

REGIONAL DISTRICT OF NANAIMO
AGRICULTURAL ADVISORY COMMITTEE
FRIDAY, MARCH 27, 2015
1:00 PM

(Committee Room)

A G E N D A

PAGES

CALL TO ORDER

MINUTES

2-5 Minutes of the Agricultural Advisory Committee meeting held Friday January 23, 2015.

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

6 Ministry of Agriculture, Minister Norm Letnick, re, Review of Section 11.1 of the Livestock Act.

UNFINISHED BUSINESS

REPORTS

7-32 ALR Application No. PL2014-013 – Paravicini – 531, 533, and 539 Parker Road West, Electoral Area ‘G’.

Bylaw and Policy Update Project – Current Status (Verbal Report).

Agriculture Advisory Committee Workshop (Verbal Update).

Upcoming meeting with Agricultural Land Commission – Wednesday April 22, 2015 from 1-4pm (Verbal Report).

Dogs at Large (Verbal Update).

ADDENDUM

BUSINESS ARISING FROM DELGATIONS OR COMMUNICATIONS

NEW BUSINESS

ADJOURNMENT

Distribution: H. Houle (Chair), J. Fell, C. Haime, K. Reid, R. Thompson, C. Watson, M. Ryn, K. Wilson, J. McLeod, J. Thony, W. Haddow, P. Thorkelsson, G. Garbutt, J. Holm, P. Thompson, T. Armet, G. Keller, N. Hewitt

REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE AGRICULTURAL ADVISORY COMMITTEE
MEETING HELD ON FRIDAY, JANUARY 23, 2015 AT 1:30 PM
IN THE RDN BOARD CHAMBERS

Present:

Director H. Houle	Chairperson
Director J. Fell	Electoral Area F
K. Wilson	Representative (South)
M. Ryn	Representative (South)
C. Watson	Representative (North)
J. McLeod	Regional Agricultural Organization
R. Thompson	Representative (North)
J. Thony	Regional Agricultural Organization
K. Reid	Regional Aquaculture Organization
W. Haddow	Regional Agrologist, Ministry of Agriculture

Also in Attendance:

G. Garbutt	General Manager of Strategic and Community Development
P. Thompson	Manager of Long Range Planning
J. Holm	Manager of Current Planning
G. Keller	Senior Planner
W. Haddow	Regional Agrologist, Ministry of Agriculture
N. Hewitt	Recording Secretary

Regrets:

Director C. Haime	District of Lantzville
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CALL TO ORDER

Chairperson Houle called the meeting to order at 1:30 p.m.

MOVED K. Wilson, SECONDED K. Reid, that the agenda be approved as circulated.

CARRIED

LATE DELEGATE

MOVED J. Fell, SECONDED M. Ryn, that the following delegation be permitted to address the Committee.

CARRIED

RDN Animal Control Bylaws – Dangerous Dogs / Dogs at Large.

Skye Donald, 1489 Grafton Road, Electoral Area 'F' resident, requested that the Regional District of Nanaimo amend the current dog control bylaw to become more effective. Ms. Donald suggested dog licensing may help reduce dogs at large.

MINUTES

Minutes of the Agricultural Advisory Committee meeting held Friday October 17, 2014.

MOVED J. Fell, SECONDED M. Ryn, that the minutes of the Agricultural Advisory Committee meeting held Friday October 17, 2014 be adopted.

CARRIED

REPORTS

Member Orientation.

J. Holm provided an overview of the Agricultural Advisory Committee binder with supplementary documents.

Ministry of Agriculture, AAC Workshop Member Attendance.

G. Keller provided an overview of the AAC Workshop and Board Resolution authorizing one AAC member to attend with expenses paid. J. Holm provided an estimate of the anticipated costs for any additional AAC members who wish to attend the workshop.

MOVED K Wilson, SECONDED J McLeod, that the Agricultural Advisory Committee endorse C. Watson and M. Ryn attend the Ministry of Agriculture – AAC Workshop.

CARRIED

Bylaw and Policy Update Project Seminar.

G. Keller provided a summary of the community feedback on each obstacle and requested a recommendation from the AAC on whether further action is supported.

Obstacle 1: RDN Zoning is not consistent with the Provincial Agricultural Land Reserve Use, Subdivision, and Procedure Regulation.

MOVED M. Ryn, SECONDED J. McLeod, that the Agricultural Advisory Committee supports taking action on Obstacle 1.

CARRIED

Obstacle 2: The definition of structure may be too restrictive for agricultural fencing.

MOVED J. Fell, SECONDED J. McLeod, that the Agricultural Advisory Committee supports taking action on Obstacle 2.

CARRIED

Obstacle 3: Potential loss of larger parcels that have the greatest likelihood of having farm status and the most opportunity to support a broad range of agricultural uses.

MOVED M. Ryn, SECONDED C. Watson, that the Agricultural Advisory Committee supports taking action on Obstacle 3.

DEFEATED

Obstacle 4: There are no bylaw provisions that apply at the time of subdivision to ensure that parcels that are zoned for agriculture have adequate dimensions to allow the siting of a building for housing livestock or storing manure which meets minimum setback requirements.

MOVED R. Thompson, SECONDED J. Thony, that the Agricultural Advisory Committee supports taking action on Obstacle 4.

DEFEATED

Obstacle 5: The maximum height of buildings and structures in the Water 1 zone may be too restrictive.

MOVED K. Reid, SECONDED J. Fell, that the Agricultural Advisory Committee supports taking action on Obstacle 5.

CARRIED

Obstacle 6: The minimum setback requirements for agricultural buildings do not take into consideration the scale or type of operation.

MOVED J. Fell, SECONDED K. Wilson, that the Agricultural Advisory Committee supports taking action on Obstacle 6.

CARRIED

Obstacle 7: Farmer's market is not permitted in any zone where agriculture is a permitted use.

MOVED J. Thony, SECONDED K. Reid, that the Agricultural Advisory Committee supports taking action on Obstacle 7.

CARRIED

Obstacle 8: The maximum parcel coverage for farm buildings is too low.

The committee did not consider a motion on this obstacle.

Obstacle 9: Farmers are unable to have signs directing customers to their farms.

The committee did not consider a motion on this obstacle.

Obstacle 10: The potential impacts of estate residential and non-farm use threaten agricultural viability and productivity.

MOVED J. Fell, SECONDED M. Ryn, that the Agricultural Advisory Committee supports taking action on Obstacle 10.

DEFEATED

Obstacle 11: Farmland Protection Development Permit Areas may not provide an adequate level of protection and are not consistent across all electoral areas.

MOVED C. Watson, SECONDED M. Ryn, that the Agricultural Advisory supports taking on Obstacle 11.

CARRIED

Obstacle 12: The impacts of non-farm use and development adjacent to the ALR is not contemplated by RDN OCPs or Zoning Bylaws.

MOVED J. Fell, SECONDED C. Watson, that the Agricultural Advisory Committee supports taking action on Obstacle 12.

CARRIED

Obstacle 13: RDN animal control bylaws do not appear to be adequately addressing concerns regarding the impacts that dangerous dogs and dogs at large are having on livestock.

MOVED J. Fell, SECONDED M. Ryn, that the Agricultural Advisory Committee supports taking action on Obstacle 13.

CARRIED

NEW BUSINESS

Next Agricultural Advisory Committee Meeting.

The committee discussed the next AAC meeting and would prefer to continue meetings on Friday afternoons.

