan  
**Decision Date:** April 14, 2004  
**Proposal:** Joan Roy is requesting permission to subdivide her 11.5 ha property into five lots, one for herself and four for her daughters and a nephew. The properties will be used in the future for hobby farms and forestry potential within the ALR.  
**Decision:** Refuse as proposed but would allow HSS for Joan Roy subject to HSS conditions, around existing home and outbuildings, subject to final plan approval by Commission. The decision was reconsidered July 21, 2004, and previous refusal was confirmed in view of agricultural potential of site.


**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

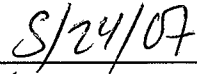
No recommendations

**ATTACHMENTS:**

- Letter from Applicant
- ALC Map 1:50,000
- ALC Agricultural Capability Map
- ALC Aerial Photo
- Sketch of Proposal

END OF REPORT

  
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Signature

  
\_\_\_\_\_  
Date