

REGIONAL DISTRICT OF NANAIMO  
AGRICULTURAL ADVISORY COMMITTEE  
AGENDA

Wednesday, June 26, 2019

2:00 P.M.

Board Chambers

*This meeting will be recorded*

	<b>Pages</b>
1. CALL TO ORDER	
2. APPROVAL OF THE AGENDA	
3. ADOPTION OF MINUTES	
3.1 Agricultural Advisory Committee Meeting - February 28, 2019	3
That the minutes of the Agricultural Advisory Committee meeting held February 28, 2019, be adopted.	
4. DELEGATIONS	
5. CORRESPONDENCE	
6. REPORTS	
6.1 Request for Comment on Non-Adhering Residential Use in the Agricultural Land Reserve Application No. PL2019-075 - 1160 Evergreen Way, Electoral Area F	5
6.2 Request for Comment on Subdivision/Non-Farm Use in the Agricultural Land Reserve Application No. PL2019-077 - 2550 Quennell Road, Electoral Area A	30
6.3 Request for Comment on Subdivision in the Agricultural Land Reserve Application No. PL2019-082 - 3786 Jingle Pot Road, Electoral Area C	60
6.4 Request for Comment on Non-Adhering Residential Use in the Agricultural Land Reserve Application No. PL2019-103 - 2483 Pirart Road, Electoral Area C	92
6.5 Updated ALC Decision Summary	146
7. BUSINESS ARISING FROM DELEGATIONS	

8. NEW BUSINESS
9. ADJOURNMENT

**REGIONAL DISTRICT OF NANAIMO  
MINUTES OF THE AGRICULTURAL ADVISORY COMMITTEE MEETING**

**Thursday, February 28, 2019  
2:00 P.M.  
Board Chambers**

In Attendance:	Director M. Young	Chair
	Director S. McLean	Electoral Area H
	Director J. Turley	City of Nanaimo
	J. Thony	Regional Agricultural Organization
	C. Brown	Regional Agricultural Organization
	K. Reid	Shellfish Aquaculture Organization
	G. Laird	Representative District 68
	R. Thompson	Representative District 69
	C. Watson	Representative District 69
Also in Attendance:	Director C. Gourlay	Electoral Area G
	P. Thompson	Mgr. Long Range Planning
	S. Syme	Recording Secretary

**CALL TO ORDER**

The Chair called the meeting to order and respectfully acknowledged the Coast Salish Nations on whose traditional territory the meeting took place.

**APPROVAL OF THE AGENDA**

It was moved and seconded that the agenda be approved as presented.

CARRIED UNANIMOUSLY

**ADOPTION OF MINUTES**

**Agricultural Advisory Committee Meeting - December 7, 2018**

It was moved and seconded that the minutes of the Agricultural Advisory Committee meeting held December 7, 2018, be adopted.

CARRIED UNANIMOUSLY

## REPORTS

### **Request for Comment on Subdivision in the Agricultural Land Reserve Application No. PL2019-007 - 2452 Hemer Road, Electoral Area A**

Rhonda Kulai, Owner, spoke in support of the application and answered questions from the Committee.

It was moved and seconded that the application for subdivision in the Agricultural Land Reserve Application No. PL2019-007 - 2452 Hemer Road, Electoral Area A, be forwarded to the Agricultural Land Commission with a recommendation to approve.

CARRIED UNANIMOUSLY

### **Request for Comment on Subdivision and Non-Farm Use in the Agricultural Land Reserve Application No. PL2019-009 - Doumont Road, Electoral Area C**

Chair, Maureen Young, recused herself from the discussion and vote due to a perceived conflict of interest.

Agent Glen Carey of Glencar Consultants Inc. spoke in support of the application and answered questions from the Committee.

It was moved and seconded that the application for Subdivision and Non-Farm use in the Agricultural Land Reserve Application No. PL2019-009 - Doumont Road, Electoral Area C, be forwarded to the Agricultural Land Commission with a recommendation to deny.

Opposed (4): Director McLean, G. Laird, R. Thompson, and C. Watson

DEFEATED

### **Agricultural Land Commission Final Decisions Chart**

There were no new decisions from the Agricultural Land Commission since the last Agricultural Advisory Committee meeting held on December 7, 2018.

