



# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 65125

**Application Status:** Under LG Review

**Applicant:** Penelope Haslam , Christopher Mark Haslam

**Local Government:** Cowichan Valley Regional District

**Local Government Date of Receipt:** 04/27/2022

**ALC Date of Receipt:** This application has not been submitted to ALC yet.

**Proposal Type:** Non-Farm Use (Placement of Fill)

**Proposal:** The purpose of this application is to follow up on a letter of Stop Work Order from the ALC. The benefits of this proposal is that our farm solely relies on this driveway access for our farm fields and pastures in order to be worked, maintained and have livestock on the property.

**Mailing Address:** [REDACTED]

**Primary Phone:** [REDACTED]

**Email:** [REDACTED]

## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 006-242-171

**Legal Description:** LOT 2, SECTION 4, BRIGHT DISTRICT (FORMERLY OYSTER)  
DISTRICT PLAN 2998, EXCEPT PART IN PLAN 23414

**Parcel Area:** 3.5 ha

**Civic Address:** 13150 Minn Rd Ladysmith BC V9G1M1

**Date of Purchase:** 09/17/2021

**Farm Classification:** Yes

#### Owners

1. **Name:** Penelope Haslam

**Address:** [REDACTED]

**Phone:** [REDACTED]

**Email:** [REDACTED]

2. **Name:** Christopher Mark

Haslam

**Address:** [REDACTED]

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Phone: [REDACTED]  
Email: [REDACTED]

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## **Current Use of Parcels Under Application**

### **1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**

*In September we purchased this property for the hopes and dreams of building our dream farm. We hired a neighbouring farmer to come and cut the fields/pastures since they had not been harvested in many years previous. The goal was to remove the old growth so the fields could produce healthier crops the next spring. When the farmer arrived he was unable to access the fields/pastures through the main entrance to the farm because the driveway entrance is off Minn rd which is a single lane road at best. He was unable to get his mower onto our property via the main access/driveway. At this point we looked for alternatives and found the fencing had been previously altered to accommodate access off Cameron road. This was the only way we could see how in the past farmers accessed these fields. We wanted to make this a permanent access point so called the CVRD and then the ALC to inquire about bringing driveway material on to our farm to repurpose this old access point to become a driveway for the farming equipment, horse trailers, sawdust, hay, and grain deliveries in order to access the property successfully and safely to better our farm. It was our understanding with conversations with Chloe from the CVRD and Martin from the ALR that we were following under the guidelines appropriately for the amount and quality of driveway material allowed on ALR property. In the letter we received from Steven Laing, the first concern was that there is prohibited fill (concrete) in the manufactured material used on this driveway. We did not know it contained concrete so we walked it and we have contacted the stone base provider and he has informed us that the driveway material has 0-5% processed concrete content in with the 1 ft or less shot rock. Working with the guidance of Steve Laing we have since had all the concrete material removed and will be disposed of properly with a proper disposal slip to be produced. We desperately hope that the ALC will grant us permission to continue this driveway so that we can continue to have access to our farm. We intend on farming the fields and having horses, cows and sheep on the pastures. Currently we are paying to keep our horses, and cows at another farm until the driveway is completed. This driveway is essential to have access for the livestock to be delivered and have a safe area to deliver the essentials such as hay, grain etc. We are respecting the Stop Work Order as we want to try to work together to solve this mix up and misunderstanding. We wish to continue this driveway further into the lower field where we intend of having a greenhouse, a barn to store the farming equipment and to properly access the existing cow/sheep shed. The second concern in the letter from Steven states that they have reason to believe that a non-farm use namely the storage of equipment and vehicles etc under the business name Haslam Creek Contracting is occurring on the property. We would like to address this because yes we have a logging truck/lowbed company that services the forest industry however we have an industrial yard located in Parksville where we store and maintain our trucks. From time to time my husband comes home in his logging truck depending on where his work day ends so he parks the truck in our driveway. We respect the neighbours concern regarding the equipment that has been on the property, however that was just equipment that we hired to do the driveway, we do not own any equipment and it was not being stored there, it was just parked there while the driveway was being developed. We also have a water truck that is parked on our farm because at our old location we used this water truck to water down the riding area during the dry/hot dusty season as well as bring water in for the animals. In the future we intend on building a riding area so this water truck will be essential for dust control again as well.*

### **2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**

*We are currently in the process of applying for a site permit for where we hope to put the greenhouse and hay/haying equipment barn as well as applying for Farm Classification. So far the only agricultural improvements have been the start to the driveway so that farming equipment can access the farm safely and successfully in order to make improvements. Our intention is to raise beef cattle which we already own and are waiting for their arrival. We have 3 horses which will be joining our farm as well as sheep and chickens in the future while keeping our options open to other livestock. We have very rich soil on*

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*our property and strongly believe a green house and external gardens will add to our crops and sales. The property already has over 20 fruit trees and large grape vines which we plan to harvest each year. We are new to owning property in the ALR and this situation has gotten our full attention. Moving forward we want to make sure we are doing everything properly to prevent this from happening again. We truly believed we had done our homework and due diligence reaching out the the CVRD and the ALC before we began this project.*

