### **REGIONAL DISTRICT OF NANAIMO**

### AGRICULTURAL ADVISORY COMMITTEE FRIDAY, AUGUST 26, 2016. 11:00 AM

(Board Room)

### AGENDA

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### **DELEGATIONS**

### **MINUTES**

Pgs 2-3 Minutes of the regular Agricultural Advisory Committee meeting held June 24 2016.

### **BUSINESS ARISING FROM THE MINUTES**

### **COMMUNICATIONS/CORRESPONDENCE**

### **UNFINISHED BUSINESS**

Update from RDN staff on ALC final decisions – Verbal Update

Pg 4 Letter to AAC Members summarizing ALC Panel's decision re PL2016-042

### **REPORTS**

Pgs 5-30 PL2016-096 – ALR Subdivision Application - 6617 Doumont Road - Electoral Area 'C'

Pgs 31-73 PL2016-097 – ALR Non-Farm Use - 1888 Kaye Road Electoral Area 'E'

Changes to the ALR Regulations – Verbal Update

Exploration of Composting – Verbal Update

RDN Agricultural Bylaw Amendments – Verbal Update

Brochure on Rural Areas Guide for Residents Living in Farming Areas – Verbal Update

### **BUSINESS ARISING FROM DELGATIONS OR COMMUNICATIONS**

### **NEW BUSINESS**

### **ADJOURNMENT**

<u>Distribution</u>: H. Houle (Chair), J. Fell, C. Haime, K. Reid, R. Thompson, C. Watson, M. Ryn, K. Wilson, J. Thony, D. Trudeau, G. Garbutt, J. Holm, P. Thompson, T. Armet, G. Keller, K. Marks, B.Farkas

### **REGIONAL DISTRICT OF NANAIMO**

# MINUTES OF THE AGRICULTURAL ADVISORY COMMITTEE MEETING HELD ON FRIDAY, JUNE 24, 2016, at 2pm IN THE RDN BOARD ROOM

### Present:

H. Houle Chairperson

J. Fell Director, Electoral Area F

M. Ryn
 J. Thony
 K. Reid
 Regional Agricultural Organization
 Regional Agricultural Organization
 Shellfish Aquaculture Organizations

K. Wilson
 G. Laird
 Representative District 68
 R. Thompson
 C. Watson
 Representative District 69
 Representative District 69

Regrets

C. Haime District of Lantzville

### Also in Attendance:

M. Young Director, Electoral Area C
 J. Holm Mgr. Current Planning
 P. Thompson Mgr. Long Range Planning
 G. Keller Planner, Long Range Planning

B. Ritter Recording Secretary

### **CALL TO ORDER**

The Chairperson called the meeting to order.

### **MINUTES**

MOVED J. Fell, SECONDED R. Thompson that the minutes of the Agricultural Advisory Committee meeting held on April 22, 2016, be adopted.

CARRIED

### **UNFINISHED BUSINESS**

- J. Holm provided an update on ALC's decisions on past applications that had been considered by the AAC. There will be ongoing reporting provided to the committee when the ALC reaches a decision on an ALR application.
- P. Thompson provided a copy of the letter, dated June 16, 2014, sent to BCAA regarding what qualifies as a farm product.

### **REPORTS**

### ALR Application No. PL2016-064 Arbor Memorial Inc.

MOVED J. Fell, SECONDED K. Wilson that Application No. PL2016-064, Arbor Memorial Inc. Lot A, Section 8, 9 and 10, Range 1, Cedar District Plan VIP76153, 2347 and 2419 Cedar Road - Electoral Area 'A', be forwarded to the Agricultural Land Commission with a recommendation to approve the non-farm use proposed for ALR Area 1.

CARRIED

MOVED J. Fell, SECONDED K. Wilson that Application No. PL2016-064, Arbor Memorial Inc. Lot A, Section 8, 9 and 10, Range 1, Cedar District Plan VIP76153, 2347 and 2419 Cedar Road - Electoral Area 'A', be forwarded to the Agricultural Land Commission with a recommendation to not approve the non-farm use proposed for ALR Area 2.

CARRIED

### AAP Implementation - Project 6: Exploration of Compositing, Project Discussion.

MOVED J. Fell, SECONDED J. Thony, that the Agriculture Area Plan Implementation — Composting Project Update report be received as submitted.

CARRIED

MOVED J. Fell, SECONDED K. Wilson, that the Board direct staff to proceed with the proposed approach to address Project 6 — Compost Facility as outlined in the staff report.

**CARRIED** 

### Right to Farm Education Project.

G. Keller presented a brochure designed to let the public know about farming in the RDN. Committee members were invited to provide comments via email on the draft brochure.

### Aquaculture Tour - Overview.

G. Keller presented a PowerPoint presentation giving a summary of the recent AAC aquaculture tour (May 16, 2016) of K. Reid's plant at Deep Bay and the VIU Deep Bay Marine Field Station. Discussion followed highlighting how helpful the tour was in understanding the aquaculture industry, and its positive impact in the RDN both economically and environmentally.

### **ADJOURNMENT**

Time: 3.15 pm

MOVED J. Fell, SECONDED K. Reid that this meeting be adjourned.

**CARRIED** 

CHAIRPERSON			





Strategic and Community Development 6300 Hammond Bay Rd. Nanaimo, B.C. V9T 6N2

Ph. (250) 390-6510 Toll Free: 1-877-607-4111 Fax: (250) 390-4163

RDN Website: www.rdn.bc.ca

August 9, 2016

Agricultural Advisory Committee 6300 Hammond Bay Road Nanaimo, BC V9T 6N2

Dear Members:

Re: Agricultural Land Commission Non-Farm Use Application No. PL2016-042

That Part Of Section 17, Range 3, Cedar District, Lying To The West Of The Westerly Boundary Of The West 5 Chains Of The East 60 Acres Of Said Section, Except The South 10 Chains Of The West 12 Chains Of Said Section, And Except Part In Plans 16643, 18872 And 23066

2602 Holden Corso Road

Electoral Area 'A'

The RDN has received notification of the ALC Panel's decision regarding application PL2016-042. According to ALC Resolution #299/2016, the request for a second dwelling unit within the subject property is denied.

To summarize the ALC decision package, the Panel reviewed the application, Local Government Report and attended a site visit on May 27, 2016. The Panel's findings concluded that:

- the majority of the land making up the properties is capable of supporting agriculture and is appropriately designated within the ALR;
- the regulations provides for opportunities to accommodate residential uses without the necessity to construct a second permanent single-family residence on the property.

For information on recent and archived ALC applications and decisions, visit the ALC webpage, here: <a href="http://www.alc.gov.bc.ca/alc/content/applications-and-decisions/search-for-applications-and-decisions">http://www.alc.gov.bc.ca/alc/content/applications-and-decisions</a>

Sincerely,

Jamai Schile Planner



Planner

### STAFF REPORT

TO: Agricultural Advisory Committee (AAC) DATE: August 16, 2016

FROM: Stephen Boogaards MEETING: AAC – August 26, 2016

FILE: PL2016-096

SUBJECT: Request for Comment on Subdivision in the ALR Application No. PL2016-096

Rodney Edwards and Laurie-Ann Kallin

That Part of Lot 1, District Lot 35, Wellington District, Plan 3225, Lying Southerly of a Line Drawn Parallel to and Perpendicularly Distant 2.645 Chains Northerly from the Southerly

**Boundary of Said Lot** 

6617 Doumont Road - Electoral Area 'C'

### **PURPOSE**

To present an application for subdivision within the Agricultural Land Reserve (ALR) to the Agricultural Advisory Committee (AAC) for the opportunity to provide comment on the application to the Agricultural Land Commission (ALC).

### **BACKGROUND**

The Regional District of Nanaimo (RDN) has received an application for subdivision in the ALR from Rodney Edwards and Laurie-Ann Kallin. The subject property is legally described as That Part of Lot 1, District Lot 35, Wellington District, Plan 3225, Lying Southerly of a Line Drawn Parallel to and Perpendicularly Distant 2.645 Chains Northerly from the Southerly Boundary of Said Lot and the civic address is 6617 Doumont Road. The subject property is approximately 4.8 ha in area and is located entirely within the ALR. The parcel is intersected by Doumont Road, and is adjacent to Brannen Lake to the east, other ALR properties to the north and south, and the District of Lantzville municipal boundary to the west.

The property currently contains a dwelling unit, accessory building, and a chicken coop on the Brannen Lake side of the property. The property contains a recreational vehicle, shipping container, accessory buildings, and several pens for poultry and goats on the upland side of Doumont Road (see Attachments 1 and 2 - Subject Property Map and Aerial Photo).

The applicant's proposal is to subdivide the property along Doumont Road to create two parcels. The subdivision is intended for an extended family who currently jointly owns the subject property. A copy of the applicant's submission package is included in Attachment 10.

AAC members were provided an opportunity to attend the site on August 4, 2016.

### **REGIONAL GROWTH STRATEGY**

The subject property is currently designated 'Resource Land and Open Spaces' pursuant to the "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011" (RGS). The Resource Lands and Open Spaces designation do not support the creation of new parcels that are smaller than the size

supported by the Official Community Plan (OCP) in effect at the date of the adoption of the RGS (see Attachment 7). Further to this, the RGS encourages the provincial government to protect and preserve the agricultural land base through the ALR. The RGS also discourages the subdivision of agricultural lands (see Attachments 8 and 9).

#### OFFICIAL COMMUNITY PLAN

The subject property is currently designated as 'Rural' pursuant to the "Regional District of Nanaimo East Wellington-Pleasant Valley Official Community Plan Bylaw No. 1055, 1998" (see Attachment 6). The Rural designation supports a minimum parcel size of 2.0 ha, for lands within the ALC, provided permission is granted by the ALC and the proposal is compatible with surrounding land use patterns and development. The proposed subdivision is similar to a subdivision application north of the subject property, which created a new property boundary along Doumont Road.

The parcel is also designated within the Fish Habitat and Natural Hazards Development Permit Area. Both development permit areas would apply to the portion of the property adjacent to Brannan Lake, unless otherwise exempt. Possible watercourses are also upland of Doumont Road, and would be considered prior to any subdivision of land.

Amendments to "Regional District of Nanaimo East Wellington-Pleasant Valley Official Community Plan Bylaw No. 1055, 1998" are not required.

#### ZONING

The parcel is currently zoned Agriculture 1 (AG1), Subdivision District 'D', pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" (Bylaw 500) (see Attachments 4 and 5 for zoning regulations and minimum parcel size). The AG1 Zone permits farm use, residential uses, and accessory uses. The zoning also allows 2 dwellings units on parcels greater than 2.0 ha.

The applicants propose to subdivide the property along Doumont Road as shown on the Proposed Site Plan (see Attachment 3). Under Bylaw 500 subdivision regulations, a property that does not meet minimum parcel size may be subdivided along a highway dedicated prior to Bylaw 500 (1987), provided the requirements of the authorities having jurisdiction are met with respect to the provision of water, method of sewage disposal, and access. One of the new properties being created will not meet the 2.0 ha minimum parcel size; however, a property owner may apply to subdivide along a highway provided the above criteria is met.

Amendments to Bylaw 500 are not required to allow subdivision of the property. However, the application will require approval for relaxation of the 10% road frontage requirements under the *Local Government Act* and possible variances to zoning Bylaw 500.

### **BOARD POLICY AND AAC PROCEDURE**

RDN Board Policy B1.8: Review of ALR Applications provides an opportunity for the AAC to review and provide comments on ALR applications for exclusion, subdivision and non-farm use, on lands within the ALR. Policy B1.8 also includes a standing Board resolution for subdivision of lands within the ALR which reads as follows:

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.

In accordance with the AAC Terms of Reference, the role of the AAC members is to provide local perspective and expertise to advise the 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 members' local knowledge and input, comment on ALR applications may be guided by Board-approved policies such as the RDN AAC, the Board Strategic Plan, the RGS and the applicable OCP along with the relevant land use bylaws. Members of the AAC can also find information related to ALR land use and agriculture in BC, on the Agricultural Land Commission and Ministry of Agriculture websites. Local and contextual information can also be found on the RDN's agricultural projects website at <a href="https://www.growingourfuture.ca">www.growingourfuture.ca</a>.

Comment provided to the ALC from the AAC is consensus based, through Committee adoption of a motion. If an AAC member has comments regarding an application being submitted to the ALC, the appropriate time to provide those comments is in the Committee meeting, during discussion on the application, and prior to the Committee's adoption of its motion. Only motions approved by the Committee will be forwarded to the ALC for its consideration. Comments from individual AAC members will not be included in the Staff 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. As per Policy B1.8 any comment from the AAC is provided in addition to the applicable standing Board resolution and Electoral Area Director's comment (if provided). The ALC is the authority for decisions on matters related to the ALR and will consider comments in making its decision on an application.

#### **ELECTORAL AREA DIRECTOR COMMENT**

As per Board Policy B1.8, all applications under the *Agriculture Land Commission (ALC) Act* for exclusion, subdivision, or non-farm use of ALR land are to be forward to the applicable subject property's Electoral Area Director, for comment.