ADJOURNMENT

MOVED K. Reid, SECONDED C. Watson, that this meeting be adjourned.

CARRIED

Time 3:28 pm

CHAIRPERSON



JAN 14 2015

RDN CAO'S OFFICE			
CAO		GM R&P	
GMS&CD		GM T&SW	
GM R&CU		DF	
JAN 27 2015			
DCS		BOARD	<input checked="" type="checkbox"/>
CHAIR			

File: 0280-30
Ref: 180599

Joe Stanhope
Chair
Regional District of Nanaimo
6300 Hammond Bay Rd
Nanaimo BC V9T 6N2

Dear Mr. Stanhope:

Thank you for your recent letter proposing that the Province conduct a review of Section 11.1 of the *Livestock Act* (Act). In light of the many concerns that have been voiced on this topic, I have asked staff to initiate a review of the Act to further examine the current legislation. This review will include consultations with the BC Cattlemen's Association, the BC Society for the Prevention of Cruelty to Animals and other key industry stakeholders.

Taking into account current ministry priorities and the scope of the government's current legislative agenda, I expect to receive recommendations from staff on whether amendments to the legislation are required early in 2015. If amendments are required, staff will develop plans for tabling amendments for consideration by government.

Thank you for taking the time to write and share your concerns with me.

Sincerely,

Norm Letnick
Minister

TO: Agricultural Advisory Committee **DATE:** March 17, 2014

FROM: Tyler Brown **FILE:** PL2014-013
Planner

SUBJECT: Request for Comments on an Application for Subdivision in the ALR
Lot 10, District Lot 78, Newcastle District, Plan 2047
531, 533 and 539 Parker Road West – Electoral Area ‘G’

APPLICATION BACKGROUND

The subject property is approximately 34.7 ha in area and is contained entirely within the Agricultural Land Reserve (ALR). With the exception of the north western corner, the parcel is bound by dedicated roadways. The applicants are proposing a subdivision within the ALR to create three 2.0 ha parcels, excluding the remainder, in the northeastern corner of the parcel.

Agricultural Area Committee Members were provided an opportunity to attend the site at a site visit held March 12, 2015.

BOARD POLICY AND DISCUSSION

Recent amendments to Board Policy B1.8 – Review of Provincial Agricultural Land Reserve Applications provides opportunity for the AAC to review and provide comments on ALR applications for exclusion, subdivision and non-farm use on lands within the ALR. As per Board Policy B1.8, the applicable standing Board resolution is included for the Agricultural Land Commissions’ information as part of the attached Local Government Report. A copy of this report, including comments from the Area Director, is included for your review and comment. Following this review, a copy of the Local Government Report, including comments from the Area Director and the AAC, will be forwarded to the ALC for consideration. As per the AAC terms of reference, the role of the AAC is to provide local perspective and expertise to advise the Regional Board (and in this case comment to the ALC) on a range of agricultural issues on an ongoing and as needed basis as directed by the Board.

In addition to member’s local knowledge and expertise, comment on ALR applications may be guided by Board approved policies such as, the Agricultural Area Plan, the Board Strategic Plan, the Regional Growth Strategy and the relevant Official Community Plan along with the relevant land use bylaws. AAC members can also find information related ALR land use and agriculture in BC on the Agricultural Land Commission’s and Ministry of Agriculture’s website. Local and contextual information can also be found on the RDN’s Agricultural projects website: www.growingourfuture.ca.

Comment provided to the ALC by the AAC is consensus based through Committee adoption of a motion regarding the comment to be provided. If an AAC member has comments regarding an application to

the ALC being considered by the AAC, the appropriate time to provide those comments is during discussion on the application at the AAC meeting prior to the Committee's adoption of its comment. Only the comment approved by the Committee will be forwarded to the ALC for its consideration. Comment of individual AAC members will not be included in the local government report that is forwarded to the ALC.

The comment provided by the AAC is not an approval, or denial of the application and is only a recommendation to the ALC regarding a specific application. Any comment from the AAC is provided in addition to the Board's applicable standard resolution as per Policy B1.8 and the Electoral Area Director's comment if provided. The ALC is the authority for decisions on matters related to the ALR and will consider comments provided in making its decision on an application.

A handwritten signature in black ink, appearing to be 'JLR', written over a horizontal line.

Report Writer

Local Government Report
Under the Agricultural Land Reserve
Use, Subdivision and Procedure Regulation

RD/Mun. File No.	PL2014-013
Fee Receipt No.	2014-5588
Fee Amount	\$600.00
ALR Base Map No.	
ALR Constituent Map No.	
Air Photo No.	

Information supplied by:

Regional District of Nanaimo

Local Government

In respect of the application of:

Donna and Walter Paravicini

Name of Applicant

Civic Addresses: 531, 533, 539 Parker Road West

PLANS and BYLAWS *(Attach relevant sections of bylaws)*

Community Plan or Rural Land Use Bylaw name and designation:

“Electoral Area ‘G’ Official Community Plan Bylaw No. 1540, 2008.” Designation: Agricultural

Zoning Bylaw name and designation: “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”
 Designation: Rural 1 (RU1)

Minimum Lot Size: 2.0 ha

Uses permitted & Maximum Density: Rural 1 Permitted Uses: Agriculture, Aquaculture, Home Based Business, Produce Stand, Residential Use, Silviculture
Rural 1 Maximum Density: 2 Dwelling Units on a parcel having an area equal to or greater than 4.0 ha or 2 dwelling on a parcel greater than 2.0 ha if the parcel was created prior to February 22, 2011.

Are amendments to Plans or Bylaws required for the proposal to proceed?

Plan Yes No Bylaw Yes No

Is authorization under Sec. 25 (3) or 30 (4) of the Agricultural Land Commission Act required?

Yes *(If yes, please attach resolution or documentation)* No

COMMENTS and RECOMMENDATIONS *(Include copies of resolutions)*

Board or Council: As outlined in the Regional Growth Strategy, the Regional District of Nanaimo fully supports the mandate of the Agricultural Land Commission (ALC) and the preservation of land within the Agricultural Land Reserve (ALR) for agricultural use. The Regional District encourages the ALC to only consider subdivision where in the opinion of the ALC the proposal will not negatively impact the agricultural use of the land or adjacent ALR lands.

Electoral Area Director: “I provide no comment and defer to the Agricultural Advisory Committee and standing Board resolution as comment from the RDN. I believe it is the ALC’s role to determine if the proposal is consistent with its mandate.”

Advisory Planning Commission: TBD

Agriculture Advisory Committee:

Planning Staff: Tyler Brown, Planner Phone: (250) 390-6510 Email: tbrown@rdn.bc.ca

Background

The Regional District of Nanaimo (RDN) has received a Subdivision within the ALR application from Donna and Walter Paravicini for parcel legally described as Lot 10, District Lot 78, Newcastle District, Plan 2047 (see Attachments 1 and 2). The parcel is approximately 34.7 ha in area and is contained entirely within the ALR. With the exception of the north western corner, the parcel is bound by dedicated roadways.

This property was subject to a previous application for subdivision in the ALR, which was denied in ALC Resolution #1850/2009.

Land Use

The parcel is zoned Rural 1 (RU1) (see Attachment 3) and is located within Subdivision District 'D' which requires a minimum parcel size of 2.0 ha (see Attachment 4 – Schedule 4B of Bylaw No. 500) pursuant to the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The RU1 Zone permits agriculture, aquaculture, home based business, produce stand, residential use and silviculture.