## NEW BUSINESS

Janet Thony provided a brief update on the Rusted Rake Farm Project and request for ALC to allow restaurant use in the ALR.

## ADJOURNMENT

It was moved and seconded that the meeting be adjourned.

TIME: 3:05 PM

CARRIED UNANIMOUSLY

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CHAIR



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**TO:** Agricultural Advisory Committee      **DATE:** June 26, 2019

**FROM:** Stephen Boogaards  
Planner      **FILE:** PL2019-075

**SUBJECT: Request for Comment on Non-Adhering Residential Use in the Agricultural Land Reserve**  
**Application No. PL2019-075**  
**1160 Evergreen Way – Electoral Area F**  
**Lot B, District Lot 115, Nanoose District, Plan EPP46196**

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## SUMMARY

This is an application for non-adhering residential use in the Agricultural Land Reserve to permit a second dwelling for farm help on a 15.6 hectare parcel located in Electoral Area F. Should the Agricultural Advisory Committee wish to provide comments to the Provincial Agricultural Land Commission, it may do so by considering the adoption of a motion. Any comments provided by the Committee will be provided to the Agricultural Land Commission, along with a copy of this report to assist the Agricultural Land Commission in making a decision on this application.

## BACKGROUND

The Regional District of Nanaimo (RDN) has received an application for non-adhering residential use in the Agricultural Land Reserve (ALR) from Brad McLean on behalf of Bonnie McLean. The proposal is for a second dwelling for farm help. The subject property is legally described as Lot B, District Lot 115, Nanoose District, Plan EPP46196 and the civic address is 1160 Evergreen Way. The subject property is approximately 15.6 hectares in area and is located entirely within the ALR. The parcel is bound by Allsbrook Road to the north and Evergreen Way to the west. The property currently contains a manufactured home and a large workshop. The existing manufactured home is the dwelling proposed for farm help, and the applicant proposes to construct a new dwelling of 470 m<sup>2</sup> (see Attachments 1 and 2 for Subject Property Map and Aerial Photo).

A copy of the applicant's submission package is included as Attachment 9. Personal Information is redacted in accordance with the *Freedom of Information and Protection of Privacy Act*.

Agricultural Advisory Committee (AAC) members were provided an opportunity to attend the site on June 5, 2019.

## REGIONAL GROWTH STRATEGY

The subject property is currently designated 'Resource Lands and Open Space' pursuant to the "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011" (RGS). Resource Lands and Open Space are primarily intended to accommodate agricultural activities, forestry, aggregate mining and other primary industries, and for recreational and/or

environmental protection policies (see Attachment 6). Further to this, the RGS encourages the provincial government to protect and preserve the agricultural land base through the ALR (see Attachments 7 and 8).

A copy of the applicant's submission package is included in Attachment 9.

## **OFFICIAL COMMUNITY PLAN**

The subject property is currently designated as Resource Lands pursuant to the "Regional District of Nanaimo Electoral Area 'F' Official Community Plan Bylaw No. 1152, 1999" (see Attachment 5). The Resource designation supports one dwelling unit per parcel, though recognizes two dwelling units per parcel where approved by the Agricultural Land Commission (ALC).

Amendments to "Regional District of Nanaimo Electoral Area 'F' Official Community Plan Bylaw No. 1152, 1999" are not required.

## **ZONING**

The parcel is currently zoned Agriculture 1 (A-1) pursuant to "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002" (Bylaw 1285). See Attachments 4 for zoning regulations. The A-1 Zone permits two dwelling units, farm uses, and accessory residential or farm uses. The applicant proposes to construct a dwelling unit, maintain the existing mobile and undertake farm uses as shown on the Proposed Site Plan (see Attachment 3).

Amendments to Bylaw 1285 are not required.

## **BOARD POLICY AND AAC PROCEDURE**

Regional District of Nanaimo "Board Policy B1.8: Review of ALR Applications" (Board Policy B1.8) 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. Board Policy B1.8 also includes a standing Board resolution for exclusion, subdivision, and non-farm use of lands. While the non-adhering residential application is not currently within the RDN Board Policy, the non-farm resolution would apply, which reads as follows:

All ALR non-farm use applications are to be forwarded to the Provincial Agricultural Land Commission (ALC) with no resolution of support or opposition from the Regional Board of Directors.