The site visit took place at 6617 Doumont Road, on Thursday, 4th of August 2016. Attending, the site visit were; RDN Staff, Stephen Boogaards and Jamai Schile. Also, present were three members of the Agricultural Advisory Committee and two Regional District of Nanaimo Directors, Julian Fell and Maureen Young.

The subject property is approximately 4.8 ha in area and is located entirely within the ALR. The application is to facilitate a two lot subdivision, separating a hooked parcel along Doumont Road. In 2009, the property to the North of the subject property was successfully subdivided under the same criteria.

The applicant's proposal would create two parcels - one parcel intended for extended family member who currently jointly own the property.

During, the site visit; it was noted that the property adjacent to Brannan Lake contains a house, accessory buildings and a chicken coop with a flock of chickens, a number of fruit trees and grassy area sloping towards the Lake.

The property on the North upper side of Doumont Road contained a fenced area with pens for several goats and a flock of poultry, as well as, a recreational vehicle and accessory buildings. The property is sloped with trees and blackberries - the upper portion being traversed by the hydro and gas line right-of-way.

Although, one of the lots will be less than the minimum parcel size required in Bylaw 500 - there is a provision in Bylaw 500 that allows for subdivision along a road - where a parcel is physically separated by a highway which was dedicated prior to the adoption of the Bylaw - depending on water, sewage disposal and access.

Surrounding, land uses to the North and South include rural zoned parcels situated within the ALR.

As the Electoral Area Director for Electoral Area "C", I am in favour of supporting this application for subdivision within the Agricultural Land Reserve.

Maureen Young Director Area "C"

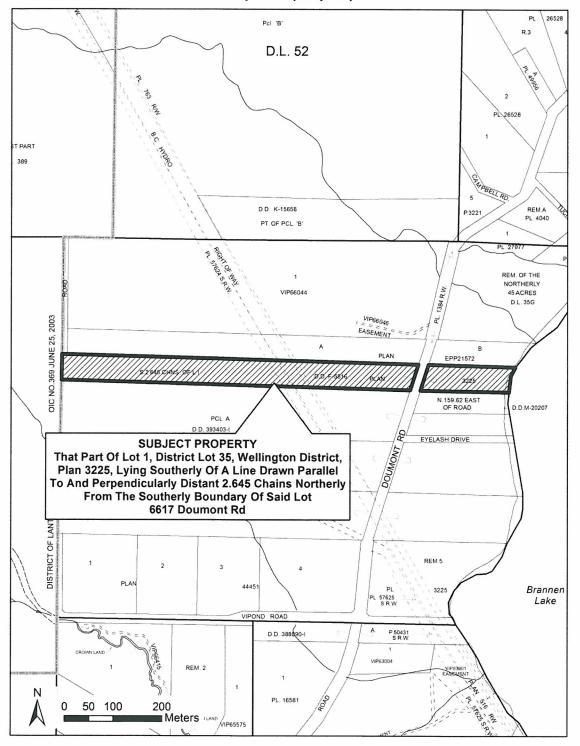
### **SUMMARY/CONCLUSIONS**

The property owner has made an application for subdivision in the ALR for a property located within Electoral Area 'C'. The proposal is to subdivide the subject property along Doumont Road to create two lots. One of the lots will be less than the minimum parcel size required in Bylaw 500; however, provisions in Bylaw 500 allow for subdivision along a highway pre-existing the bylaw provided water, sewage disposal and access is met. Should the AAC wish to provide comments to the ALC, it may do so by considering the adoption of a motion. Any comments provided by the Committee will be provided to the ALC, along with a copy of this report to assist the ALC in making a decision on this application.

Report Writer

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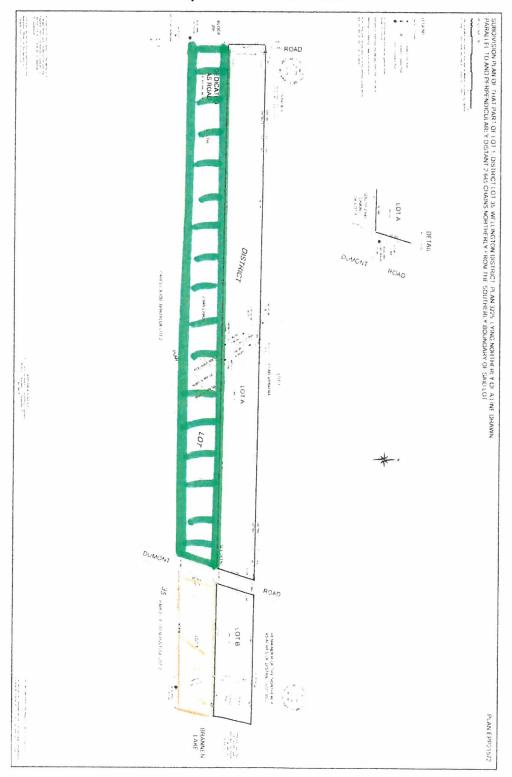
Attachment 1
Subject Property Map



### Attachment 2 2012 Aerial Photo



Attachment 3
Proposed Plan of Subdivision



# Attachment 4 Existing Zoning (Page 1 of 3)

#### Section 3.4.1

AG1<sup>3435</sup> AGRICULTURE 1 3.4.1.1 Permitted Uses and Minimum Site Area **Permitted Principal Uses** a) Farm Use – on lands located in the Agricultural Land Reserve b) Agriculture - on lands not located in the Agricultural Land Reserve c) Residential Use **Permitted Accessory Residential Uses** a) Home Based Business b) Secondary Suite **Permitted Accessory Farm Uses** a) Temporary Sawmill Agricultural Education and Research b) Agri-tourism Accommodation c) d) Production of Biological Integrated Pest Management Products 3.4.1.2 **Maximum Number and Size of Buildings and Structures** 1) Accessory residential buildings combined floor area of 400 m<sup>2</sup> 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. 3) Height (non-farm and accessory farm buildings and structures) 9.0 m 34 Bylaw No.500.383, Adopted June 25, 2013 35 Bylaw No. 500.402, adopted June 28, 2016 RDN Bylaw No. 500

Page 2 1

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 Existing Zoning (Page 2 of 3)

#### AGRICULTURE 1 continued

### 4) Parcel coverage

a) Non-farm buildings and structures

10%

b) Farm or agriculture buildings and structures

25%

c) Greenhouses

75%

- d) In no case shall the combined parcel coverage exceed 75%.
- e) Notwithstanding a), b), c) and d) above or any other regulation in this Bylaw, the following agricultural structures shall be exempt from maximum parcel coverage:
  - i) Permeable detention ponds
  - ii) Support structures used for shading, frost and wind protection, netting, or trellising.

### 3.4.1.3 Minimum Setback Requirements

1) All non-farm buildings and structures – All lot lines except where:

 $8.0 \, m$ 

- a) the parcel is less than  $4000 \text{ m}^2$  in area then the setback from lot lines may be reduced to 2.0 m from an interior side lot line and to 5.0 m from other lot lines, excluding the front lot line;
- any part of a parcel is adjacent to or contains a watercourse or the sea then the regulations in Sections 3.3.8 and 3.3.9 shall apply.
- 2) All agriculture or farm buildings, structures and uses in accordance with Section 3.3.10.

### 3.4.1.4 Other Regulations

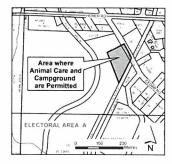
- 1) For any part of a parcel in the Agricultural Land Reserve, 'Farm Use' shall be a permitted principal use and for any part of a parcel not located in the Agricultural Land Reserve, 'Agriculture' shall be a permitted principal use.
- Accessory Farm uses are only permitted on that part of a parcel that is within the Agricultural Land Reserve.
- 3) Specific 'Farm' and 'Permitted' uses as defined in the Agricultural Land Reserve Use, Subdivision, and Procedure Regulation shall be developed in accordance with Section 3.3.15 and 3.3.16 of this Bylaw.
- 4) Despite any regulation in this Bylaw, land established as "Agricultural Land Reserve" pursuant to the Agricultural Land Commission Act is subject to the Agricultural Land Commission Act and Regulations, and applicable orders of the Land Reserve Commission.

RDN Bylaw No. 500

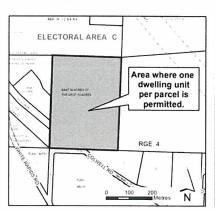
Page 3 - 20

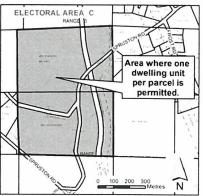
# Attachment 4 Existing Zoning (Page 3 of 3)

 Animal Care and Campground shall be permitted in the shaded area outlined in bold in the map below.



6) Notwithstanding Section 3.4.1.2 Dwelling units/parcel the maximum number of dwelling units permitted in the shaded areas outlined in bold in the maps below shall be limited to one dwelling unit per parcel.





RDN Bylaw No. 500

Page 3 - 21

### Attachment 5 Bylaw 500, Schedule '4B' Subdivision Districts - Minimum Parcel Size

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:

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	
В	8.0 ha	8.0 ha	8.0 ha	8.0 ha	
С	5.0 ha	5.0 ha	5.0 ha	5.0 ha	
CC <sup>2</sup>	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	
Е	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 <sup>2</sup>	1.0 ha	1.0 ha	1.0 ha	
Н	5000 m <sup>2</sup>	1.0 ha	1.0 ha	1.0 ha	
J³	4000 m <sup>2</sup>	6000 m <sup>2</sup>	1.0 ha	1.0 ha	
K	4000 m <sup>2</sup>	4000 m <sup>2</sup>	4000 m <sup>2</sup>	4000 m <sup>2</sup>	
L	2000 m <sup>2</sup>	2000 m <sup>2</sup>	4000 m <sup>2</sup>	4000 m <sup>2</sup>	
М	2000 m <sup>2</sup>	2000 m <sup>2</sup>	1.0 ha	1.0 ha	
N,45	1600 m <sup>2</sup>	1600 m <sup>2</sup>	1.0 ha	1.0 ha	
Р	1000 m <sup>2</sup>	1600 m <sup>2</sup>	1.0 ha	1.0 ha	
Q (EA G only)	700 m <sup>2</sup>	<sup>6</sup> 1.0 ha	1.0 ha	1.0 ha	
Q (other EAs)	700 m <sup>2</sup>	2000 m <sup>2</sup>	1.0 ha	1.0 ha	
R	500 m <sup>2</sup>	<sup>7</sup> 1.0 ha	1.0 ha	1.0 ha	
S <sup>8</sup>	400 m <sup>2</sup>	2000 m <sup>2</sup>	1.0 ha	1.0 ha	
T <sup>9</sup>	600 m <sup>2</sup>	No further subdivision			
V <sup>10</sup>	50.0 ha	50.0 ha	50.0 ha	50.0 ha	
Z		No further subdivision			
CD9 11	400 lots v	400 lots with approved pump and haul service connection			

RDN Bylaw No. 500

Bylaw No. 500.238, adopted February 10, 1998 Bylaw No. 500.347, adopted September 22, 2009 Bylaw No. 500.27, adopted August 9, 1988 Bylaw No. 500.65, adopted December 12, 1989 Bylaw No. 500.324, adopted February 28, 2006 Bylaw No. 500.264, adopted October 10, 2000 Bylaw No. 500.264, adopted October 10, 2000 Bylaw No. 500.267, adopted August 9, 1988

<sup>&</sup>lt;sup>9</sup> Bylaw No. 500.394, adopted August 25, 2015 <sup>10</sup> Bylaw No. 500.253, adopted January 11, 2000 <sup>11</sup> Bylaw No. 500.275, adopted October 9, 2001

# Attachment 6 Official Community Plan Land Use Designation (Page 1 of 3)

Regional District of Nanaimo
EAST WELLINGTON - PLEASANT VALLEY OFFICIAL COMMUNITY PLAN - BYLAW NO. 1055

lands, which account for approximately 29% of the Plan Area's land base (950 hectares), significantly contributes to its predominant rural character by supporting traditional rural activities, large parcels and green spaces. FLR lands designated as Rural are generally in close proximity to lands used primarily for residential purposes and presently do not support intensive processing operations. The Rural designation is intended to protect agricultural and forestry lands and associated operations by relieving development pressures.

### Objectives: Rural

- Support and encourage agricultural activities on productive agricultural lands.
- Support silviculture activities on productive forestry lands.
- Preserve and enhance the Plan Area's rural character and environmental quality.