The applicant has applied to create three 2.0 ha parcels in, remaining in the ALR, in the north east corner of the parent parcel (see Attachment 9). The RU1 Zone would allow a maximum of two dwellings on each of these parcels if created. However, the ALR regulations would limit the second dwelling unit to a mobile home to be used for farm help.

Official Community Plan Designation

The subject property is designated as 'Rural' pursuant to the Regional District of Nanaimo Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008" (see Attachment 5). The Rural designation Policies #22 through #27 (on page 43 of Attachment 5) support the ALC's mandate to retain larger parcel sizes for agricultural food and support a minimum parcel size of 8.0 ha. It is noted, however, that the existing zoning (RU1D) would potentially allow subdivision into 2.0 ha parcels.

Development Permit Areas

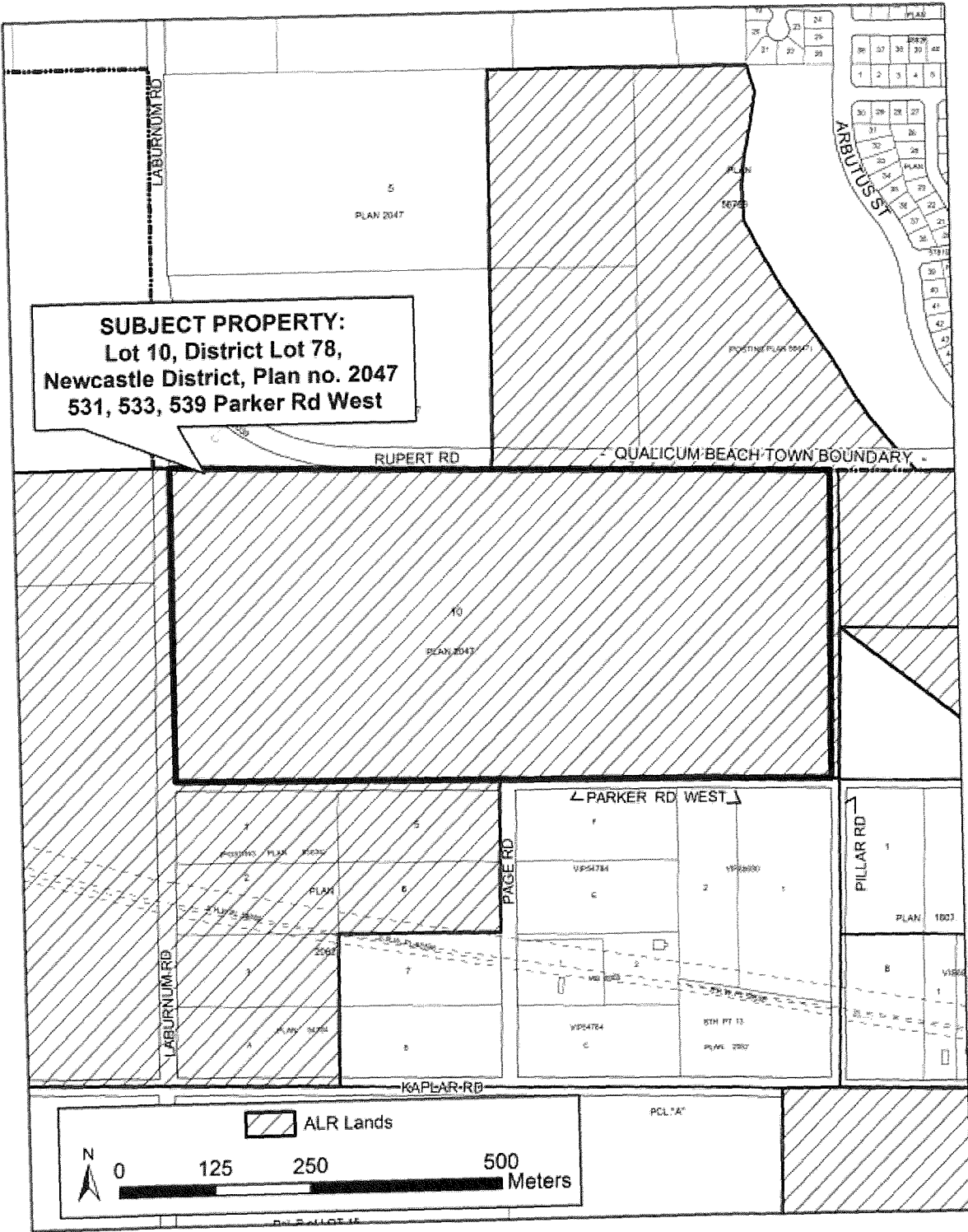
The subject property is designated within the Environmentally Sensitive Features (ESF) Aquifer Protection, ESF Lakes Wetlands and Ponds, ESF Sensitive Ecosystem Inventory, Farmland Protection, and Fish Habitat Protection development permit areas. A development permit may be required prior to any subdivision or alteration of the land.

Regional Growth Strategy

The subject property is designated 'Resource Land and Open Spaces' pursuant to the "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011" which does not support the creation of new parcels that are smaller than the size supported by the official community plan in effect at the date of the adoption of the RGS (Attachment 6). Further to this, the Regional Growth Strategy encourages the provincial government to protect and preserve the agricultural land base through the ALR (see Attachments 7 and 8).

Report Writer

**Attachment 1
Subject Property Map**



Attachment 2
2012 Aerial Photo



**Attachment 3
Rural 1 (RU1) Zoning**

Part 3 - Land Use Regulations

Section 3.4.81

R U R A L 1

RU1

Permitted Uses and Minimum Site Area

Required Site Area with:

Permitted Uses	Community Water & Sewer System	Community Water System	No Community Services
a) Agriculture	n/a	n/a	n/a
b) Aquaculture	5000 m ²	5000 m ²	5000 m ²
c) Home Based Business ¹	n/a	n/a	n/a
d) Produce Stand	n/a	n/a	n/a
e) Residential Use	n/a	n/a	n/a
f) Silviculture	n/a	n/a	n/a

Maximum Number and Size of Buildings and Structures²

1) Accessory buildings	combined floor area of 400m ²
2) Dwelling Units/parcel:	
a) on a parcel having an area of 2.0 ha or less	1
For Electoral Areas 'A,C,E and H'	
b) on a parcel having an area greater than 2.0 ha	2
For Electoral Area 'G'	
c) on a parcel having an area equal to or greater than twice the minimum parcel size as established by Schedule '4B Subdivision District –Minimum Parcel Sizes'	2
d) Notwithstanding subsection (c), on a parcel located in this zone and created prior to February 22, 2011 and having an area greater than 2.0 ha	2
3) Height	9.0m
4) Parcel Coverage	25%

Minimum Setback Requirements

1. Buildings and structures for housing livestock or for storing manure:
 - All lot lines - 30.0 m
2. All other buildings and structures
 - All lot lines - 8.0 m

¹ Bylaw No. 500.270, adopted November 13, 2001

² Bylaw No. 500.359, adopted January 25, 2011

RDN Bylaw No. 500

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This is an excerpt only from "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" and should not be used for interpretive or legal purposes without reference to the entire Bylaw

**Attachment 4
Schedule '4B' of Bylaw No. 500**

Part 4 - Subdivision Regulations '4B' - Subdivision Districts

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 500

SCHEDULE '4B' SUBDIVISION DISTRICTS - MINIMUM PARCEL SIZES

- 1) The minimum size of any lot created by subdivision shall be determined by the standard of services provided and shall meet the applicable minimal parcel size set out below:¹