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 Official Community Plan (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 [www.growingourfuture.ca](http://www.growingourfuture.ca).

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 Board 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 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 comment.

With respect to this application, Electoral Area F Director Leanne Salter has provided the following comments:

*Having walked this property with the proponents I recognize that this family plans to farm the ALR land at 1160 Evergreen Way - Electoral Area F.*

*They state that they will require help with the farming aspect on this property and are therefore requesting approval to build a home for themselves as well as a mobile home for farm help on the 15.6 hectare parcel.*

*This request complies with the current OCP. I encourage utilizing ALC land for the purpose of farming - in this, I support the application.*

*Regards,*

*Area F Director,  
Leanne Salter*



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Stephen Boogaards  
sboogaards@rdn.bc.ca  
June 14, 2019

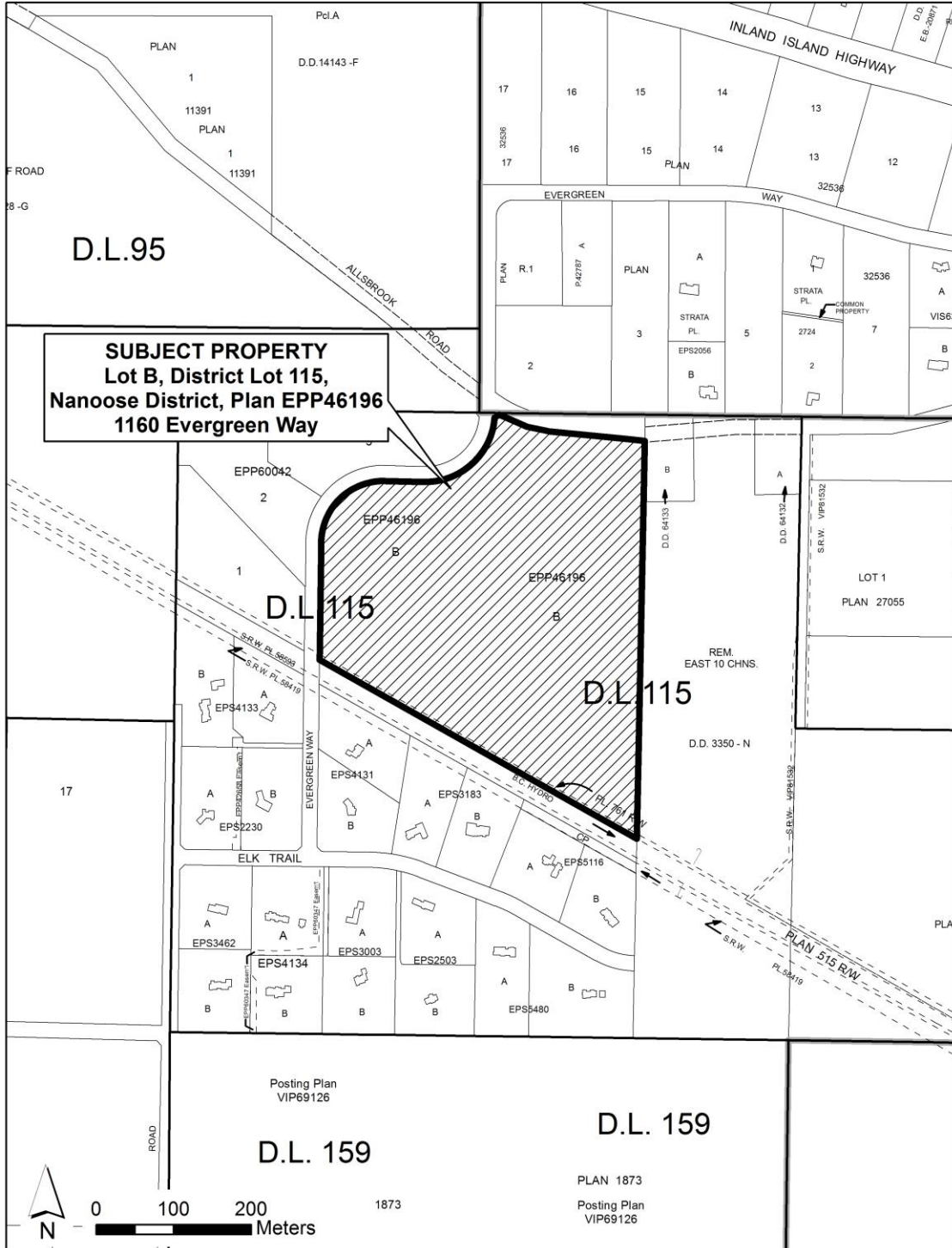
Reviewed by:

- P. Thompson, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. 2018 Aerial Photo
3. Proposed Site Plan
4. Existing Zoning
5. Official Community Plan - Land Use Designation
6. Regional Growth Strategy - Land Use Designation
7. Regional Growth Strategy Goal 7 - Enhance Economic Resiliency - Agriculture
8. Regional Growth Strategy Goal 8 - Food Security
9. Applicant's Submission

**Attachment 1**  
**Subject Property Map**

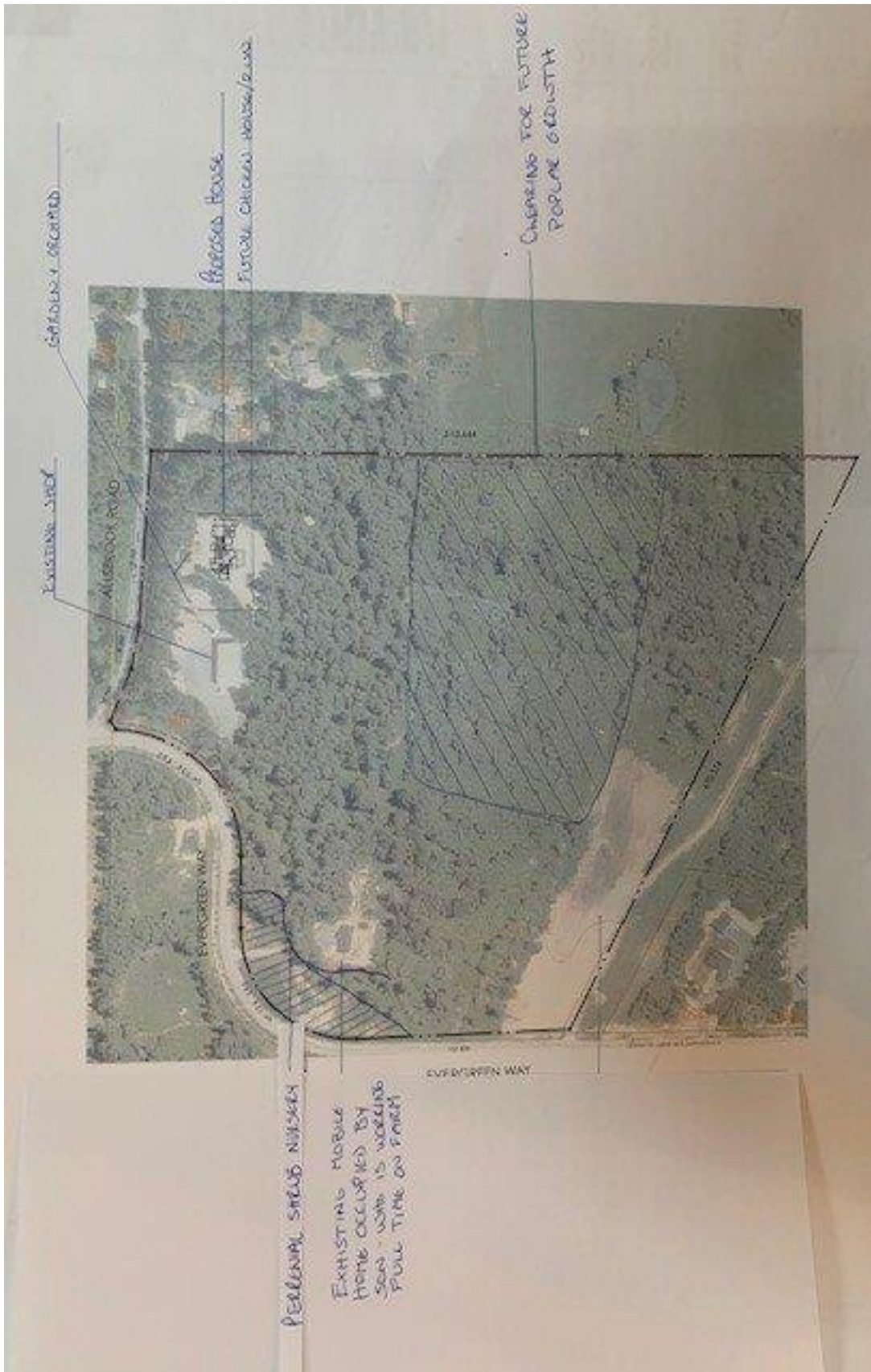








### Attachment 3 Proposed Site Plan



**Attachment 4  
 Existing Zoning (Page 1 of 2)**



Section 4 – Zones

Page 4-1

**A-1 – AGRICULTURE 1**

**SECTION 4.1<sup>1</sup>**

**4.1.1 Permitted Principal Uses**

- a) Dwelling Unit
- b) Farm Use – on lands located in the Agricultural Land Reserve
- c) Agriculture – on lands not located in the Agricultural Land Reserve

**4.1.2 Permitted Accessory Uses to the Dwelling Unit Use**

- a) Accessory Buildings and Structures
- b) Home Based Business
- c) Secondary Suite<sup>2</sup>

**4.1.3 Permitted Accessory Farm Uses**

- a) Agriculture Education and Research
- b) Temporary Sawmill
- c) Agri-tourism Accommodation
- d) Production of Biological Integrated Pest Management Products
- e) Gathering for an Event<sup>3</sup>

**4.1.4 Regulations Table**

Category	Requirements	
a) Maximum Density	1 Dwelling Unit per hectare to a maximum of 2 per lot	
b) Minimum Lot Size	4 ha	
c) Minimum Lot Frontage	100 metres	
d) Maximum Lot Coverage	i. Non-farm buildings and structures	10%
	ii. Farm buildings and structures	25%
	iii. Greenhouses	75%
	iv. In no case shall the combined lot coverage exceed 75%.	
e) Maximum Building and Structure Height	10 metres	
f) Minimum Setback from	i) Front and Exterior Side Lot Lines	4.5 metres
	ii) All Other Lot Lines	2.0 metres
g) Minimum Setback for all farm buildings, structures and uses	Refer to Section 3 – General Regulations	
h) General Land Use Regulations	Refer to Section 3 – General Regulations	

<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>2</sup> Bylaw No. 1285.19, adopted May 27, 2014

<sup>3</sup> Bylaw No. 1285.29, adopted May 22, 2018