### Policies: Rural

#### Action:

- Land within the Rural designation, as shown on Map No. 3 attached to and forming part of this Plan, shall have a minimum parcel size of 2.0 hectares except those lands that as of the date of this amendment are designated as Crown Lands (forest) or where for taxation purposes are designated as Managed Forest Class shall have a minimum parcel size of 50.0 hectares.<sup>2</sup>
- On land in the Rural designation, residential development shall be limited to one

   (1) dwelling unit per one
   (1) hectare, to a maximum of two
   (2) dwelling units per parcel.
- 3. On land in the *Rural* designation, the creation of parcels having an area less than two (2) hectares by way of subdivision pursuant to the *Condominium Act* (British Columbia), with the exception of subdivision pursuant to the *Bareland Strata Regulations* (British Columbia), shall not be supported.
- 4. Permitted uses within the *Rural* designation shall generally be limited to traditional rural activities, including those associated with normal agriculture and silviculture practices. Intensive forestry processing uses shall not be supported on lands designated as *Rural* in this Plan.
- Where land is removed from the Agricultural Land Reserve or the Forest Land Reserve the Rural designation shall remain unless redesignated by amendment to this Plan and permitted uses shall be generally be limited to traditional rural activities.

### Development Activated:

6. Where land is 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

SECTION 4 - DEVELOPMENT STRATEGY

 $<sup>^2</sup>$  Bylaw No. 1055.02 adopted January 24, 2006

# Attachment 6 Official Community Plan Land Use Designation (Page 2 of 3)

Regional District of Nanaimo East Wellington - Pleasant Valley Official Community Plan - Bylaw No. 1055

lands, which account for approximately 29% of the Plan Area's land base (950 hectares), significantly contributes to its predominant rural character by supporting traditional rural activities, large parcels and green spaces. FLR lands designated as Rural are generally in close proximity to lands used primarily for residential purposes and presently do not support intensive processing operations. The Rural designation is intended to protect agricultural and forestry lands and associated operations by relieving development pressures.

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- 4. Permitted uses within the *Rural* designation shall generally be limited to traditional rural activities, including those associated with normal agriculture and silviculture practices. Intensive forestry processing uses shall not be supported on lands designated as *Rural* in this Plan.
- Where land is removed from the Agricultural Land Reserve or the Forest Land Reserve the Rural designation shall remain unless redesignated by amendment to this Plan and permitted uses shall be generally be limited to traditional rural activities.

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SECTION 4 - DEVELOPMENT STRATEGY

<sup>&</sup>lt;sup>2</sup> Bylaw No. 1055.02 adopted January 24, 2006

# Attachment 6 Official Community Plan Land Use Designation (Page 3 of 3)

Regional District of Nanaimo
EAST WELLINGTON - PLEASANT VALLEY OFFICIAL COMMUNITY PLAN - BYLAW NO. 1055

Agricultural Land Commission Act. All subdivision and non-farm uses within the ALR shall comply with the agricultural objectives and policies in Section 3.1 - Agriculture of this Plan.

### 4.3 RURAL RESIDENTIAL

The Rural Residential designation reflects lands characterized by large lots and low population density and which are not within the Agricultural Land Reserve or Forest Land Reserve. Traditional rural activities such as agricultural operations, hobby farms and large-lot residential uses predominate. The Rural Residential designation assists in maintaining the rural character of the community and providing large pockets of green space within the community. Approximately 1000 hectares of land are within the Rural Residential designation, representing approximately 30% of the total Plan Area.

### Objectives: Rural Residential

- Preserve and enhance the Plan Area's rural character and environmental quality.
- · Support traditional rural land uses and activities within the Plan Area.
- Provide for some flexibility in the form and character of rural subdivision development.

### Policies: Rural Residential

### Action:

- 1. Land within a Rural Residential designation as shown on Map No. 3, attached to and forming part of this Plan shall have a minimum parcel size of 2.0 hectares.
- 2. On land in the *Rural Residential* designation, residential development shall be limited to one (1) dwelling unit per one (1) hectare, to a maximum of two (2) dwelling units per parcel.
- Permitted uses within the Rural Residential designation shall generally be limited to traditional rural activities and passive recreation.
- 4. Notwithstanding Regional District regulations and/or policies related to the maximum number of dwellings per parcel, this Plan recommends that the Land Use and Subdivision Bylaw permitting a maximum of two (2) dwelling units on parcels greater than 2.0 hectares be amended as follows:
  - a) residential development shall be permitted to a maximum density of two (2) dwelling units on parcels of greater than 2.0 hectares, which existed prior to the adoption of such an amendment to the Land Use and Subdivision Bylaw;
  - b) residential development shall be limited to a density of not more than one (1) dwelling unit per two (2) hectares, to a maximum of two (2) dwelling units per parcel, for parcels created subsequent to the adoption of such an amendment to the Land Use and Subdivision Bylaw (see Figure 4.1); and
  - c) the creation of parcels having an area less than two (2) hectares by way of subdivision pursuant to the Condominium Act (British Columbia), with the

PAGE 32

SECTION 4 - DEVELOPMENT STRATEGY

## Attachment 7 Regional Growth Strategy Land Use Designation

### 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.test

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.

## Attachment 8 Regional Growth Strategy Goal 7 – Enhance Economic Resiliency - Agriculture

### 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.

# Attachment 9 Regional Growth Strategy Goal 8 – Food Security (Page 1 of 3)

**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 lowa by R. Pirog, et al 2001).

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.

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)

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).

# Attachment 9 Regional Growth Strategy Goal 8 – Food Security (Page 2 of 3)

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% (<a href="www.alc.gov.bc.ca/alr/stats">www.alc.gov.bc.ca/alr/stats</a>).

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;
- 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.

# Attachment 9 Regional Growth Strategy Goal 8 – Food Security (Page 3 of 3)

- 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).

### Attachment 10 **Applicant's Submission** (Page 1 of 3)

### **Provincial Agricultural Land Commission -Applicant Submission**

**Application ID: 55410** 

Application Status: Under LG Review Applicant: Rodney Edwards, Laurie Kallin Local Government: Nanaimo Regional District Local Government Date of Receipt: 06/01/2016

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

Proposal Type: Subdivision

Proposal: Property is divided by Doumont Road and is jointly owned with my daughter-in-law. Would

like to build a second house on land west of road in future.

### **Mailing Address:**

16178 14A Avenue Surrey, BC V4A 9R3 Canada

Primary Phone: (604) 538-4185 Mobile Phone: (604) 541-7004 Email: rodney123@shaw.ca

### **Parcel Information**

### Parcel(s) Under Application

1. Ownership Type: Fee Simple Parcel Identifier: 006-258-671

Legal Description: That part of Lot1, DL 35, Wellington District, Plan 3225, Lying south of a line drawn parallel to and perpendicularly distant 2.645 chains northerly from the southern boundary of

Parcel Area: 4.8 ha

Civic Address: 6617 Doumont Road, Nanaimo

Date of Purchase: 04/25/2016 Farm Classification: Yes **Owners** 

1. Name: Rodney Edwards Address:

16178 14A Avenue Surrey, BC V4A 9R3 Canada

Phone: (604) 538-4185 Cell: (604) 541-7004 Email: rodney123@shaw.ca

2. Name: Laurie Kallin

Address:

5473 Mildmay Road Nanaimo, BC

Applicant: Rodney Edwards, Laurie Kallin

# Attachment 10 Applicant's Submission (Page 2 of 3)

V9S 5N7 Canada

Phone: (250) 802-7209

Email: edwardslakefront@gmail.com

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

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s). Current land has been vacant for several years and no agricultural at present. Endeavouring to use land to west of road, upper portion, for grazing for goats, has small open field, and higher ground is treed, rocky, and under hydro rightt-of-way is broom and blackberries and shrub.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s). Lower portion adjacent to lake, about 2 acres, is in grass.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s). residential house on lower portion, to east of road

### **Adjacent Land Uses**

### North

Land Use Type: Agricultural/Farm
Specify Activity: residential with some sheep

### East

Land Use Type: Agricultural/Farm Specify Activity: abuts a lake

### South

Land Use Type: Agricultural/Farm Specify Activity: cleared grazing land

### West

Land Use Type: Agricultural/Farm

Specify Activity: heavily treed, rocky and vacant

### Proposal

1. Enter the total number of lots proposed for your property.

1 ha 3.8 ha

### 2. What is the purpose of the proposal?

Property is divided by Doumont Road and is jointly owned with my daughter-in-law. Would like to build a second house on land west of road in future.

### 3. Why do you believe this parcel is suitable for subdivision?

Applicant: Rodney Edwards, Laurie Kallin

### Attachment 10 Applicant's Submission (Page 3 of 3)

Property is very long and narrow and upper, western portion, has a hydro and gas line right-of- way through it.

**4.** Does the proposal support agriculture in the short or long term? Please explain. In long run, may be suitable for greenhouses or small grazing area. Not large enough for hay production. Upper portion is very rocky, hilly and treed.

5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section. No

### **Applicant Attachments**

- Proposal Sketch 55410
- Certificate of Title 006-258-671

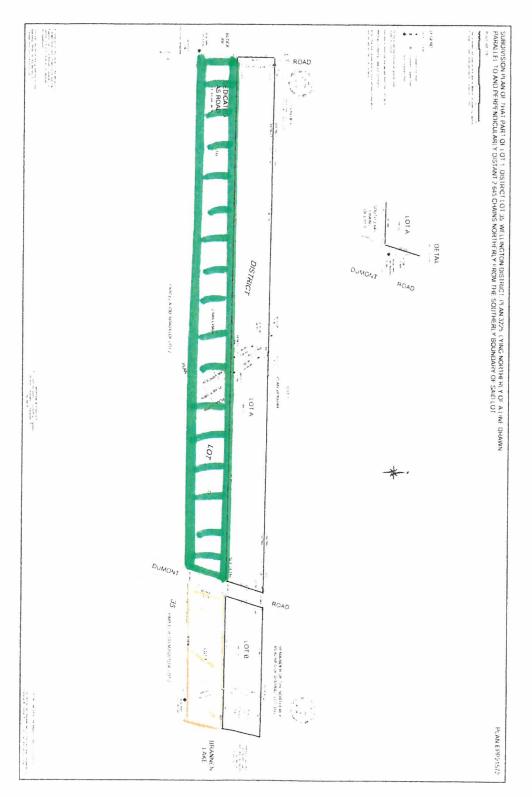
### **ALC Attachments**

None.

**Decisions** 

None.

Applicant: Rodney Edwards, Laurie Kallin



### Mont & Walker Law Corporation

Barristers Solicitors Notaries

Laurie A. Cr. Jan, B.Mus., LL.B.\*
Patrick K. McMurchy, B.A., LL.B.\*
Roderick E. Mont, B.G.S., LL.B.\*
Michael P. Walker, B. Comm., LL.B.\*
Simmarjit K. Madaan, B.A., LL.B., LL.M.\*
Gabrielle M. Clark, B.A. B.F.A, J.D., Articled Student

"Law Corporation

201 Selby Street Nanaimo, British Columbia V9R 2R2 Telephone: (250) 753-6435 Fax: (250) 753-5285

Email: simmar@islandlaw.ca
Website: http://www.islandlaw.ca

May 6, 2016

Our File:

48174/SKM/sn

Rodney Thomas Edwards Laurie-Ann Katherine Kallin 5473 Mildmay Road Nanaimo, BC V9T 4Z3

Dear Mr. Edwards and Miss Kallin:

Buyer:

Rodney Thomas Edwards and Laurie-Ann Katherine Kallin

Seller:

Wilma Elizabeth Twidale, William Twidale and Harvey Twidale

Property:

PID 006-258-671, THAT PART OF LOT 1, DISTRICT LOT 35, WELLINGTON DISTRICT,

PLAN 3225, LYING SOUTHERLY OF A LINE DRAWN PARALLEL TO AND

PERPENDICULARLY DISTANT 2.645 CHAINS NORTHERLY FROM THE SOUTHERLY

**BOUNDARY OF SAID LOT** 

Civic:

6617 Doumont Rd, Nanaimo, BC V9T 6H1

Further to our previous correspondence, enclosed please find a State of Title Certificate confirming registration in confection with the above noted matter.

Yours truly,

MONT & WALKER LAW CORPORATION

Per:

SIMMARJIT K. MADAAN

\sn

### LAND TITLE OFFICE

### STATE OF TITLE CERTIFICATE

Certificate Number: STSR2021058

File Reference: 48174/SKM/sn

MONT & WALKER LAW CORPORATION 201 SELBY STREET NANAIMO BC V9R 2R2

A copy of this State of Title Certificate held by the land title office can be viewed for a period of one year at <a href="https://stc.ltsa.ca/stc">https://stc.ltsa.ca/stc</a> (access code 411788).

I certify this to be an accurate reproduction of title number CA5129712 at 00:23 this 28th day of April, 2016.