Minimum Parcel Sizes				
Subdivision District	Community Water & Sewer System	Community Water System - No Community Sewer	Community Sewer System - No Community Water	All Other Subdivisions
A	20.0 ha	20.0 ha	20.0 ha	20.0 ha
B	8.0 ha	8.0 ha	8.0 ha	8.0 ha
C	5.0 ha	5.0 ha	5.0 ha	5.0 ha
CC ²	4.0 ha	4.0 ha	4.0 ha	4.0 ha
D	2.0 ha	2.0 ha	2.0 ha	2.0 ha
E	1.6 ha	1.6 ha	1.6 ha	1.6 ha
F	1.0 ha	1.0 ha	1.0 ha	1.0 ha
G	8000 m ²	1.0 ha	1.0 ha	1.0 ha
H	5000 m ²	1.0 ha	1.0 ha	1.0 ha
J ³	4000 m ²	6000 m ²	1.0 ha	1.0 ha
K	4000 m ²	4000 m ²	4000 m ²	4000 m ²
L	2000 m ²	2000 m ²	4000 m ²	4000 m ²
M	2000 m ²	2000 m ²	1.0 ha	1.0 ha
N ^{4,5}	1600 m ²	1600 m ²	1.0 ha	1.0 ha
P	1000 m ²	1600 m ²	1.0 ha	1.0 ha
Q (EA G only)	700 m ²	⁶ 1.0 ha	1.0 ha	1.0 ha
Q (other EAs)	700 m ²	2000 m ²	1.0 ha	1.0 ha
R	500 m ²	⁷ 1.0 ha	1.0 ha	1.0 ha
S ⁸	400 m ²	2000 m ²	1.0 ha	1.0 ha
V ⁶	50.0 ha	50.0 ha	50.0 ha	50.0 ha
Z	No further subdivision			
CD9 ¹⁰	400 lots with approved pump and haul service connection			

¹ Bylaw No. 500.238, adopted February 10, 1998
² Bylaw No. 500.347, adopted September 22, 2009
³ Bylaw No. 500.27, adopted August 9, 1988
⁴ Bylaw No. 500.66, adopted December 12, 1989
⁵ Bylaw No. 500.324, adopted February 28, 2006
⁶ Bylaw No. 500.264, adopted October 10, 2000
⁷ Bylaw No. 500.264, adopted October 10, 2000
⁸ Bylaw No. 500.27, adopted August 9, 1988
⁹ Bylaw No. 500.253, adopted January 11, 2000
¹⁰ Bylaw No. 500.275, adopted October 9, 2001

5.0 Protecting Rural Integrity

Electoral Area 'G' residents define rural as "a perpetuation of a style and quality of life for local residents on lands originally inhabited by First Nations Peoples and later established by pioneers for homesteading and agriculture, with a mixture of protected forests and a forest interface that allows for a continuum of wildlife habitat and access to environmentally sensitive trail systems."

In recognition of the community's value of the rural atmosphere of Electoral Area 'G', and the region's goal of protecting rural integrity, the Electoral Area 'G' OCP identifies the different types of neighbourhoods and land uses in the Plan Area that are considered to be rural in character, and provides policies to protect and enhance the unique attributes of these rural lands and ensure that changes which may occur on these rural lands contribute to, rather than detract from, the quality of life enjoyed by the residents of Electoral Area 'G'.

The Electoral Area 'G' Official Community Plan Area offers diverse rural and semi-rural lifestyles including rural residential areas outside of the Urban Containment Boundary as defined in the Regional Growth Strategy. The following sections set out the objectives and policies for protecting rural integrity in Electoral Area 'G'.

5.1 Rural and Rural Residential Land Use Designations

This Plan designates Rural and Rural Residential land use designations based on the minimum parcel sizes supported by the Regional Growth Strategy. Rural Residential designated lands in this Plan are intended to provide for larger-lot residential uses which may include traditional rural pursuits while also serving as a buffer between resource land and the more urbanized lands.

The Rural and Rural Residential area of Electoral Area 'G' contains a variety of lands with natural resource value including agriculture, aggregates and forestry. These lands have historically played a significant role in shaping the Plan Area's character, as well as providing important economic benefits. Their long term viability and productivity is increasingly threatened by urban encroachment and the spread of incompatible land uses necessitating special attention and protective measures.

The policies of this section define the community's intentions and priorities with respect to the long term management and use of rural residential lands. This section of the Plan recognizes the unique qualities of each distinct rural residential community and supports minimum parcel sizes based on policies in the Regional Growth Strategy. In doing so the Plan divides lands into the following four categories: 'Rural Residential 1', 'Rural Residential 2', 'Rural Residential 3', and 'Rural' as described below.

Objectives:

1. Protect and maintain the recreational, agricultural, forestry and aggregate land base and associated activities.
2. Minimize the impact of agriculture, forestry and aggregate-related activities on the natural environment and other forms of development and land uses.
3. Encourage farm activities on productive agricultural lands and on any lands capable of supporting viable agricultural activities.

-
4. Provide for continued rural residential opportunities without contributing to further rural sprawl.

General Policies:

The following policies apply to all lands within the, Rural Residential 1, Rural Residential 2, Rural Residential 3, and Rural land use designations.

Policies:

1. Lands designated Rural, Rural Residential 1, and Rural Residential 2 are shown on Map No. 3.
2. Although it is recognized that there are existing parcels within the Rural, Rural Residential 1, 2, or 3 designation that have been serviced with community water prior to the adoption of this Official Community Plan, the provision of or expansion to community water to service lands designated Rural, Rural Residential 1, Rural Residential 2, or Rural Residential 3 shall only be supported for health or environmental reasons and only where such services do not result in additional subdivision or development beyond what is permitted by the current zoning based on the minimum parcel size/site area requirements with no community servicing.
3. Zoning amendment proposals that have the potential to impact the quantity or quality of water resources shall be accompanied by a hydrological impact assessment report prepared by a professional engineer with experience in hydrologic analyses. The amendment proposal must also ensure that there are no impacts on fish habitat and the receiving waters, including channel stability and flow maintenance.
4. Permitted uses shall be compatible rural uses, rural residential uses and uses accessory to rural, and rural residential uses.
5. This Plan does not support lands within the Plan Area being pre-zoned for Animal Care. Lands within this Plan Area with existing Rural 2 and Rural 3 zoning may be considered for rezoning to remove 'Animal Care' as a permitted use, which may include changing the zoning designation to be consistent with the existing surrounding zoning designations.
6. Notwithstanding Policy 5 above, a rezoning to permit Animal Care may be supported within the Plan Area subject to its suitability being determined through the rezoning process.

Advocacy Policies:

7. The Ministry of Environment is encouraged to license and monitor groundwater extraction and monitor licensed surface water withdrawals.

Rural and Rural Residential designations

The Regional District of Nanaimo Regional Growth Strategy does not support the creation of parcels smaller than the size supported by the Official Community Plan in effect at the date of the adoption of the Regional Growth Strategy on June 10, 2003. Notwithstanding this requirement, if a parcel was serviced with community water since June 10, 2003, the minimum parcel size

5.0 Protecting Rural Integrity

supported by the zoning bylaw which was in affect on June 10, 2003 with community water service and no community sewer service may be supported.

The designations are intended to be consistent with the Regional Growth Strategy and recognize the unique rural qualities of existing rural neighbourhoods in Electoral Area 'G'.