This is an excerpt only from “Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002” and should not be used for interpretive or legal purposes without reference to the entire Bylaw.



## Attachment 4 Existing Zoning (Page 2 of 2)

### 4.1.5 Regulations

- a) 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 principle use.
- b) Accessory Farm uses are only permitted on that part of a parcel that is within the Agricultural Land Reserve.
- c) Specific 'Farm' and 'Permitted' uses as defined in the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation* shall be developed in accordance with Section 2.19 and 2.20 of this Bylaw.
- d) 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 Agricultural Land Commission.

### 4.1.6 Additional A-1 Zones

Principal and accessory uses as set out in Section 4.23 (A-1.1 to A-1.28 inclusive) are permitted in addition to those uses permitted in the A-1 zone. <sup>1</sup>

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<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004

## Attachment 5 Official Community Plan - Land Use Designation

*Electoral Area 'F' Official Community Plan Bylaw No. 1152, 1999*

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### **General Policies**

1. Despite the size of current lots in these areas, newly created lots within this designation shall have a minimum permitted parcel size of 2.0 hectares.
2. Permitted uses shall be rural uses, home based businesses, and accessory uses.
3. Residential development shall be permitted at a maximum density of 1 dwelling unit per 1.0 hectare to a maximum of 2 dwelling units per parcel.
4. Additional existing dwelling units may be recognized on certain parcels subject to the conditions outlined in the zoning bylaw and the criteria outlined in this OCP.



### **Resource Lands**

This designation applies to lands that are valued for agriculture, forestry, natural resource extraction or environmental conservation opportunities. This Plan designates as Resource Lands, lands located within the Agricultural Land Reserve, Forest Land Reserve, as well as Crown lands other than lands designated as Park Land. Lands designated Resource Lands are illustrated on Map No. 2.