**3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**

*As mentioned above, we do not use the farm for anything non-agricultural use except for my husband parking his logging truck overnight after work occasionally. Additionally, my brother owns his own logging truck and when he is working in town he has parked it in our driveway for the night while he visits with us occasionally.*

**Adjacent Land Uses**

**North**

**Land Use Type:** Agricultural/Farm

**Specify Activity:** Fields

**East**

**Land Use Type:** Agricultural/Farm

**Specify Activity:** Fields

**South**

**Land Use Type:** Agricultural/Farm

**Specify Activity:** fields, trees, grape vines and fruit trees

**West**

**Land Use Type:** Agricultural/Farm

**Specify Activity:** fields

**Proposal**

**1. Are you submitting this application as a follow-up to a Notice of Intent (NOI)?**

*No*

**2. What is the purpose of the proposal? Describe any benefits to agriculture that the proposal provides.**

*The purpose of this application is to follow up on a letter of Stop Work Order from the ALC. The benefits of this proposal is that our farm solely relies on this driveway access for our farm fields and pastures in order to be worked, maintained and have livestock on the property.*

**3. Proposal dimensions**

**Total fill placement area (0.01 ha is 100 m<sup>2</sup>)** *0.0875 ha*

**Maximum depth of material to be placed as fill** *0.305 m*

**Volume of material to be placed as fill** *288.75 m<sup>3</sup>*

**Estimated duration of the project.** *3 Months*

**4. Has a Professional Agrologist reviewed the project and provided a written report? If yes, please**

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**attach the Professional Agrolgist report in the "Upload Attachments" section.**

No

**5. What alternative measures have you attempted before proposing to place fill?**

*We attempted to cross the field during January from the Camron Road driveway access spoken about earlier for the farmer to access our fields, headed to the barn with our tractor to deliver hay and materials to fix/maintain the barn before our livestock arrived and we got stuck in the field so we knew we needed to add driveway material to create a proper driveway as well as material to give the livestock proper dry footing that could be used year round especially during the winter months when the fields are so wet.*

**6. Describe the type of fill proposed to be placed.**

*We purchased 1 foot or less fracture rock*

**7. Briefly describe the origin and quality of fill. Has the fill been assessed by a qualified professional to verify its agricultural suitability? If yes, please attach the assessment report in the "Upload Attachments" section.**

*It was purchased from an aggregate supplier in South Nanaimo. He assured us it was generated and processed legally. Once we received the letter from Steven stating it had traces of concrete in it, we reached out to the supplier. The supplier said that yes the driveway material could contain anywhere from 0-5% processed concrete. We removed all concrete material and currently it sits in a pile at the end of the driveway waiting to be picked up by the supplier and be disposed of properly. A proper disposal slip will be provided when it happens.*

**8. Describe the type of equipment to be used for the placement of fill. If applicable, describe any processing to take place on the parcel(s) and the equipment to be used.**

*We hired a dump truck to transport the driveway material and an excavator to prep the driveway and place the driveway base.*

**9. What steps will be taken to reduce potential negative impacts on surrounding agricultural lands?**

*The excess soil that was removed for the driveway will be used to level out the existing fields.*

**10. Describe all proposed reclamation measures. If a reclamation plan from a qualified professional is available, please summarize the reclamation and attach the full plan in the "Upload Attachments" section.**

*Once the soil is spread out on the fields we will work the fields and reseed them to grass to produce hay and pastures.*

## **Applicant Attachments**

- Site Plan / Cross Section-65125
- Site Photo-Narrow Existing driveway
- Proposal Sketch-65125
- Certificate of Title-006-242-171

## **ALC Attachments**

None.

## **Decisions**

None.

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This is an arial view of our property. This image shows 3 different things. 1 in yellow shows where we indent our driveway to finish, on the lower field where we have labeled in black where we intend of putting a greenhouse and a barn for hay and haying equipment. In red is where we intend on clearing the trees to plant more grass to make up for the area we lost with the driveway. Our property is zoned A-1 in the Electoral Area H Zoning Bylaw. The maximum parcel coverage is 15%, which would be about 58,806 sqft of total allowable building coverage for all buildings and structures. We understand for agricultural accessory building the setbacks are 15m from every parcel line which we will follow. We are in the process of applying for this site permit.



This is Minn Rd showing just how narrow the single lane rd is



Approaching our driveway on the right where all the trees are



This is our driveway where the farmer was unable to access our property



Different angle of our very narrow driveway



This is to show the old existing driveway to reach the existing barn on the back of the front field



This shows 2 gates to access the fields off the driveway which are very narrow



This shows the old access point off Cameron Rd headed directly towards the old

access gates off our driveway. This is why we picked this point as our access point because it was already an opening in the gate, it heads directly straight down the field towards the gate to the lower field and cow/sheep barn and it can connect to the existing barn on the far right hand side of this field. Looking at the over all property this was the easiest location to enter the farm with doing the least amount of damage to the fields since access the property off Minn Rd with farming equipment ect was not going to be an option due to its size / width.