Rural Residential 1

The Rural Residential 1 designation primarily includes lands in smaller-lot rural residential subdivisions that are generally not located in the Agricultural Land Reserve and that have been in existence prior to the adoption of the Regional Growth Strategy and in some cases prior to Regional District of Nanaimo zoning.

Policy:

8. The minimum parcel size for lands within the Rural Residential 1 land use designation shall be 1.0 ha.
9. Rezoning to permit parcels smaller than 1 hectare in the Rural Residential 1 land use designation shall not be supported.
10. New residential development shall be permitted at a maximum density of 1 dwelling unit per parcel.
11. Notwithstanding Policy 10 above, a 1 hectare minimum parcel size shall not be implemented in Dashwood until the Urban Containment Boundary feasibility study supported by Section 3.1 of this Plan is complete. In addition, the minimum parcel sizes in Dashwood may be adjusted to reflect the recommendations identified by the study. It should be noted that a Regional Growth Strategy amendment may be required.

Rural Residential 2

The Rural Residential 2 designation includes lands that are generally not located in the agricultural land reserve. Rural Residential 2 lands may have value for small-scale agricultural and forestry activities.

Policy:

12. The minimum parcel size for lands within the Rural Residential 2 land use designation shall be 2.0 ha although this Plan recognizes that there are existing parcels smaller than 2.0.
13. Rezoning to permit the creation of new parcels smaller than 2 hectares in the Rural Residential 2 land use designation shall not be supported.
14. New residential development shall be permitted at a maximum density of 1 dwelling unit per 2 hectares to a maximum of 2 per parcel.

5.0 Protecting Rural Integrity

Rural Residential 3

The Rural Residential 3 designation includes lands that are generally not located in the Agricultural Land Reserve and that have been historically subdivided in to small lot rural residential located outside of the Urban Containment Boundary. The Rural residential 3 designation also includes larger lot rural residential lands that may have value for small scale agriculture and forestry activities.

19. The minimum parcel size within the Rural Residential 3 designation shall be 8 hectares although this Plan recognizes that there are existing parcels smaller than 8 hectares.
20. Rezoning to create parcels smaller than 8 hectares in the Rural Residential 3 designation shall not be supported.
21. New residential development shall be permitted at densities of 1 dwelling unit per 8 hectares to a maximum of 2 dwelling units per parcel.



Rural

The Rural designation primarily includes lands within the Agricultural Land Reserve although it is recognized that not all lands within this designation are within the ALR. Lands within the rural designation have value for agriculture, forestry, and other resource activities.

Policy:

22. The minimum parcel size for lands within the rural land use designation shall be 8 hectares although this Plan recognizes that there are existing parcels smaller than 8 hectares in area.
23. Rezoning to permit the creation of new parcels smaller than 8 hectares in the rural land use designation shall not be supported.
24. Where land is located within the Agricultural Land Reserve and is proposed for subdivision or non-farm use, including the placement of a second dwelling, approval must first be obtained from the Agricultural Land Commission, except where additional dwellings are necessary for farm purposes subject to the *Agricultural Land Commission Act*. All subdivision and non-farm uses within the ALR shall comply with the agricultural objectives and policies in Section 8.1 of this Plan.
25. New residential development shall be permitted at densities of 1 dwelling unit per 8 hectares to a maximum of two dwelling units per parcel.
26. Temporary Use Permits for primary resource processing, asphalt batch plant, concrete ready mix plant, yard waste chipping, or commercial composting and rezoning applications to rezone existing gravel pits to allow primary processing and related activities associated with gravel extraction may be supported in accordance with the Policies contained in Sections 8.3 and 8.7 of this Plan.
27. For any of the uses listed in Policy 26 above, the preferred option is to consider them for a Temporary Use Permit prior to considering them for a rezoning in accordance with Sections 8.3 and 8.7.

5.0 Protecting Rural Integrity

6.0 LAND USE DESIGNATIONS

This RGS includes maps that show land use designations and Growth Containment Boundaries:

1. Map of Land Use Designations and Growth Containment Boundaries (Map 4).
2. Larger scale sections of the Growth Containment Boundaries (Appendix B).

The Map of Land Use Designations designates land for uses deemed appropriate between now and 2036 to achieve the vision of the *Regional Growth Strategy*. It represents the desired future pattern of land use in the region.

The Map of Land Use Designations designates land into one of five different land use categories:

1. Resource Lands and Open Space
2. Rural Residential
3. Urban Area
4. Rural Village Area
5. Industrial

The Map of Land Use Designations and the Maps of Growth Containment Boundaries designate the Growth Containment Boundaries.



Resource Lands and Open Space

The Resource Lands and Open Space land use designation includes:

- Land that is primarily intended for resource uses such as agriculture, forestry, aggregate and other resource development; and
- Land that has been designated for long-term open space uses.

This designation includes:

- Land in the Agriculture Land Reserve;
- Crown land;
- Land designated for resource management or resource use purposes, including forestry, in official community plans;
- Recognized ecologically sensitive conservation areas;
- Provincial parks;
- Regional parks;
- Large community parks;
- Cemeteries;
- Existing public facilities outside of areas planned for mixed-use centre development;

- Destination Resorts; and
- Golf courses.

Resource activities on land in this designation should be encouraged to operate in ways that do not harm the functioning of natural ecosystems. Land use control, and resource management of lands in this designation is shared between landowners, local, provincial and sometimes federal government. Much of the forest land is privately owned. Forest companies, farmers, shellfish aquaculture (and associated research facilities) and aggregate resource development companies are recognized to have the right to operate on land within this designation in compliance with local, provincial and federal government regulations.

No new parcels that are smaller than the size supported by the official community plan in effect at the date of the adoption of this *Regional Growth Strategy* may be created on land in this designation.

Rural Residential

Land that is intended to accommodate primarily rural residential development is designated as Rural Residential.

This designation mostly includes land that has already been subdivided into relatively small parcels for a rural area. It also includes land where modest future rural residential subdivision development could occur without affecting the rural economy or environmental quality.

Except as provided for under Policy 5.13, the minimum parcel size of lands designated as Rural Residential will not be reduced below the minimum parcel size established in official community plans in place at the date of the adoption of this *Regional Growth Strategy*.

Urban Area

Land located within the Growth Containment Boundaries of a municipality that is primarily intended for urban development is designated as Urban Area.

Land in this designation should be served with community water and sewer systems and accommodate a broad range of urban land uses at urban densities, or have commitments in place to service it and develop the land to urban densities.

Urban Areas should include public or privately owned open space that includes protected natural areas, water and coastal features, public parks and gardens, playfields, golf courses, public greens and plazas, agricultural areas (including community/allotment gardens), woodlots, and vegetated walkways and bikeways.

New development on land designated as Urban Area should primarily be focused into mixed-use centres adjacent to development that is designed to support its commercial vitality, and provide direct, convenient multi-modal access to the centre.

Attachment 7

Regional Growth Strategy Goal 7 – Enhance Economic Resiliency - Agriculture

Service Sector

- 7.9 Collaborate in the preparation of a commercial (retail and office) land strategy to ensure that the supply, location, distribution, form and type of commercial development is consistent with the sustainability and growth management objectives of the RGS and supports the continued vitality of the sector.
- 7.10 Support and promote the development of the region’s health and education sectors.