REGISTRAR OF LAND TITLES

**Land Title District** 

Land Title Office

VICTORIA VICTORIA

**Title Number** From Title Number CA5129712 FB475825

Application Received

2016-04-25

Application Entered

2016-04-27

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

RODNEY THOMAS EDWARDS, RETIRED

LAURIE-ANN KATHERINE KALLIN, RECREATIONAL THERAPIST

5473 MILDMAY ROAD NANAIMO, BC

V9T 4Z3

**Taxation Authority** 

NANAIMO/COWICHAN ASSESSMENT AREA

Title Number CA5120712

Ctata of Titla Cadificata

### LAND TITLE OFFICE

### STATE OF TITLE CERTIFICATE

Certificate Number: STSR2021058

Description of Land

Parcel Identifier: Legal Description: 006-258-671

THAT PART OF LOT 1, DISTRICT LOT 35, WELLINGTON DISTRICT, PLAN 3225, LYING SOUTHERLY OF A LINE DRAWN PARALLEL TO AND PERPENDICULARLY DISTANT 2.645 CHAINS NORTHERLY FROM THE SOUTHERLY BOUNDARY OF SAID LOT

**Legal Notations** 

THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT; SEE AGRICULTURAL LAND RESERVE PLAN NO. 5, DEPOSITED JULY 26TH, 1974

Charges, Liens and Interests

Nature:

**EXCEPTIONS AND RESERVATIONS** 

Registration Number:

M76300

Registered Owner:

ESQUIMALT AND NANAIMO RAILWAY COMPANY

INTER ALIA

Remarks:

A.F.B. 9.693.7434A; 54530G; SECTION 172(3); FOR ACTUAL DATE AND TIME OF REGISTRATION SEE ORIGINAL GRANT FROM E & N RAILWAY COMPANY

Nature:

RIGHT OF WAY

Registration Number: Registration Date and Time: 129361G 1948-01-14 14:34

Registered Owner:

BRITISH COLUMBIA HYDRO AND POWER AUTHORITY

Nature:

STATUTORY RIGHT OF WAY

Registration Number:

EC119044

Registration Date and Time: Registered Owner:

1989-11-14 09:50 TERASEN GAS (VANCOUVER ISLAND) INC.

INCORPORATION NO. 236352

Transfer Number:

EV64779

Remarks:

CANCELLED AS TO ALL EXCEPT PART IN PLAN VIP57624

BY EG147329, 08.11.1993

**Duplicate Indefeasible Title** 

NONE OUTSTANDING

**Transfers** 

NONE

**Pending Applications** 

NONE

This certificate is to be read subject to the provisions of section 23(2) of the Land Title Act(R.S.B.C. 1996 Chapter 250) and may be affected by sections 50 and 55-58 of the Land Act (R.S.B.C. 1996 Chapter 245).



### **STAFF REPORT**

TO: Agricultural Advisory Committee (AAC) DATE: August 16, 2016

FROM: Jamai Schile MEETING: AAC – August 26, 2016

Planner

**FILE:** PL2016-097

SUBJECT: Request for Comment on Non-Farm Use in the ALR Application No. PL2016-097

Culverden Holdings Ltd.

Lot 1, District Lot 171 and Block 564, Nanoose District, Plan VIP71158

1888 Kaye Road Electoral Area 'E'

### **PURPOSE**

To present an application for non-farm use within the Agricultural Land Reserve (ALR) to the Agricultural Advisory Committee (AAC) for the opportunity to provide comment on the application to the Agricultural Land Commission (ALC).

### **BACKGROUND**

The Regional District of Nanaimo (RDN) has received an application for non-farm use in the ALR from Rob Bau, Agent on behalf of owner, Culverden Holdings Ltd. The subject property is legally described as Lot 1, District Lot 171 and Block 564, Nanoose District, Plan VIP71158 and the civic address is 1888 Kaye Road. The subject property is approximately 19.0 ha in area and is located entirely within the ALR. The parcel is bound by the Island Highway to the east and is surrounded by lands within the ALR. The property currently contains 22 rustic cabins; 5 log cabins; 9 chuck wagons; dining hall lodge; three storage buildings; and a dwelling unit used for storage, (see Attachments 1 and 2 for Subject Property Map and Aerial Photo).

The applicant purposes to construct a new 779.5m<sup>2</sup> building for the purpose of creating additional guest accommodations and adding meeting facilities for guests of the Seven Springs Camp and Retreat Center.

AAC members were provided an opportunity to attend the site on August 4, 2016.

A copy of the applicant's submission package is included in Attachment 11.

### **REGIONAL GROWTH STRATEGY**

The subject property is currently designate 'Resource Land and Open Spaces', pursuant to the "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011" (RGS). This designation is primarily intended for resource uses such as agriculture, forestry, aggregate and other development as well as long-term open spaces uses, which include various uses such as golf courses and destination resorts. Seven Springs Camp and Retreat Center is considered a destination resort use therefore this use is supported by the RGS. Further to this, the RGS encourages the provincial government to protect and preserve the agricultural land base through the ALR, (see Attachments 8, 9 and 10 for RGS designation and goals 7 and 8).

### OFFICIAL COMMUNITY PLAN

The subject property is within two Electoral Areas, being Electoral Areas 'E' and 'G'. The subject area is located in Electoral Area 'E' and is designated as "Resource Lands within the ALR", pursuant to the "Regional District of Nanaimo Electoral Area 'E' Official Community Plan Bylaw No. 1400, 2005", (see Attachment 7 OCP land use designation). OCP Policy 12 states that requests for non-farm use within the ALR must be approved by the ALC and the proposed non-farm uses shall comply with the agricultural objectives and policies. The proposed addition of a new building for the purpose of guest accommodations and public assembly is not consistent with the agricultural objectives and policies.

The subject area is designated within the Sensitive Ecosystem Protection and Watercourse Protection Development Permit Areas. A development permit may be required prior to any alteration of the land.

### **ZONING**

The parcel is currently zoned Recreation 2 (RC2), pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" (Bylaw 500), (see Attachments 5 and 6 for zoning regulations and minimum parcel size). The Recreation 2 Zone permits Guest Accommodation; Outdoor Recreation; Public Assembly Use; Residential Use and School and allows 2 dwelling units per parcel. Subdivision District 'Z' does not permit any further subdivision of the lands. The proposed uses and new building are permitted within the RC2 zone, (see Attachment 3 and 4 for proposed sketch plan and building elevation).

#### **BOARD POLICY AND AAC PROCEDURE**

RDN Board Policy B1.8: Review of ALR Applications provides an opportunity for the AAC to review and provide comments on ALR applications for exclusion, subdivision and non-farm use, on lands within the ALR. Policy B1.8 also includes a standing Board resolution for non-farm use of lands within the ALR which reads as follows:

All applications under the Agriculture Land Commission (ALC) Act for exclusion, subdivision, or non-farm use of ALR land are to be forwarded to the Agricultural Advisory Committee (AAC) along with a completed ALC local government report in order to allow the AAC to provide comment and recommendation on the application. If the Area Director has provided comments on the application, the Director's comments will be included with the referral to the AAC. AAC comments and recommendations are to be forwarded to the ALC by including the AAC motion in the local government report to the ALC.

In accordance with the AAC Terms of Reference, the role of the AAC members is to provide local perspective and expertise to advise the 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 members' local knowledge and input, comment on ALR applications may be guided by Board-approved policies such as the RDN AAC, the Board Strategic Plan, the RGS and the applicable OCP along with the relevant land use bylaws. Members of the AAC can also find information related to ALR land use and agriculture in BC, on the Agricultural Land Commission and Ministry of Agriculture websites. Local and contextual information can also be found on the RDN's agricultural projects website at <a href="https://www.growingourfuture.ca">www.growingourfuture.ca</a>.

Comments provided to the ALC from the AAC is consensus based, through Committee adoption of a motion. If an AAC member has comments regarding an application being submitted to the ALC, the appropriate time to provide those comments is in the Committee meeting, during discussion on the

application, and prior to the Committee's adoption of its motion. Only motions approved by the Committee will be forwarded to the ALC for its consideration. Comments from individual AAC members will not be included in the Staff 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. As per Policy B1.8 any comment from the AAC is provided in addition to the applicable standing Board resolution and Electoral Area Director's comment (if provided). The ALC is the authority for decisions on matters related to the ALR and will consider comments in making its decision on an application.

#### **ELECTORAL AREA DIRECTOR COMMENT**

As per Board Policy B1.8, all applications under the *Agriculture Land Commission (ALC) Act* for exclusion, subdivision, or non-farm use of ALR land are to be forwarded to the applicable subject property's Electoral Area Director, for comments.

Director Roger's comments may be provided to the AAC as a supplemental agenda item at the regularly scheduled AAC meeting on August 26, 2016.

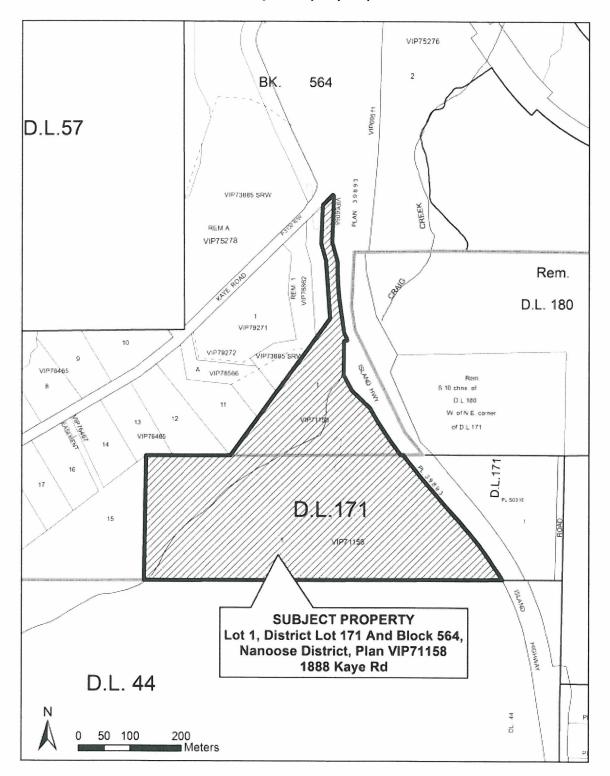
### **SUMMARY/CONCLUSIONS**

This is an application for non-farm use within the ALR. The applicant proposes to construct a new 779.5m² building for the purpose of creating additional guest accommodations and adding meeting facilities for guests of the Seven Springs Camp and Retreat Center on a (19 ha) parcel located in Electoral Area 'E'. Should the AAC wish to provide comments to the ALC, it may do so by considering the adoption of a motion. Any comments provided by the Committee will be provided to the ALC, along with a copy of this report to assist the ALC in making a decision on this application.