It is recognized that there is a wide range of home based business activities occurring on ALR lands in Electoral Area 'F'. The Regional District of Nanaimo shall negotiate with the Agricultural Land Commission to obtain a General Order for Electoral Area 'F' to allow for an expanded definition of home based businesses beyond what is normally permitted by the ALC.

### **Objectives**

1. Support the long-term viability of the natural resource land base and protect it from activities and land uses that may diminish its resource value and potential.
2. Ensure that resource operations comply with recognized standards and codes of practice and that unreasonable impacts on the natural environment are avoided.

### **General Policies**

1. For properties within the ALR or FLR, the regulations and policies of the ALC and FLC apply. These properties may also be subject to other local government bylaws.
2. A 4.0-hectare minimum permitted parcel size for future subdivision shall apply to all lands designated Resource and currently situated in the ALR.
3. A 50.0-hectare minimum permitted lot size for future subdivision shall apply to all lands designated Resource and currently situated in the FLR or Crown lands.
4. Future residential development on Resource Lands shall be limited to one dwelling unit per parcel. Two dwelling units per parcel may be permitted where approval has been received from the ALC or FLC, if necessary, and subject to the zoning on the property.
5. Permitted uses shall be associated with those uses supported by the ALC and FLC, such as agriculture, forestry, primary processing and outdoor recreation uses, including campgrounds.
6. Where land is removed from the ALR or FLR, the Resource Lands designation shall remain and the permitted uses shall be limited to rural/resource activities as defined in the OCP and zoning.

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*Land Use Designations Section 2 – Page 6*

## **Attachment 6 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 7**

### **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 8**  
**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 Iowa 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.

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).

*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*

**Attachment 8**  
**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% ([www.alc.gov.bc.ca/alr/stats](http://www.alc.gov.bc.ca/alr/stats)).

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

- Supporting improved access to sustainable water supplies for irrigation;
- Encouraging best water management practices in agriculture;
- Providing drainage infrastructure for flood-prone lands that do not include environmentally sensitive areas;
- 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 8**  
**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 9  
Applicant's Submission**



**Provincial Agricultural Land Commission -  
Applicant Submission**

**Application ID:** 59004

**Application Status:** Under LG Review

**Applicant:** Bonnie Jeanne McLean

**Agent:** Brad McLean

**Local Government:** Nanaimo Regional District

**Local Government Date of Receipt:** 06/12/2019

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

**Proposal Type:** Non-Adhering Residential Use - Additional Residence for Farm Use

**Proposal:** My wife and children together purchased this property in 2016 for my family to start a little farm, raise livestock, chickens (meat and layers), fruit trees and garden and perennial shrubs. At the time of purchase we were allowed a primary residence and a mobile home for my son. My son put on his mobile home, and when my wife and I were able to afford it, we were going to build our house on the property as the primary house that exceeds the maximum permitted floor area of 500 m<sup>2</sup>. We finally got the money together to build our house, and now find out that we are not allowed 2 residences. This proposal is so we can build our house, and my wife and son can carry out their plans for our family farm. The reason the house is a little larger than the 500m<sup>2</sup> is we are adding an inlaw suit to the house for my wifes aging mother to live in.

**Agent Information**

**Agent:** Brad McLean



**Parcel Information**

**Parcel(s) Under Application**

1. **Ownership Type:** Fee Simple  
**Parcel Identifier:** 029-465-036  
**Legal Description:** Lot B District Lot 115 Nanoose District Plan Epp46196  
**Parcel Area:** 15.6 ha  
**Civic Address:** 520 Allsbrook rd.  
**Date of Purchase:** 06/03/2016  
**Farm Classification:** No  
**Owners**
  1. **Name:** Bonnie Jeanne McLean

**Applicant:** Bonnie Jeanne McLean





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**Current Use of Parcels Under Application**

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

*Fruit trees and garden.*

*5+ acres of grass growing for livestock as soon as grass is mature.*

*4+ acres is cleared and being fenced for growth of Perennial Shrubs for market.*

*My Company owns a Fish processing plant in Parksville, French Creek Seafood. We have a very busy retail store that just sells seafood. We are wanting to expand it into a farmers market selling our fruit, vegetables, eggs, whole processed chicken plus pork and beef off of our farm.*