Tourism

- 7.11 Enhance the attractiveness of the region for tourism by:
- Supporting the provision of new tourism facilities and developments that attract new tourists and increase length of stay; and
 - Promoting the region as a destination for eco-tourism and sports tourism.
- 7.12 Support small-scale agri-tourism and aqua-tourism activities and development as secondary activities on lands that are actively used for agriculture, aquaculture, and related research and education.

Aggregate Resources

- 7.13 Recognize the importance of aggregate mining and processing to the region’s economy. To this end, the RDN and member municipalities agree to:
- Support the extraction of aggregate resources where significant deposits exist in locations that have minimal impact on environmentally sensitive areas, watercourses, and existing residential communities; and
 - Limit aggregate removal on lands designated for Rural Residential, Rural Village Area, or Urban Area to that required as part of an approved development (i.e. building or structure).



Agriculture

- 7.14 Recognize the importance of agriculture to the region’s economy. To this end, the RDN and member municipalities agree to:
- Support the management of the Agriculture Land Reserve (ALR) by the provincial government;
 - Encourage the provincial government to protect the agricultural land base through the ALR;
 - Support the agricultural use of ALR lands within designated Urban Areas or Rural Village Areas except in instances where urban land uses have already been established at the time of the adoption of this RGS;
 - Recognize that all ALR lands will be subject to the regulations of the Agricultural Land Commission;

- Support the preparation of a study of agriculture in the region for the purpose of identifying the issues and needs (both immediate and future) of the agricultural sector;
- Encourage and support value-added agricultural industries; and
- Enhance opportunities for agricultural activity on lands not in the ALR.

Shellfish Aquaculture

- 7.15 Recognize the importance of shellfish aquaculture to the region's economy and environment. To this end the RDN and member municipalities agree to:
- Support the management of the Shellfish Aquaculture leases by the provincial and federal governments;
 - Work collaboratively with the provincial and federal government to protect the shellfish aquaculture leases from wastewater or industrial runoff contamination;
 - Encourage and support value-added shellfish aquaculture industries;

Forestry

- 7.16 Collaborate with the provincial government and private forestry companies to develop strategies that will enhance the long-term economic stability of the forestry sector by recognizing the role forestry lands play in:
- Supporting the health of ecological systems;
 - Removing GHG emissions from the atmosphere; and
 - Providing recreational opportunities.

Green Business

- 7.17 Encourage and support the development of green businesses (e.g., businesses that use or produce biodegradable, recyclable, and reusable products and materials) in appropriate locations.
- 7.18 Adopt official community plan policies and zoning bylaws that facilitate and support the development of eco-industrial networks and business parks in appropriate locations.

Goal 8 - Food Security - Protect and enhance the capacity of the region to produce and process food.

Most of the food we eat comes from other parts of the world. A study conducted by the Region of Waterloo Public Health in Ontario (M. Xuereb, 2005) found that *'Imports of 58 commonly eaten foods travel an average of 4,497 km to Waterloo Region'*. Although there are currently no regionally specific studies estimating the distance food travels to reach our plates, it is safe to estimate that many of the foods we regularly consume travel on average at least 2,400 km to reach us (a widely quoted figure for North America, based on research conducted in Iowa by R. Pirog, et al 2001).

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Despite ongoing debate about the environmental benefits of 'buying local' food versus making dietary changes (C. Weber and H. Scott Matthews, 2008), it is clear that our dependence on imported foods means that our access to food is vulnerable to the effects of weather and political events that may occur thousands of kilometers away. As well, world energy prices play a large role in the cost of food production and distribution. Greater food security means that more food is grown locally and therefore is not as susceptible to events occurring outside the region.

Local food production generates numerous economic, environmental and social benefits. Agriculture employs almost 3,000 people and generates a flow of income into the region. Local sources of food help reduce the region's carbon footprint by reducing transportation-related GHG emissions. In addition, the nutritional content of locally produced food is often greater than imported food – providing a healthier choice of food for residents.

Ensuring the long-term viability of farming and agricultural activity in the region requires a coordinated effort on the part of local, provincial and federal authorities. In addition to the provisions of Policy 5.4, the RDN and member municipalities can undertake a number of actions to support and enhance the viability of food production in the region as set out in the following policies (See Map 5 – Agricultural Lands).

Protecting the agricultural land base is a key requirement for enhancing food security. The Agricultural Land Reserve (ALR) established by the Province in 1973 has largely been effective in reducing the loss of agricultural lands. Since 1974 the percentage of land protected under the ALR in the RDN has decreased approximately 12%, from 10.10% of the total land base to approximately 8.85% (www.alc.gov.bc.ca/alr/stats).

The majority of ALR lands in the RDN are located in rural Electoral Areas, with smaller portions located within the boundaries of municipalities. This RGS recognizes and supports the jurisdiction of the ALC over all ALR lands and strongly supports the retention and use of all ALR lands for agriculture. The RDN will continue to endorse the Agricultural Land Commission's efforts in preserving agricultural lands. Other actions that would enhance food security in the region include:

- Supporting improved access to sustainable water supplies for irrigation;
- Encouraging best water management practices in agriculture;
- Providing drainage infrastructure for flood-prone lands that do not include environmentally sensitive areas;

The '5 A's' of food security:

- *Available – sufficient supply*
- *Accessible – efficient distribution*
- *Adequate – nutritionally adequate and safe*
- *Acceptable – produced under acceptable conditions (e.g. culturally and ecologically sustainable)*
- *Agency – tools are in place to improve food security*

(J. Oswald, 2009)

- Improving infrastructure to provide agricultural services and processing; and improving access to markets.



Policies

The RDN and member municipalities agree to:

- 8.1 Encourage and support the Agricultural Land Commission in retaining lands within the ALR for agricultural purposes.
- 8.2 Discourage the subdivision of agricultural lands.
- 8.3 Include provisions in their official community plans and zoning bylaws to allow for complementary land uses and activities that support the on-going viability of farming operations.
- 8.4 Establish agriculture as the priority use on land in the ALR.
- 8.5 Minimize the potential impact non-farm land uses may have on farming operations and include policies in their official community plans and zoning bylaws that reduce the opportunity for land use conflicts to occur.
- 8.6 Encourage and support agricultural activity on lands that are not within the ALR. This may include small-scale home-based agricultural businesses.
- 8.7 Recognize the importance of value-added agricultural uses and complementary land use activities for the economic viability of farms. To support complementary farm uses, official community plans should consider:
 - The provision of appropriately located agricultural support services and infrastructure;
 - Reducing impediments to agricultural processing and related land uses;
 - Allowing compatible complementary land use activities (e.g., agri-tourism);
 - Allowing farmers' markets and other outlets that sell local produce to locate in all parts of the community.
- 8.8 Encourage urban agriculture initiatives and support activities and programs that increase awareness of local food production within the region.
- 8.9 Support the appropriate use of water resources for irrigation of agricultural lands.
- 8.10 Support the provision of drainage infrastructure to flood-prone lands that do not lie within environmentally sensitive areas.
- 8.11 Work in collaboration with federal and provincial agencies, adjacent regional districts, and agricultural organizations to improve access to markets for agricultural products.

- 8.12 Support partnerships and collaborate with non-profit groups to enhance the economic viability of farms.
- 8.13 Support farms that produce organic agricultural products and use sustainable farming practices.
- 8.14 Support the production, processing, distribution and sale of locally grown produce (including shellfish).

Goal 9 - Pride of Place – Celebrate the unique beauty, culture, history and arts of the region.