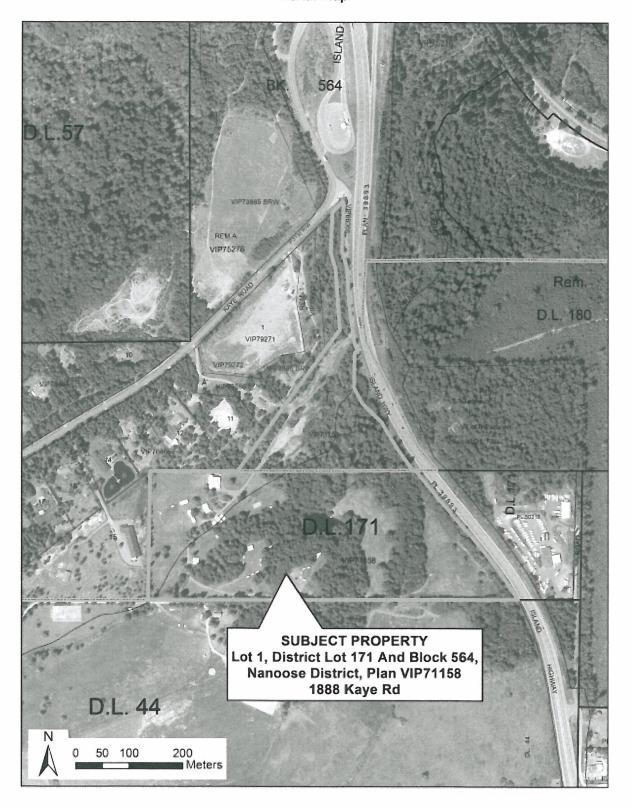
Report Writer

Attachment 1
Subject Property Map

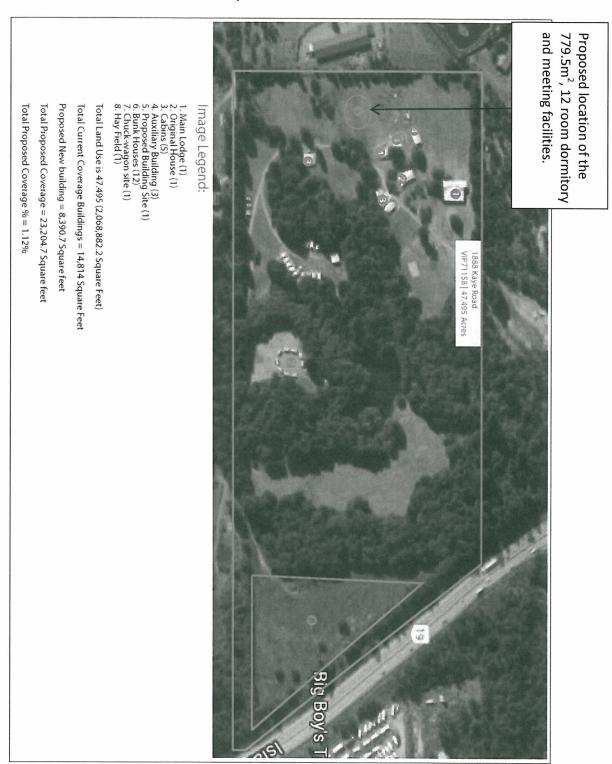
## Attachment 1 Subject Property Map



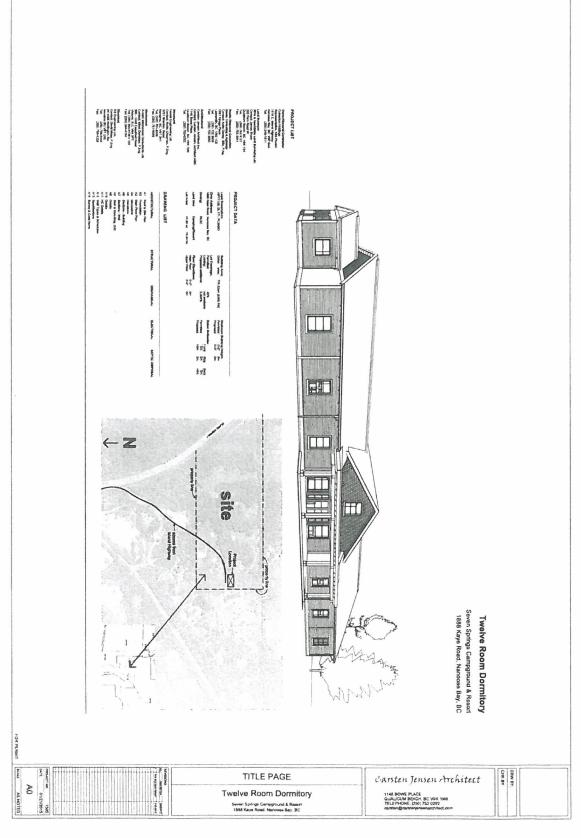
Attachment 2
Aerial Map



## Attachment 3 Proposed Sketch Plan



### Attachment 4 Building Elevation



#### Attachment 5 **Existing Zoning**

Part 3 – Land Use Regulations

Section 3.4.52

RECREATION 21 RC2

#### Permitted Uses and Minimum Site Area

#### Required Site Area with:

Permitted Uses		Community Water & Sewer System	Community Water System	No Community Services
a)	<b>Guest Accommodation</b>	n/a	n/a	n/a
b)	Outdoor Recreation	2.0 ha	2.0 ha	2.0 ha
c)	Public Assembly Use	2.0 ha	2.0 ha	2.0 ha
d)	Residential Use <sup>2</sup>	n/a	n/a	n/a
e)	School	n/a	n/a	n/a

#### Maximum Number and Size of Buildings and Structures

- 2<sup>4</sup> Dwelling units/parcel<sup>3</sup> Height - 9.0 m<sup>5</sup> Parcel coverage - 20% Floor area ratio - 0.20

#### **Minimum Setback Requirements**

Front lot line - 8.0 m Other lot lines - 5.0 m

except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 shall apply.

RDN Bylaw No. 500

Page 3 - 42

Bylaw No. 500.139, adopted February 9, 1993

Bylaw No. 500.133, adopted October 13, 1987

Bylaw No. 500.13, adopted October 13, 1987

Bylaw No. 500.242, adopted June 13, 2000

Bylaw No. 500.242, adopted June 13, 2000

#### Attachment 6 Bylaw 500, Schedule '4B' Subdivision Districts - Minimum Parcel Size

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				
Α	20.0 ha	20.0 ha	20.0 ha	20.0 ha				
В	8.0 ha	8.0 ha	8.0 ha	8.0 ha				
С	5.0 ha	5.0 ha	5.0 ha	5.0 ha				
CC <sup>2</sup>	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 <sup>2</sup>	1.0 ha	1.0 ha	1.0 ha				
Н	5000 m <sup>2</sup>	1.0 ha	1.0 ha	1.0 ha				
J <sup>3</sup>	4000 m <sup>2</sup>	6000 m <sup>2</sup>	1.0 ha	1.0 ha				
K	4000 m <sup>2</sup>	4000 m <sup>2</sup>	4000 m <sup>2</sup>	4000 m <sup>2</sup>				
L	2000 m <sup>2</sup>	2000 m <sup>2</sup>	4000 m <sup>2</sup>	4000 m <sup>2</sup>				
M	2000 m <sup>2</sup>	2000 m <sup>2</sup>	1.0 ha	1.0 ha				
N <sup>,45</sup>	1600 m <sup>2</sup>	1600 m <sup>2</sup>	1.0 ha	1.0 ha				
P	1000 m <sup>2</sup>	1600 m <sup>2</sup>	1.0 ha	1.0 ha				
Q (EA G only)	700 m <sup>2</sup>	<sup>6</sup> 1.0 ha	1.0 ha	1.0 ha				
Q (other EAs)	700 m <sup>2</sup>	2000 m <sup>2</sup>	1.0 ha	1.0 ha				
R	500 m <sup>2</sup>	<sup>7</sup> 1.0 ha	1.0 ha	1.0 ha				
S <sup>8</sup>	400 m <sup>2</sup>	2000 m <sup>2</sup>	1.0 ha	1.0 ha				
T <sup>9</sup>	600 m <sup>2</sup>	N	o further subdivision					
V <sup>10</sup>	50.0 ha	50.0 ha	50.0 ha	50.0 ha				
Z		No further s	ubdivision					
CD9 11	400 lots	with approved pump	and haul service con	nection				

RDN Bylaw No. 500

Page 4B-2

Bylaw No. 500.238, adopted February 10, 1998
Bylaw No. 500.347, adopted September 22, 2009
Bylaw No. 500.27, adopted August 9, 1988
Bylaw No. 500.264, adopted December 12, 1989
Bylaw No. 500.324, adopted February 28, 2006
Bylaw No. 500.264, adopted October 10, 2000
Bylaw No. 500.264, adopted October 10, 2000
Bylaw No. 500.27, adopted August 9, 1988
Bylaw No. 500.27, adopted August 9, 1988
Bylaw No. 500.293, adopted August 25, 2015
Bylaw No. 500.253, adopted January 11, 2000
Bylaw No. 500.275, adopted October 9, 2001

# Attachment 7 Official Community Plan Land Use Designation (Page 1 of 4)

Nanoose Bay Official Community Plan Bylaw No. 1400, 2005

#### 3.4 RESOURCE LANDS

The Resource Lands designation applies to lands that are valued for their agricultural use, forestry use, natural resource extraction capability, yet also valued for their environmental attributes, as these lands provide habitat for indigenous species on Vancouver Island.

This land use designation includes all those lands within the Agricultural Land Reserve (ALR) and lands that were in the former provincially designated Forest Land Reserve (FLR). It also includes lands with known and active resource uses that may or may not be in the ALR or FLR, and other large holdings including large recreational holdings and those used for federal or provincial purposes.

Agriculture is a permitted use in a large proportion of the Nanoose Bay Plan Area. It represents a primary and secondary source of income for some Nanoose Bay residents. Land management practices, which preserve agricultural land and the sustainable production of food, are supported and encouraged in this OCP.

Forestry is a dominant component of the Nanoose Bay economy. In addition to its economic value, residents appreciate the recreational opportunities, ecological and wildlife values afforded by the forested landscape.

In recognition of their value to the community, residents have expressed a desire to protect forestry lands and related activities. Also supported are sustainable and environmentally sound harvesting and logging practices and the restriction of intensive processing activities in proximity to established or future residential development.

Forest lands are predominantly managed through private forestry interests or through the Crown Provincial Forest.

Lands within this designation are part of the Nanaimo coal bearing formations while other areas, particularly south of the Island Highway, have very good potential for aggregates such as sand and gravel. Management of mineral resources falls principally within the jurisdiction of the province. Where stated, policies relate to matters beyond the jurisdiction of the Regional District, they are intended to serve only as broad objectives to help guide senior governments in their decision-making process.

#### Objectives:

- Support and maintain the long-term viability of the natural resource land base and protect it from activities and land uses that may diminish its resource value or potential.
- 2. *Protect* the agricultural land resources for present and future food production.
- 3. Recognize and protect agricultural operations on ALR lands.
- Encourage sustainable and environmentally sound farming practices, which protect surface water, groundwater and soil quality.
- Recognize and protect the groundwater needs of agriculture.
- 6. Support silviculture activities on productive forestry land.
- Protect the forest land resources for harvesting and reproduction.
- Recognize and protect the needs and activities of forestry operations when considering non-forestry operations on adjacent land.

Section III

# Attachment 7 Official Community Plan Land Use Designation (Page 2 of 4)

Nanoose Bay Official Community Plan Bylaw No. 1400, 2005

- Support the public's use of forest lands for recreational enjoyment and education.
- Protect lands with aggregate or mineral resources from development that would render the resource unviable or inaccessible.
- Seek methods of minimizing conflicts between extraction activities and adjacent land uses.
- 12. *Minimize* the impact of extraction activities on the natural environment.
- 13. Support provincial requirements for site rehabilitation and reclamation of mined landscapes for future productive use and for environmental and aesthetic considerations.
- 14. Minimize the impact of resource operations and activities on the natural environment and on neighbouring land uses and development.
- 15. *Protect* sensitive ecosystems and features on Resource Lands.

#### Policies:

- Resource Lands are designated on Map No. 2.
- Lands designated Resource Lands that are forest and/or crown lands or large recreational holdings shall have a minimum parcel size of 50.0 hectares. All other Resource Lands shall have a minimum parcel size of 8.0 hectares. However, this is not intended to prevent parcel averaging as set out in the applicable zoning bylaw.
- 3. Notwithstanding Policy No. 2 (above), lands designated as Resource Lands and entirely within the provincial Agricultural Land Reserve shall have a minimum parcel size of 8.0 hectares. The provision of community water and sewer services to lands within this

- designation is not supported by this OCP
- Permitted uses on Resource Lands shall be compatible with existing agricultural and resource uses.
- It is acknowledged that the Department of National Defence operates facilities within this designation that are provided with community water and sewer services.
- The Agricultural Land Commission's (ALC) mandate of preserving and encouraging agricultural production shall be supported.
- The retention of large land holdings within the ALR shall be encouraged to maintain the option and feasibility of farm use.
- 8. The locations and construction of new roads, utility or communication rightsof-way shall be sited to avoid the ALR wherever possible. Where agricultural land is required, these rights-of-way should be sited in a manner that will cause minimal impact on agricultural operations. Alignments should be established in consultation with affected local landowners.
- In order to reduce conflicts between agricultural uses and non-agricultural uses a Farm Land Protection Development Permit Area haS been established on lands adjacent to lands within the Agricultural Land Reserve.
- 10. Measures which buffer development adjacent to land within the ALR shall be encouraged to reduce the potential for land use conflicts. These measures may include restrictive covenants to protect naturally established buffers, dedication of park land where in compliance with the parks policy strategy of the Plan, or the use of landscaping and/or fencing

Section III

# Attachment 7 Official Community Plan Land Use Designation (Page 3 of 4)

Nanoose Bay Official Community Plan Bylaw No. 1400, 2005

- accordance with the ALC's "Landscape Buffer Specifications" along property lines.
- 11. The regulation of intensive agricultural operations on non-ALR land within the Plan Area shall be supported in order to recognize the potential that these operations have to generate significant impacts on the natural environment and surrounding lands and development.
- 12. Where land is within the ALR 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 within this section of the Plan.
- 13. Where land is removed from the ALR, the Resource Lands within the ALR designation shall remain.
- 14. The issuance of temporary use permits for the manufacture of asphalt products and/or gravel extraction on parcels may be considered provided that:
  - a) the asphalt is produced in a portable asphalt batch plant;
  - b) parcels are in excess of 8.0 hectares in area;
  - any watercourses are protected from the manufacturing or gravel extraction activity;
  - d) approval is obtained from the province for an industrial access permit and a Waste Management approval pursuant to the Waste Management Act;
  - e) a separation distance created by a natural vegetative buffer or berm of

- 100 metres in width is maintained between the asphalt batch plant operation and any dwelling unit not located on the subject property;
- f) where gravel removal and processing are required in conjunction with the manufacture of asphalt products, all requirements for the Approval of Work System and Reclamation Permit under the Mines Act including provisions for rehabilitation of the site after completion, are satisfied;
- g) primary processing is a permitted use on the parcel; and
- h) where land is within the Agricultural Land Reserve, notice has been given to the ALC of the intent to remove gravel or process soil in accordance with the *Agricultural Land Commission Act* and the ALC has granted approval.
- 15. For Resource Lands not within the ALR, the issuance of temporary use permits for soil composting operations on parcels may be considered provided that:
  - a) parcels are in excess of 8.0 hectares in area:
  - surface water is protected from all composting activities;
  - c) ground-water will not be negatively impacted by all composting activities;
  - d) approval is obtained from the ALC where required;
  - approval is obtained from the province for an industrial access permit and a Waste Management approval pursuant to the Waste Management Act;
  - f) a separation distance created by a natural vegetative buffer or berm of 100 metres in width is maintained between the composting operation

Section III

### Attachment 7 Official Community Plan Land Use Designation (Page 4 of 4)

Nancose Bay Official Community Plan Bylaw No. 1400, 2005

- g) and any dwelling not located on the subject parcel;
- h) the daily period of composting activities is limited to normal daylight hours to minimize noise impacts, including heavy truck traffic, on surrounding lands;
- all aspects of the composting operation must be completed in its entirety within two calendar years of the date of issuance of a temporary use permit;
- j) primary processing is a permitted use on the parcel;
- k) the use does not produce odours detectable from adjacent parcels;
- the uses comply with the provincial Organic Matter Recycling Regulations and any RDN Waste Stream Licensing Bylaw.
- 16. The processing of aggregate resources shall generally be limited to areas where such operations would have a limited impact on residential development, other land uses and the natural environment, and where permitted by the Land Use and Subdivision Bylaw.
- 17. The province shall be encouraged to provide due consideration to the RDN's response to referrals on potential mining operations, and to possible impacts on neighbouring land and the natural environment prior to approving new mining operations or re-establishing a derelict pit. Particular attention should be focused on assessing the potential impacts of resource removal on the quantity or quality of surface and groundwater, residential development and other land uses, traffic volumes and traffic dynamics. The province is encouraged to make this information available to the Regional District and surrounding landowners for comment prior to a decision.

