



Agricultural Land Commission
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Reply to the attention of Terra Kaethler
ALC File: I-37722

December 20, 2007

Linda Passingham
4416 Macaulay Road
Black Creek, BC V9J1E2

Dear Madam:

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

Please find attached the Minutes of Resolution # 700/2007 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 Comox-Strathcona (3110-20/ALR 4C 07)

Enclosure: Minutes/Sketch Plan

TK/37722d1.doc



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 28, in Comox, B.C.

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

For Consideration

Application: # I- 37722
Applicant: Linda Passingham
Proposal: To place a second residence for immediate family member and to accommodate farm help.
Legal: PID: 001-284-398
Lot B, Block 29, Plan 30197, Comox Land District
Location: 4416 Macaulay Road

Site Inspection

A site inspection was conducted on November 28, 2007. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- David Craven Commissioner
- Donald Rugg Commissioner
- Terra Kaethler Staff
- Linda (Ann) Passingham and Melinda Johnston Applicants

The Commission met with the applicants and walked the property. The Commission noted the property was flat and partially cleared. The applicants confirmed that the staff report dated November 14, 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

The Commission assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission noted the support of the Agricultural Advisory Committee, the Regional Agrologist, and the Regional District for the additional residence based on the projected farm activities and the small footprint to be created by the additional dwelling.

It was further discussed that the location of the proposed second dwelling was in close proximity to the existing dwelling in the northeast corner of the property and adjacent to small residential lots outside of the ALR. The Commission did not believe the proposal would negatively impact existing or potential agricultural use of the property or surrounding lands.

Conclusions

1. That the proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner Rugg

SECONDED BY: Commissioner Seitz

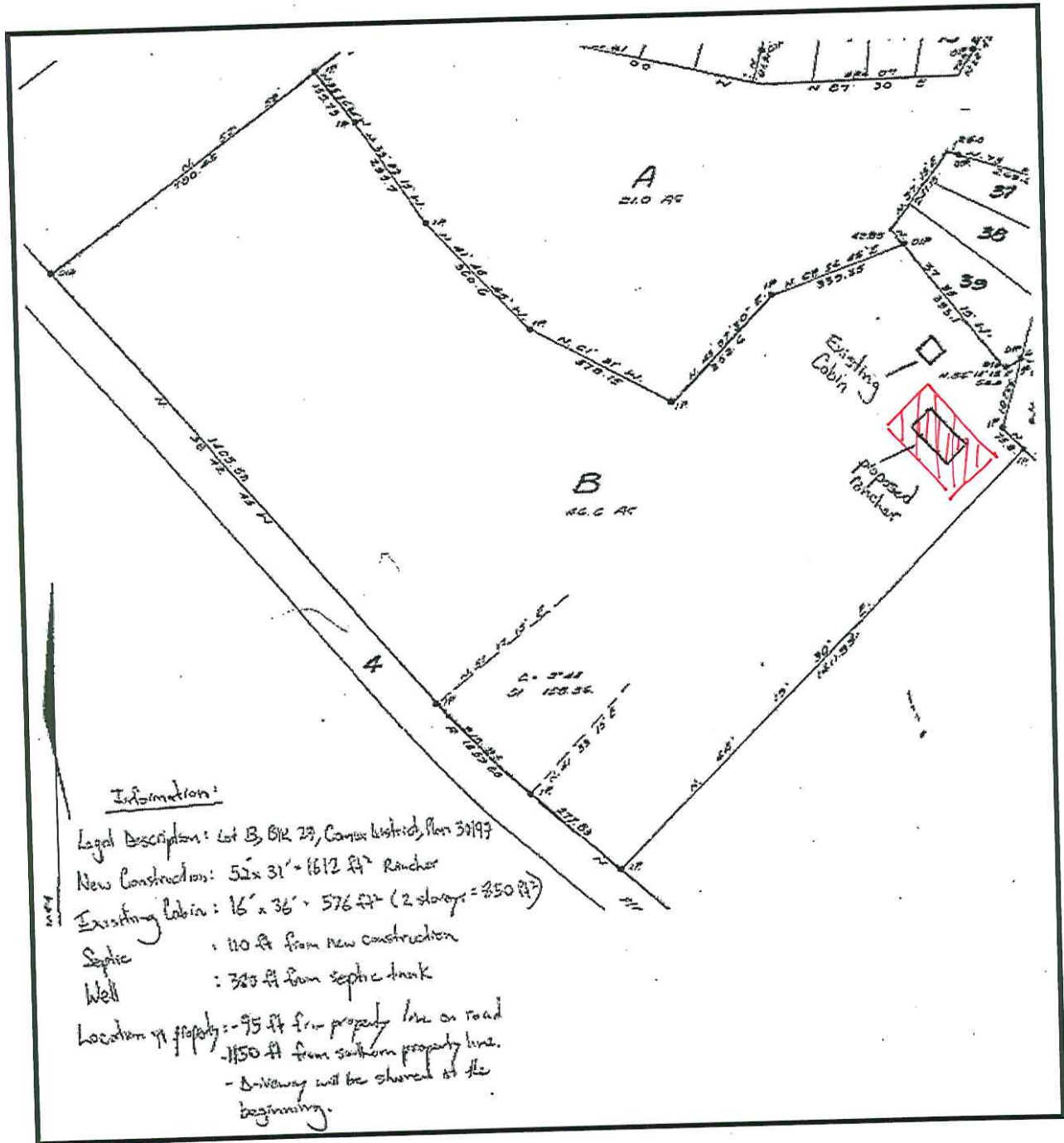
THAT the application for a second dwelling for a family member be approved;

AND THAT the approval is subject to the location of the second dwelling in substantial compliance with the plan submitted in the application.

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 # 700/2007



Information:

Legal Description: Lot B, B12 29, Comox District, Plan 30197

New Construction: 52' x 31' = 1612 ft² Rancher

Existing Cabin: 16' x 36' = 576 ft² (2 stories = 1152 ft²)

Septic : 110 ft from new construction

Well : 325 ft from septic tank

Location of property: - 95 ft from property line on road

- 1150 ft from southern property line.

- Driveway will be shared at the beginning.

Schedule 'A'