The outstanding natural beauty, rich cultural history and thriving arts communities of the Regional District of Nanaimo are the region’s greatest assets. Communities in the RDN will work together to express the pride residents feel in their region and actions may include;

- Protection of natural environments;
- Provision of an extensive network of regional and local trails and parks;
- Attention and care of the built environment;
- Promotion of public art;
- Protection of cultural and historical resources; and
- Support for artistic and cultural events.

Policies

The Regional District of Nanaimo and member municipalities agree to:

- 9.1 Adopt official community plans that include strategies and policies that will:
 - Identify and protect important historic and cultural resources and cultural sites; and
 - Enhance natural and man-made amenities that contribute to the unique character of the community and the region.
- 9.2 Adopt official community plans that include strategies and policies that:
 - Promote excellence in architectural and urban design; and
 - Promote and support artistic and cultural endeavours.

Goal 10 - Efficient Services – Provide efficient, cost-effective services and infrastructure.

The Regional District delivers a variety of services that are common to both the electoral areas and municipalities, such as wastewater treatment, recreation, solid waste disposal and transit. In addition, the RDN provides a range of local services to electoral areas, such as community planning, watershed protection, parks, water, and other utilities. Member municipalities provide similar services within their own jurisdictions.

The provision of community water and wastewater services is one of the most powerful tools the RDN and member municipalities have to direct and manage growth in the

**Attachment 9
Applicant's Submission**



APPLICATION BY LAND OWNER

NOTE: The information required by this form and the documents you provide with it are collected to process your application under the Agricultural Land Commission Act and regulation. This information will be available for review by any member of the public. If you have any questions about the collection or use of this information, contact the Agricultural Land Commission and ask for the staff member who will be handling your application.

RECEIVED
FEB 12 2014
STRATEGIC & COMMUNITY DEVELOPMENT

TYPE OF APPLICATION (Check appropriate box)

- Applicant Error: **EXCLUSION** under Sec. 30(1) of the Agricultural Land Commission Act
- Applicant proceeding with Subdivision in the ALR application. /TB **INCLUSION** under Sec. 17(3) of the Agricultural Land Commission Act
- SUBDIVISION** in the ALR under Sec. 21(2) of the Agricultural Land Commission Act
- Non-farm USE** in the ALR under Sec. 20(3) of the Agricultural Land Commission Act

APPLICANT

Registered Owner: <u>Donna and Walter Paravicini</u>		Agent:	
Address: <u>1020 Page Road</u>		Address:	
<u>Qualicum Beach</u>			
	Postal Code <u>V9K 2J8</u>		Postal Code
Tel. (home)	(work) <u>250</u>	Tel.	
Fax <u>250</u> 752-6098	Cell <u>250</u> 954-8847	Fax	
E-mail <u>dparavicini@shaw.ca</u>		E-mail	

LOCAL GOVERNMENT JURISDICTION (Indicate name of Regional District or Municipality)

Regional District of Nanaimo

LAND UNDER APPLICATION (Show land on plan or sketch)

Title Number	Size of Each Parcel (Ha.)	Date of Purchase	
		Month	Year
<u>Lot 10 Plan 2047</u>	<u>86 Acres</u>	<u>April</u>	<u>1964</u>
<u>District Land 78 Newcastle Land District</u>			

OWNERSHIP OR INTERESTS IN OTHER LANDS WITHIN THIS COMMUNITY

(Show information on plan or sketch)

If you have interests in other lands within this community complete the following:

Title Number(s): _____

PROPOSAL (Please describe and show on plan or sketch)

We would like to subdivide 3 - 5 acre parcels off our farm, for ourselves and two children.

CURRENT USE OF LAND (Show information on plan or sketch)

List all existing uses on the parcel(s) and describe all buildings

cattle ranching, hay fields, Barn, machinery Buildings, Farm houses

USES ON ADJACENT LOTS (Show information on plan or sketch)

North
East
South
West

Forest Land
Rural Residential
Rural Subdivision
Forest Land

DECLARATION

I/we consent to the use of the information provided in the application and all supporting documents to process the application in accordance with the Agricultural Land Commission Act and regulation. Furthermore, I/we declare that the information provided in the application and all the supporting documents are, to the best of my/our knowledge, true and correct. I/we understand that the Agricultural Land Commission will take the steps necessary to confirm the accuracy of the information and documents provided.

Feb 11, 2014

Date

Donna Paravicini

Signature of Owner or Agent

Donna Paravicini

Print Name

Feb 11, 2014

Date

[Signature]

Signature of Owner or Agent

Walter Paravicini

Print Name

Date

Signature of Owner or Agent

Print Name

Please ensure the following documents are enclosed with your application:

- Application fee payable to the Local Government
- Certificate of Title or Title Search Print
- Agent authorization (if using agent)
- Map or sketch showing proposal & adjacent uses
- Proof of Notice of Application *(See instructions)
- Photographs (optional)



February 5, 2014

Walter & Donna Paravicini
1020 Page Rd.
Qualicum Beach, BC

**Re: Donna & Walter Paravicini's Agricultural Land Commission Application
Lot 10, Plan 2047, District Lot 78, Newcastle Land District**

With reference to your application to the Agricultural Land Commission to subdivide for family use, the Ministry would like to formally express its support of your proposal.

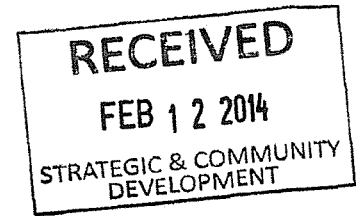
Through the rural subdivision approvals process, the Ministry works with applicants across the Province, in an effort to further both social and economic development in unincorporated, rural areas. As you are aware, the ministry has been working to improve and maintain the road network in the Qualicum Beach area and has recently upgraded Parker Road (the road bordering the subject property) from a gravel surface to a hard surface.

The Ministry is appreciative of your willingness to work cooperatively to enhance drainage of the local road network and increase the water collection capabilities of the subject property. Your collaboration with the provincial government, to preserve and improve the local infrastructure, is greatly valued.

The Ministry's mandate is to help applicants through the rural subdivision process and we remain committed to work together to support future development within the area.

The ministry wishes you success in your application to the ALC. Following a positive decision on your application from the ALC, the ministry will be pleased to work with you to initiate a formal subdivision application working with our development approvals staff.

.../2



Should you have any questions or wish to you discuss this in any more detail, please contact Janelle Erwin, P.Eng, who is the Ministry's lead on this file. She can be reached at Janelle.Erwin@gov.bc.ca or (250) 751-3281.

Sincerely,

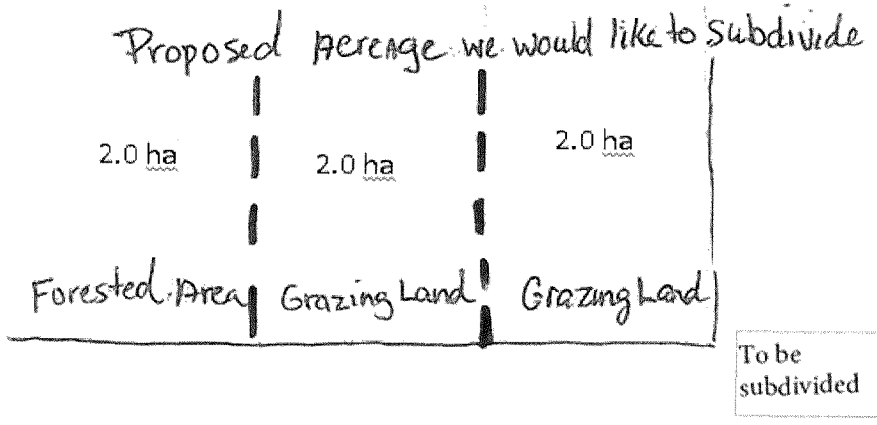
A handwritten signature in cursive script, appearing to read "R. Mounteney".