Section III

### Attachment 8 Regional Growth Strategy Land Use Designation

#### 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.

#### Attachment 9

#### Regional Growth Strategy Goal 7 - Enhance Economic Resiliency - Agriculture

#### 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.

# Attachment 10 Regional Growth Strategy Goal 8 – Food Security (Page 1 of 3)

**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 lowa by R. Pirog, et al 2001).

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.

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)

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).

### Attachment 10 Regional Growth Strategy Goal 8 – Food Security (Page 2 of 3)

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% (<a href="https://www.alc.gov.bc.ca/alr/stats">www.alc.gov.bc.ca/alr/stats</a>).

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;
- 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.

# Attachment 10 Regional Growth Strategy Goal 8 – Food Security (Page 3 of 3)

- 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).

### Attachment 11 Applicant's Submission

{Insert application here}

# Provincial Agricultural Land Commission - Applicant Submission

**Application ID: 55354** 

**Application Status:** Under LG Review **Applicant:** Culverden Holdings Ltd.

Agent: Culverden Holdings Ltd./Seven Springs Camp and Retreat Centre

Local Government: Nanaimo Regional District Local Government Date of Receipt: 06/14/2016

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

Proposal Type: Non-Farm Use

**Proposal:** We are proposing to construct a 12 room dormitory type building that would allow updated accommodations for guest use at the camp. The building would include a meeting/dining area. The purpose for the accommodations is to allow for an upgraded facility to better suit the needs of our guests and to allow for more use during our inclement fall, winter and spring months.

#### **Agent Information**

Agent: Culverden Holdings Ltd./Seven Springs Camp and Retreat Centre

Mailing Address: 1515 Island Highway E Nanoose Bay, BC V9P 9A3

Canada

Primary Phone: (250) 951-1378 Email: rob@arbutusmeadows.com

#### **Parcel Information**

#### Parcel(s) Under Application

1. Ownership Type: Fee Simple Parcel Identifier: 024-886-785

Legal Description: LOT 1 DISTRICT LOT 171 AND BLOCK 564 NANOOSE DISTRICT PLAN

VIP71158

Parcel Area: 19.2 ha

Civic Address: 1888 Kaye Rd. Date of Purchase: 04/01/1994 Farm Classification: No

**Owners** 

1. Name: Culverden Holdings Ltd.

Address:

1515 Island Hwy E Nanoose Bay, BC

V9P 9A3 Canada

**Phone:** (250) 951-1378

Email: rob@arbutusmeadows.com

50

#### Ownership or Interest in Other Lands Within This Community

1. Ownership Type: Fee Simple Parcel Identifier: 004-918-487

Owner with Parcel Interest: Culverden Holdings Ltd.

Parcel Area: 51.3 ha

Land Use Type: Agricultural/Farm Interest Type: Full Ownership

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

- 1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s). No agriculture
- **2.** Quantify and describe in detail all agricultural improvements made to the parcel(s). An approximately 5 acre field has been prepped for future pasture or hay use.
- 3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s). In 1997 1888 Kaye Rd. was given RC2 zoning which is recreation zoning that allows for guest accommodation, outdoor recreation, public assembly use, residential use and school. Since then, the property has operated as a recreational camp with 22 rustic cabins, dining hall lodge, 5 log cabins, house and three small storage buildings. The camp hosts groups such as children's camps, music groups, school groups, girl guides, arts and craft groups, etc.

#### **Adjacent Land Uses**

#### North

Land Use Type: Residential

Specify Activity: residental neighborhood

#### East

Land Use Type: Residential

Specify Activity: residential neighborhood

#### South

Land Use Type: Agricultural/Farm Specify Activity: Horse boarding

#### West

Land Use Type: Transportation/Utilities

Specify Activity: Highway

#### **Proposal**

### 1. How many hectares are proposed for non-farm use? 0.7 ha

#### 2. What is the purpose of the proposal?

We are proposing to construct a 12 room dormitory type building that would allow updated accommodations for guest use at the camp. The building would include a meeting/dining area. The purpose for the accommodations is to allow for an upgraded facility to better suit the needs of our guests and to allow for more use during our inclement fall, winter and spring months.

### 3. Could this proposal be accommodated on lands outside of the ALR? Please justify why the proposal cannot be carried out on lands outside the ALR.

Seven Springs Camp is a unique property with forests, creeks, protected fish habitat areas and open areas in a wilderness setting that creates the atmosphere and ambiance that our guests are looking for. Having accommodations elsewhere from the property would negate the purpose of them coming to camp.

#### 4. Does the proposal support agriculture in the short or long term? Please explain.

The camp has indirectly supported agriculture by the types of guest groups it has accommodated. Groups such as the Young Agrarians and PQ Pony Club have had camps at Seven Springs. Camp Narnia is also another camp that encourages the agrarian lifestyle through use of farm animals and homesteading practices. Having an updated facilities can further our ability to service groups like these.

#### **Applicant Attachments**

- Agent Agreement Robert Bau
- Proposal Sketch 55354
- Site Photo site location
- Certificate of Title 024-886-785

Δ	T	7	A	tta	ch	m	en	ts
$\neg$	- 18	 ,		B. U. KI			W. J. H. H.	E. V.

None.

**Decisions** 

None.



(we)_	CULV	ERDEN	HOLDINGS	LTD.		
, , , , ,			Printed/typ	ed name(s) of lando	owner(s)	
hereby	appoint	ANDREW	WILLIAM	ROBERT	BAU ent	to
nake a	application to t	he Agricultural			on my/our behalf v	vith respect to
he follo	owing parcel (	s): Insert	legal description	for each parcel	under application	
		*		2		
3	ANDREW	WILLIAM	ROBERT	BAU	under	stand that as
		Printed/type	d name of agent			
agent. I	I am required	to ensure that	all landowners	are provided	with information b	eina
			Agricultural La			9
			J			
Signatu	re(s) of lando	wner(s):				
	anne	l SK bo ature	ru :	SAMUEL	SK. BAU	05/17/201
	Sign	ature		Printed Na	ame	/ Date
	Sign	ature	***************************************	Printed Na	ame	Date

#### STATE OF TITLE CERTIFICATE

Certificate Number: STSA0026267

000151

RECEIVED

JUN 14 2016

STRATEGIC & COMMUNITY DEVELOPMENT

ROB BAY 1515 ISLAND HWY E NANOOSE BAY BC V9P 9A3

A copy of this State of Title Certificate held by the land title office can be viewed for a period of one year at <a href="https://stc.ltsa.ca/stc">https://stc.ltsa.ca/stc</a> (access code 303489).

I certify this to be an accurate reproduction of title number EP65782 at 00:25 this 3rd day of June, 2016.

Ca Qo Qo Qo (§ REGISTRAR OF LAND TITLES

Title Issued Under SECTION 98 LAND TITLE ACT

Land Title District VICTORIA
Land Title Office VICTORIA

Title Number EP65782
From Title Number EJ110004
EP65781

Application Received 2000-08-04

Application Entered 2000-11-10

Registered Owner in Fee Simple

Registered Owner/Mailing Address: CULVERDEN HOLDINGS LTD., INC.NO. 355628

5565-15B AVENUE,

DELTA, BC V4M 2H2.

Taxation Authority PORT ALBERNI ASSESSMENT AREA

#### STATE OF TITLE CERTIFICATE

Certificate Number: STSA0026267

**Description of Land** 

Parcel Identifier:

024-886-785

Legal Description:

LOT 1 DISTRICT LOT 171 AND BLOCK 564 NANOOSE DISTRICT PLAN VIP71158

#### **Legal Notations**

HERETO IS ANNEXED EASEMENT 196964G OVER 33 FOOT STRIP OF BLOCK 564, NANOOSE DISTRICT, EXCEPT THAT PART OF LOT 171 INCLUDED IN PLAN 19877

THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT; SEE AGRICULTURAL LAND RESERVE PLAN NO. 5, DEPOSITED JULY 26TH, 1974, R.E. HOOPER, REGISTRAR, PER: DM

HERETO IS ANNEXED EASEMENT EM116707 OVER PART OF THE REMAINDER OF DISTRICT LOT 68, NANOOSE DISTRICT SHOWN ON PLAN VIP68144

HERETO IS ANNEXED EASEMENT EM116708 OVER PART OF DISTRICT LOT 71, NANOOSE DISTRICT, SHOWN ON PLAN VIP68144

HERETO IS ANNEXED EASEMENT EM124260 OVER PART OF BLOCK 564, NANOOSE DISTRICT SHOWN ON PLAN VIP68381

BYLAW CONTRAVENTION NOTICE, LOCAL GOVERNMENT ACT, SECTION 700 SEE ES38438

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE ET89831

Charges, Liens and Interests

Nature:

**EXCEPTIONS AND RESERVATIONS** 

Registration Number:

M76300

Registered Owner:

ESQUIMALT AND NANAIMO RAILWAY COMPANY

Remarks:

A.F.B. 9.693.7434A, DD 28862N AND 103024G, SECTION 172(3), FOR ACTUAL DATE AND TIME OF

REGISTRATION SEE ORIGINAL GRANT FROM E AND N

**RAILWAY COMPANY** 

Nature:

**RIGHT OF WAY** 

Registration Number:

132549G

Registration Date and Time:

1948-06-29

Registered Owner:

BRITISH COLUMBIA HYDRO AND POWER AUTHORITY

Remarks:

INTER ALIA

#### STATE OF TITLE CERTIFICATE

Certificate Number: STSA0026267

Nature:

**EASEMENT** 

Registration Number:

EM124260

Registration Date and Time:

1998-12-31 10:45

Remarks:

APPURTENANT TO LOT 171, NANOOSE DISTRICT,

PART IN PLAN VIP68381

Nature:

COVENANT

Registration Number:

EP65778

Registration Date and Time:

2000-08-04 10:30

Registered Owner:

THE CROWN IN RIGHT OF BRITISH COLUMBIA REGIONAL DISTRICT OF NANAIMO

REGIONAL DISTRICT OF INA

Remarks:

PART IN PLAN VIP71157

Nature:

**COVENANT** 

Registration Number:

EP65779

Registration Date and Time:

2000-08-04 10:31

Registered Owner:

THE CROWN IN RIGHT OF BRITISH COLUMBIA

REGIONAL DISTRICT OF NANAIMO

Nature:

PRIORITY AGREEMENT

Registration Number:

EP65780

Registration Date and Time:

2000-08-04 10:31

Remarks:

GRANTING EP65779 PRIORITY OVER EL100977 AND

EL100978 AND EL144752

Nature:

COVENANT

Registration Number:

EP65783

Registration Date and Time:

2000-08-04 10:32

Registered Owner:

REGIONAL DISTRICT OF NANAIMO

Nature:

PRIORITY AGREEMENT

Registration Number:

EP65784

Registration Date and Time:

2000-08-04 10:32

Remarks:

GRANTING EP65783 PRIORITY OVER EL100977 EXTENDED

BY EP95635, EL100978 EXTENDED BY EP95636 AND

EL144752 EXTENDED BY EP95637

Nature:

COVENANT

Registration Number:

EP65785

Registration Date and Time: Registered Owner:

2000-08-04 10:32

THE CROWN IN RIGHT OF BRITISH COLUMBIA

REGIONAL DISTRICT OF NANAIMO

56 State of Title Certificate

Title Number: EP65782

לחחתמתה ל התפובדים המים

Page 3 of 4

#### STATE OF TITLE CERTIFICATE

Certificate Number: STSA0026267

Nature:

PRIORITY AGREEMENT

Registration Number:

EP65786

Registration Date and Time:

2000-08-04 10:32

Remarks:

GRANTING EP65785 PRIORITY OVER EL100977 EXTENDED

BY EP95635, EL100978 EXTENDED BY EP95636 AND

EL144752 EXTENDED BY EP95637

Nature:

STATUTORY RIGHT OF WAY

Registration Number:

FA3028

Registration Date and Time:

2006-01-09 10:34

Registered Owner:

BRITISH COLUMBIA HYDRO AND POWER AUTHORITY

Nature:

STATUTORY RIGHT OF WAY

Registration Number:

FA3029

Registration Date and Time:

2006-01-09 10:34

Registered Owner:

TELUS COMMUNICATIONS INC.

**INCORPORATION NO. A55547** 

**Duplicate Indefeasible Title** 

NONE OUTSTANDING

**Transfers** 

NONE

**Pending Applications** 

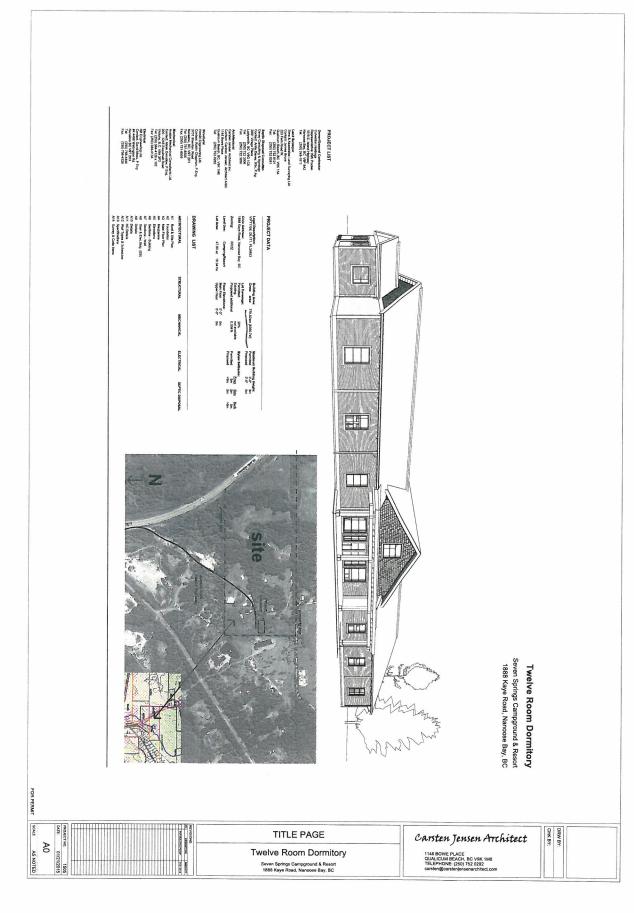
NONE

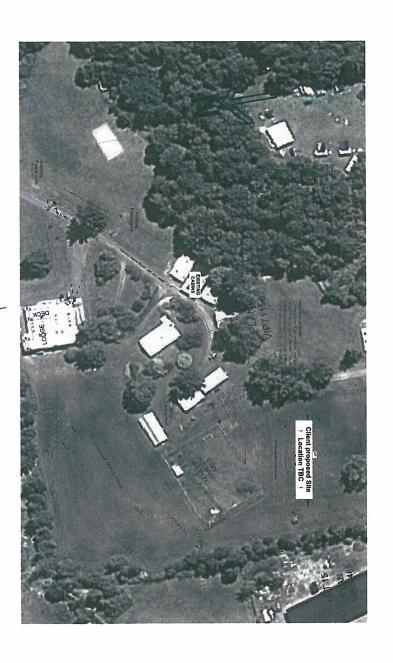
This certificate is to be read subject to the provisions of section 23(2) of the Land Title Act(R.S.B.C. 1996 Chapter 250) and may be affected by sections 50 and 55-58 of the Land Act (R.S.B.C. 1996 Chapter 245).

Title Number: EP65782

57 State of Title Certificate

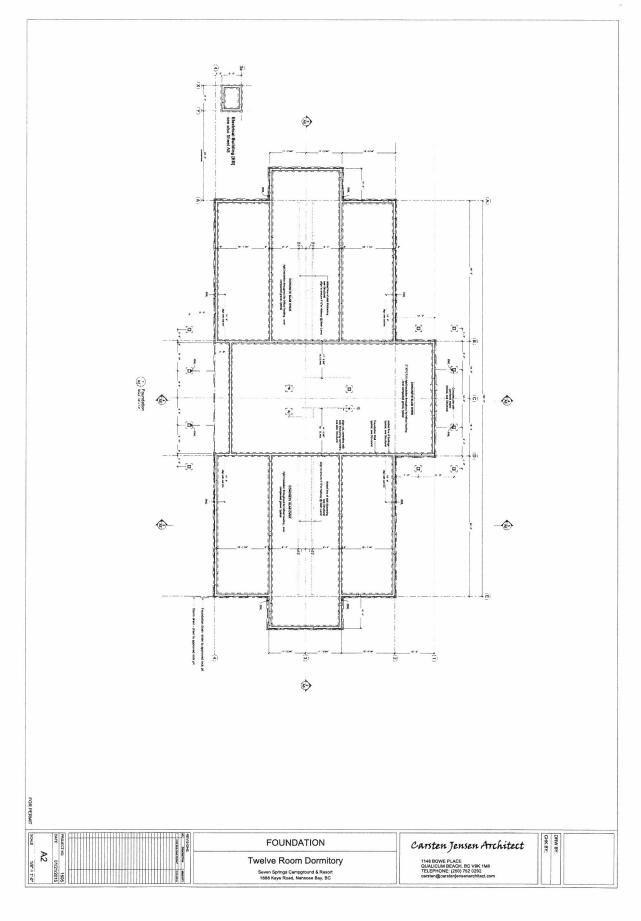
Page 4 of 4

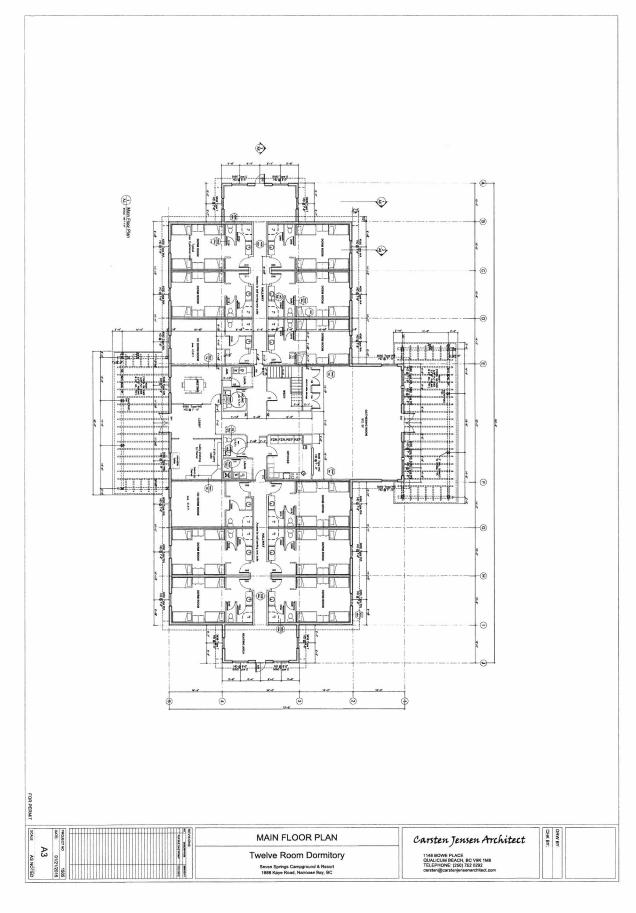


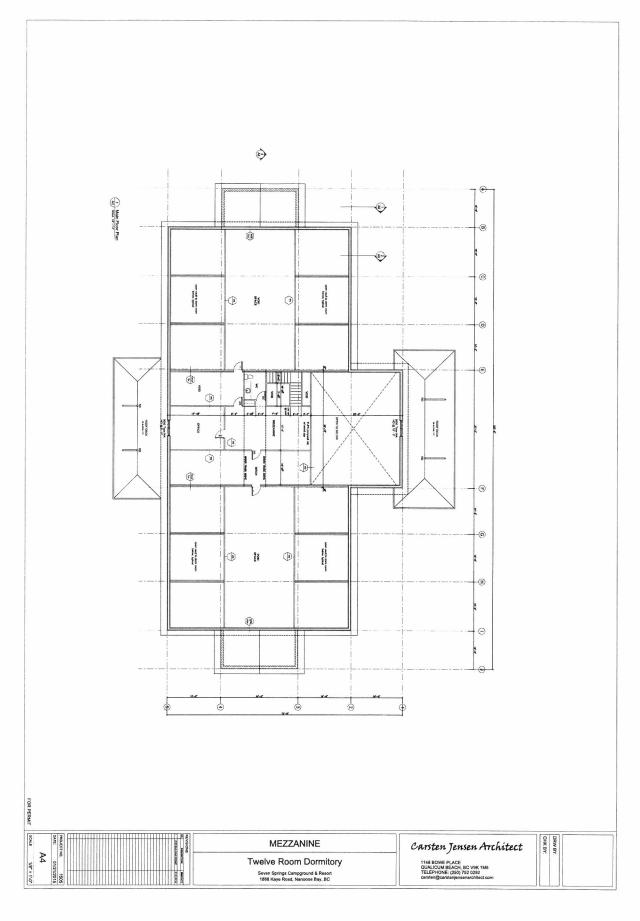


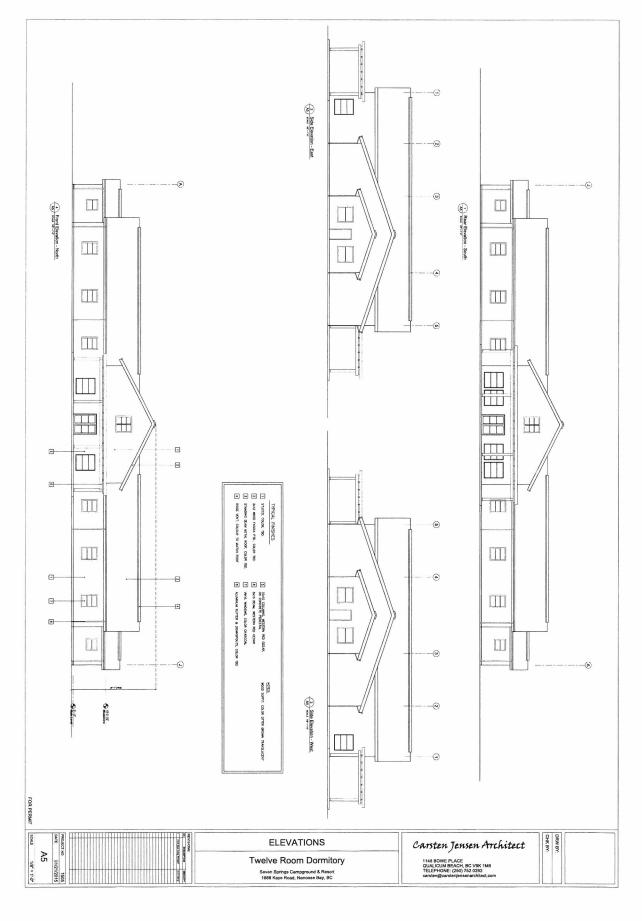
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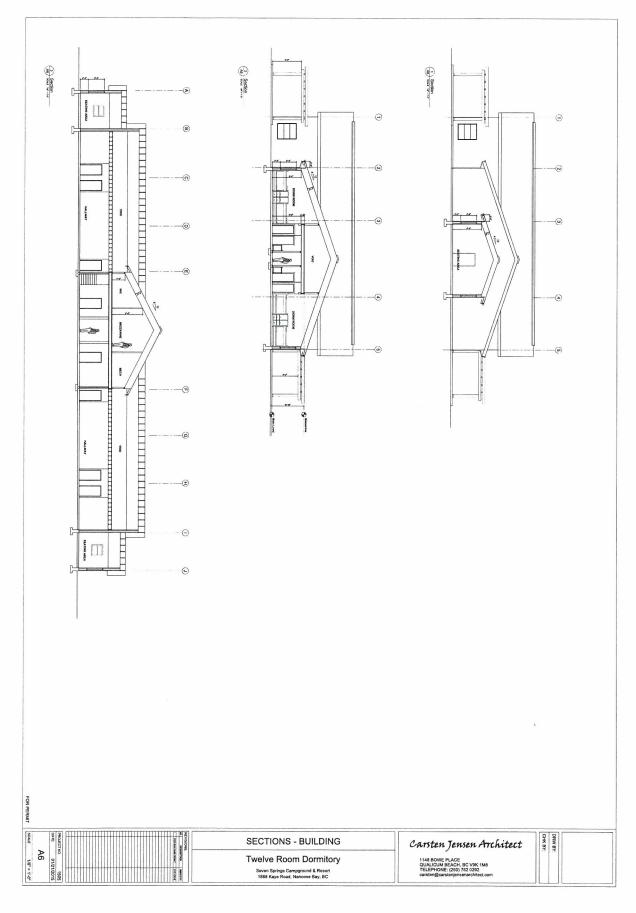
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1996 A1 1-400 or	Twelve Room Dormitory Seven Springs Campground & Resort 1888 Kaye Road, Nanoose Bay, BC	1148 BOWE PLACE QUALICUM BEACH, BC V9K 1M8 TELEPHONE: (250) 752 0292 carsten@carstenjensenarchitect.com		