Renee Mounteney
District Manager, Transportation
Vancouver Island District

cc: Liz Sutton, Land Use Planner - ALC
Johnathan Tillie, Operations Manager - MoTI
Janelle Erwin - District Engineer - MoTI



Rupert Rd



Subject property
Lot 10 PL 2047
D.I. 78 Newcastle
LAND
District

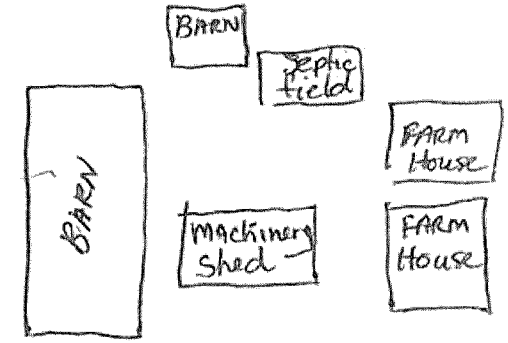
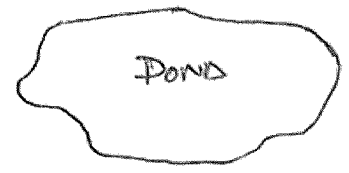
Hay fields
GRAZINGLAND

Hay fields

Sandstone Creek

Hay fields
+
GRAZING LAND

Forested AREA



Parker Rd

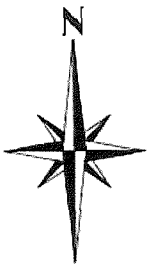
5 Acre Parcel

5 Acre Parcel

Page Rd
1/1

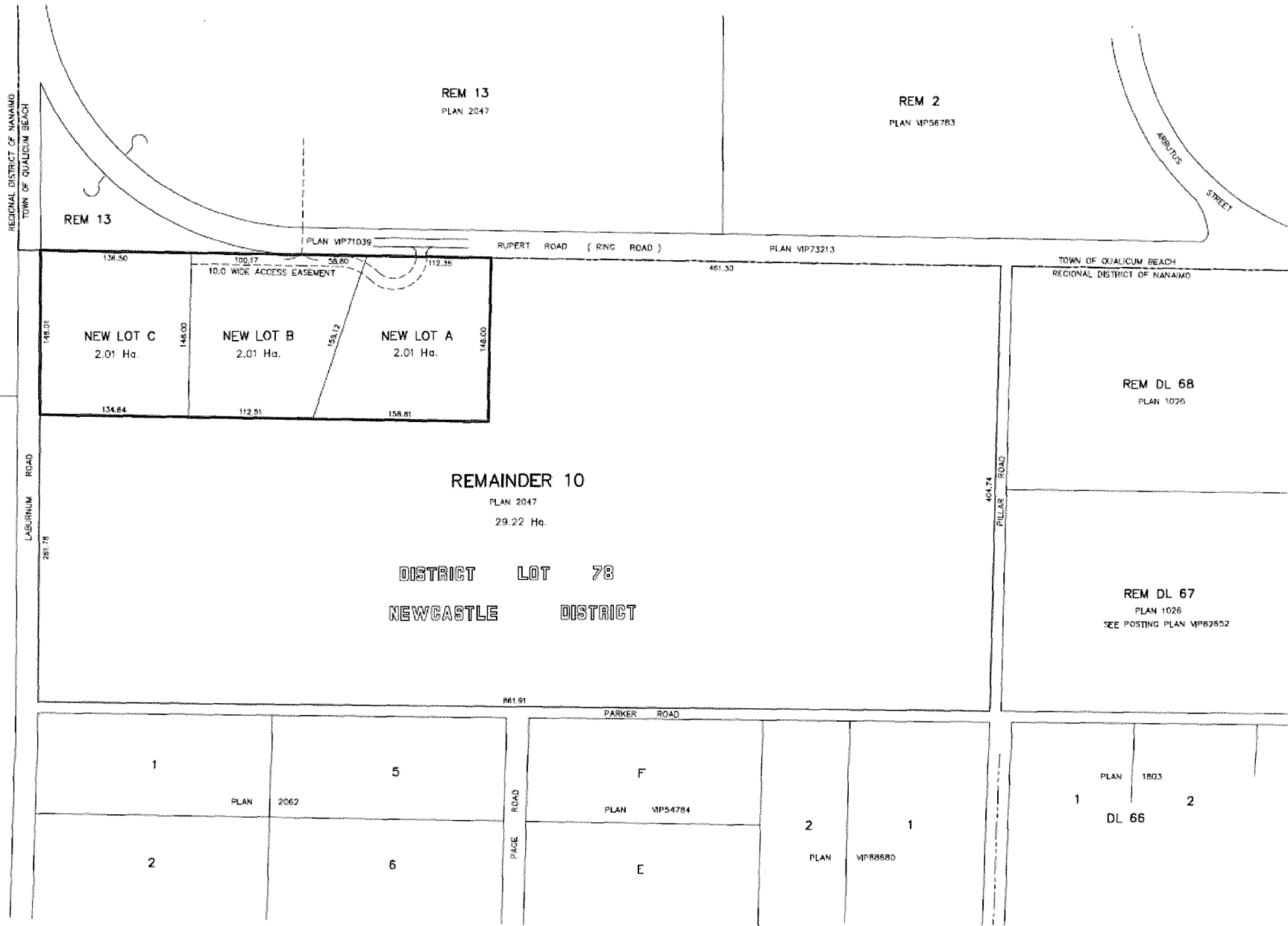
5 ACRE Parcel
House

12 Acre Parcel
Farm House



2
PLAN 2047

1
PLAN 2047



PROPOSED SUBDIVISION

**PART OF LOT 10, DISTRICT LOT 78,
NEWCASTLE DISTRICT, PLAN 2047.**

PID 006-643-329

PREPARED FOR
WALTER & DONNA PARAVICINI

OUR FILE : 60350-1-A REVISION : "A"

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This Plan has been Prepared in Accordance with the Professional Reference
Manual and is Certified Correct this 12 th Day of March, 2015.

Kyler D1252H
Kyler D1252H

Digitally signed by Kenneth
D1252H, DN: cn=Kenneth, o=JEA & Associates, ou=Surveyors and Engineers, email=kenneth@jea.ca, c=CA

This document is not valid unless digitally signed.

Scale 1:2500. All Dimensions are in Metres and decimals thereof

LEGAL NOTATIONS:
E & N RAILWAY EXCEPTIONS AND RESERVATIONS - M76300
THIS TITLE MAY BE AFFECTED BY THE A.L.C. ACT - SEE ALR PLAN # 5

THIS PLAN HAS BEEN PREPARED FOR AN APPLICATION FOR
SUBDIVISION ONLY. IT IS NOT TO BE INTERPRETED THAT FINAL
APPROVALS HAVE OR WILL BE GRANTED BY APPROVAL AGENCIES.

JEA JE ANDERSON
& ASSOCIATES
SURVEYORS AND ENGINEERS
203 - 177 WELD ST., PO BOX 247
PARKSVILLE, B.C. V9P 2G4
TEL 248-5755 parkville@jeanderson.com