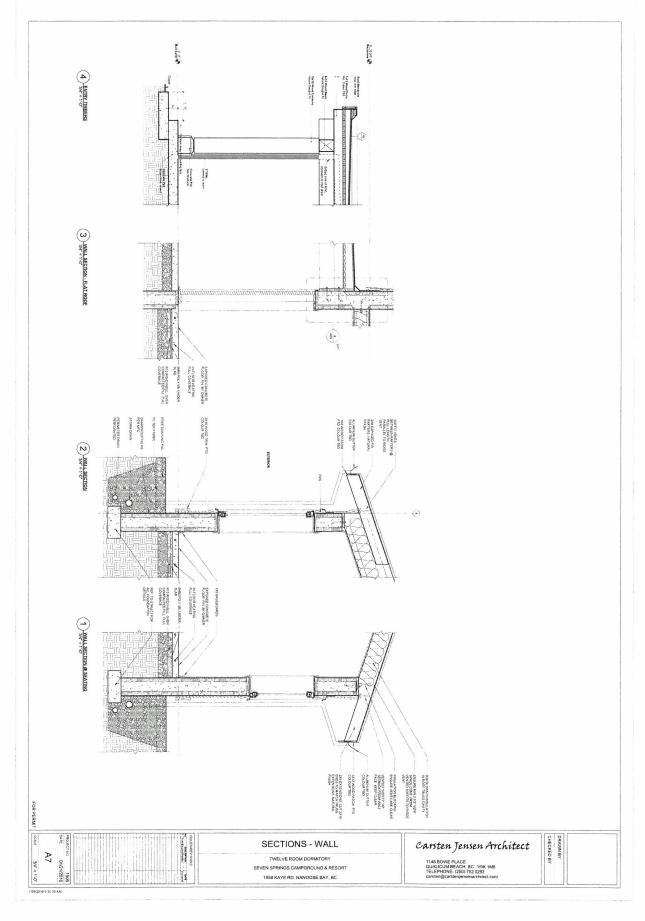


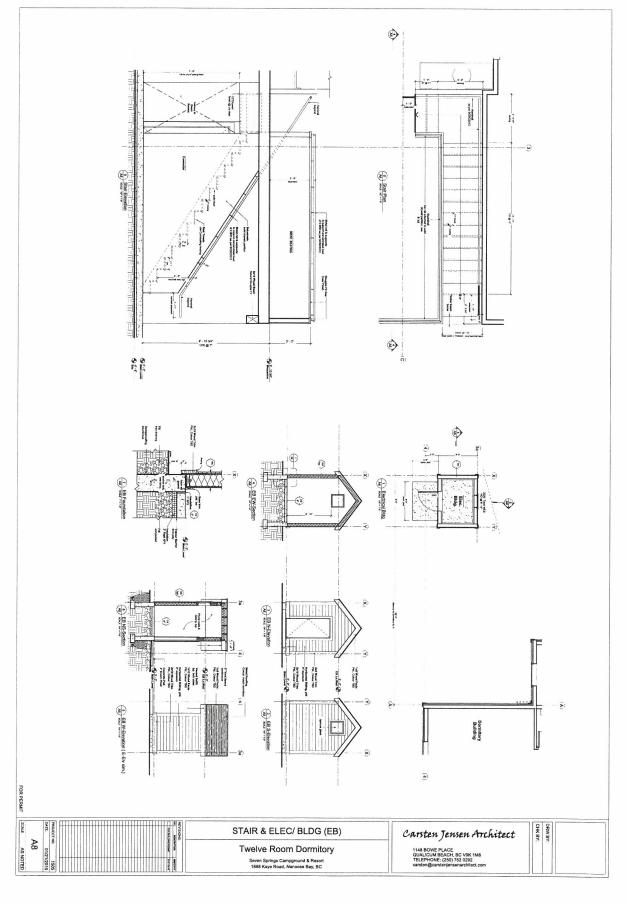


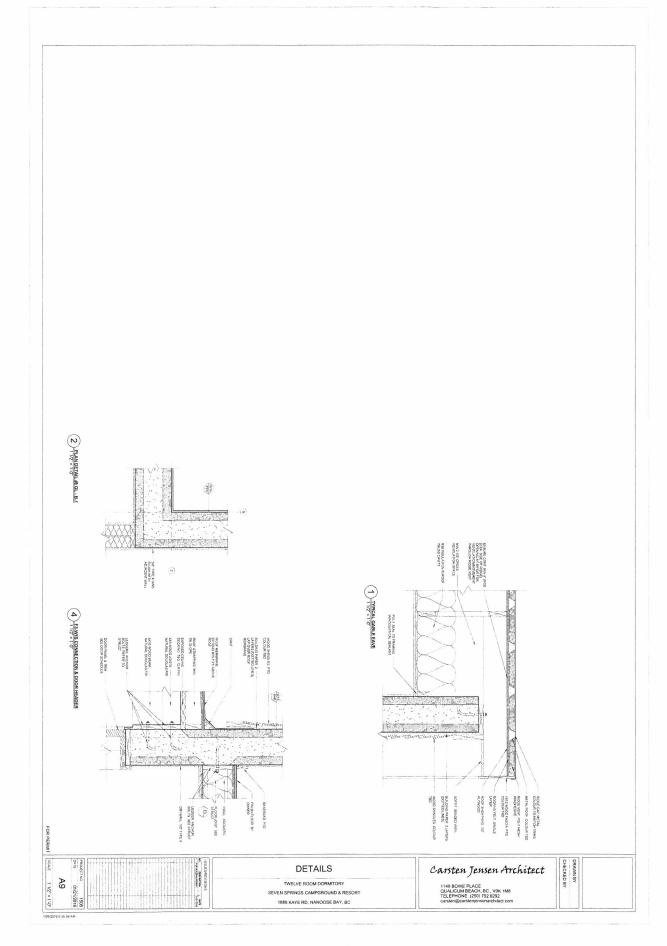


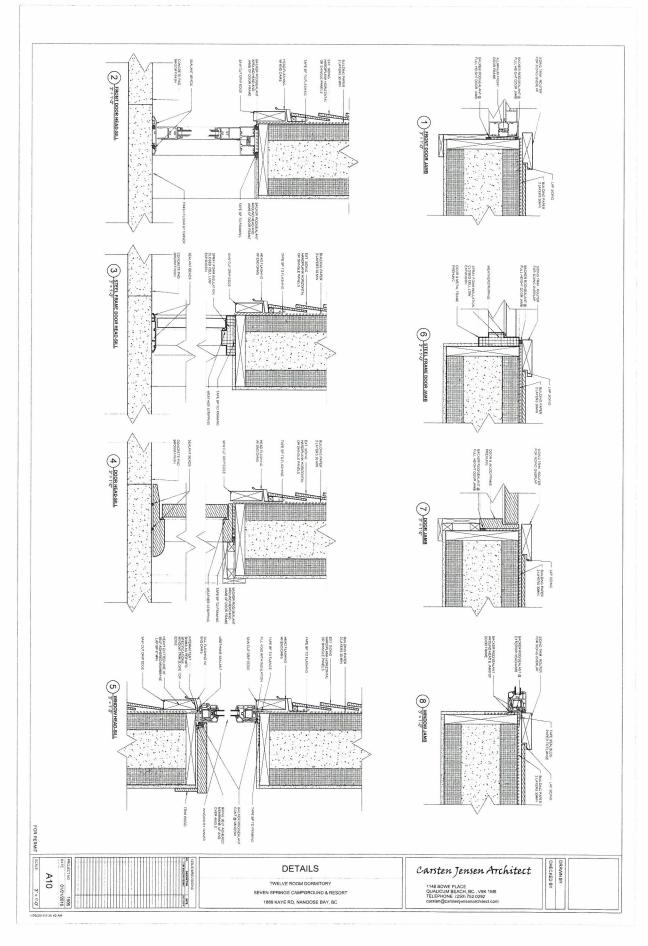


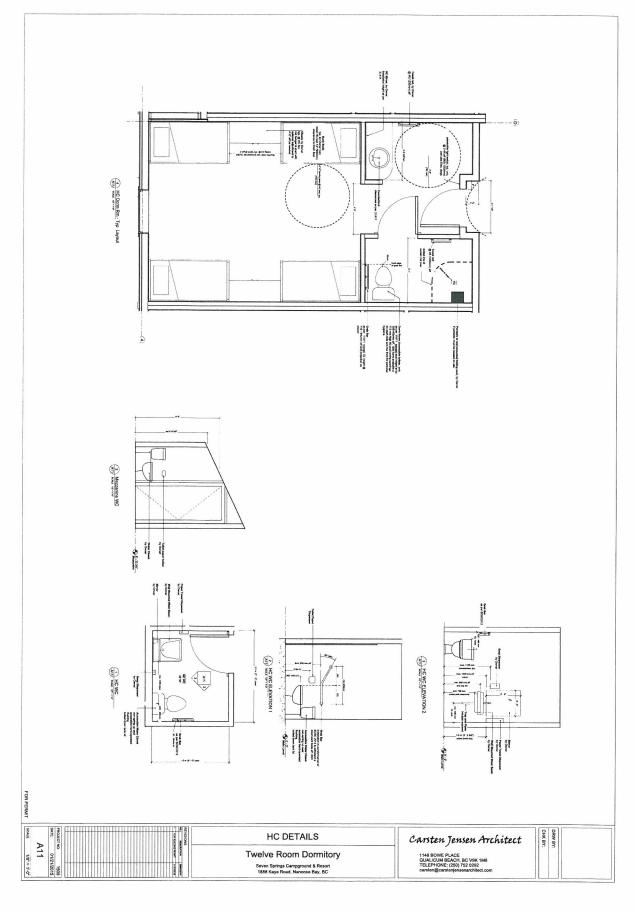


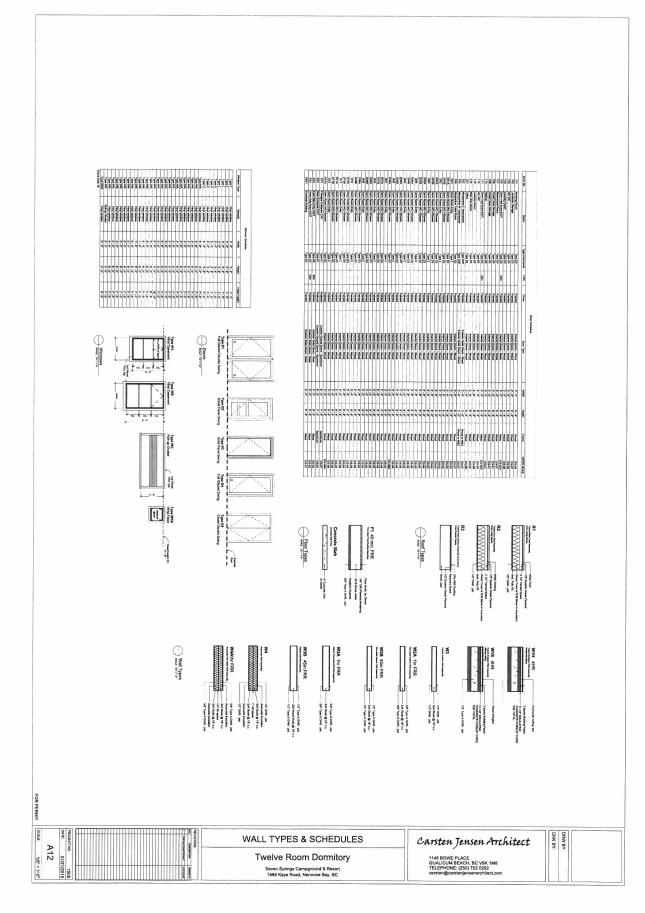












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PROJECT!	SPECIFICATIONS	Carsten Jensen Architect	
Harmer Ha	Twelve Room Dormitory  Seven Springs Campground & Resort 1888 Kaye Road, Nanoose Bay, BC	1148 BOWE PLACE OUALICUM BEACH, BC VOK 1M8 TELEPHONE: (250) 752 0252 carsten@carstenjensenarchitect.com	