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

*We hired Madrone environmental Services ltd. to do a complete assessment of the property. They divided the property into sections according to the soil. I have attached the map from them for reference. The area that we are putting the application in to build our house is all Qualicum Soil-Class 5P and not fit for growing. In the area that they described we could grow grass we have cleared 5+ acres of it, and are in the process of fencing it off. As soon as grass is mature we will be running livestock (Cows, pigs, and goats) on this parcel. There are 2 ponds on the property that we are going to utilize for watering the livestock. Once we get approval for our house we are going to be raising chickens, (meat and layers). We dont want to bring them in yet until we have the security of the house there. We also will be expanding our gardens and fruit trees as soon as construction is done. We have cleared another 4+ acres and are in the process of fencing it. In this section we will be growing Perennial shrubs for future market. We are also going to be clearing a 10-15 acre parcel that we are going to be growing poplars on for resale. My son is experimenting in making compost tea and worm casting, that we will bring into full production for future sales, when perfected. He is also near completion of an in-depth course on Organic Soil Microbiology Building for Agriculture.*

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

*We have a 5000 sq ft shop that we use for our equipment storage; 2 excavators, bobcat, irrigation truck, and farm tractor with roto tiller on it.*

*Existing mobile home occupied by our son, who is working full time on the farm.*

**Adjacent Land Uses**

**North**

**Land Use Type:** Residential

**Specify Activity:** single-family dwelling subdivision

**East**

**Land Use Type:** Agricultural/Farm

**Applicant:** Bonnie Jeanne McLean

**Specify Activity:** Hay crop

## **South**

**Land Use Type:** Residential

**Specify Activity:** single-family dwelling subdivision

## **West**

**Land Use Type:** Residential

**Specify Activity:** single-family dwelling subdivision

## **Proposal**

### **1. What is the purpose of the proposal?**

*My wife and children together purchased this property in 2016 for my family to start a little farm, raise livestock, chickens (meat and layers), fruit trees and garden and perennial shrubs. At the time of purchase we were allowed a primary residence and a mobile home for my son. My son put on his mobile home, and when my wife and I were able to afford it, we were going to build our house on the property as the primary house that exceeds the maximum permitted floor area of 500 m<sup>2</sup>. We finally got the money together to build our house, and now find out that we are not allowed 2 residences. This proposal is so we can build our house, and my wife and son can carry out their plans for our family farm. The reason the house is a little larger than the 500m<sup>2</sup> is we are adding an inlaw suit to the house for my wifes aging mother to live in.*

### **2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.**

*My business is a fish processing facility and retail seafood store. We saw a similar store in Maple ridge years ago, where the 3 generations of familys sell seafood as well as the products off of their family farm. We always wanted to expand our store to sell our own organic farm products, and now we are ready to make this dream happen. My wife, son, and daughter bought this 38 acres to be a small farm for my wife and son to work on. At the time of purchase you were allowed 2 dwellings on the parcel, as long as one was a mobile home for immediate family to help on the farm. We followed the rules and put my sons mobile home on the property as a secondary dwelling until my wife and I were able to afford our primary dwelling. I have a full time job that has me away all the time. My wife cannot look after this operation by herself. My son has quit his job and is dedicating his full time to working this project with my wife. My son has his mobile home on the property already, now we just need to build our house so my wife can be on site to help with building this farm.*

### **3. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.**

*my son has a 1650 sq ft mobile home on site. and we have a 5000 sq ft shop.*

### **4. What is the total floor area of the proposed additional residence in square metres?**

*470 m<sup>2</sup>*

### **5. Describe the rationale for the proposed location of the additional residence.**

*As stated before, after we had Madrone Environmental Services do an assessment on our property, We found this location to be all Qualicum Soil-Class 5P and not suitable for growing. So we built our shop here, put in a septic system for the future house,(all approved by the RDN) and now are ready to build our primary dwelling.*

**Applicant:** Bonnie Jeanne McLean

**6. What is the total area of infrastructure necessary to support the additional residence?**

*We already have the septic field in place for new residence. There is already a 464 sq mt out building on the site for our equipment storage.*

*There will be about 500 sq mt back yard. approx 200 sq mt parking and driveway.*

**7. Do you need to import any fill to construct the additional residence or infrastructure?**

*No*

**Applicant Attachments**

- Agent Agreement - Brad McLean
- Proposal Sketch - 59004
- Site Photo - Soil Associations and soil pit locations.
- Certificate of Title - 029-465-036

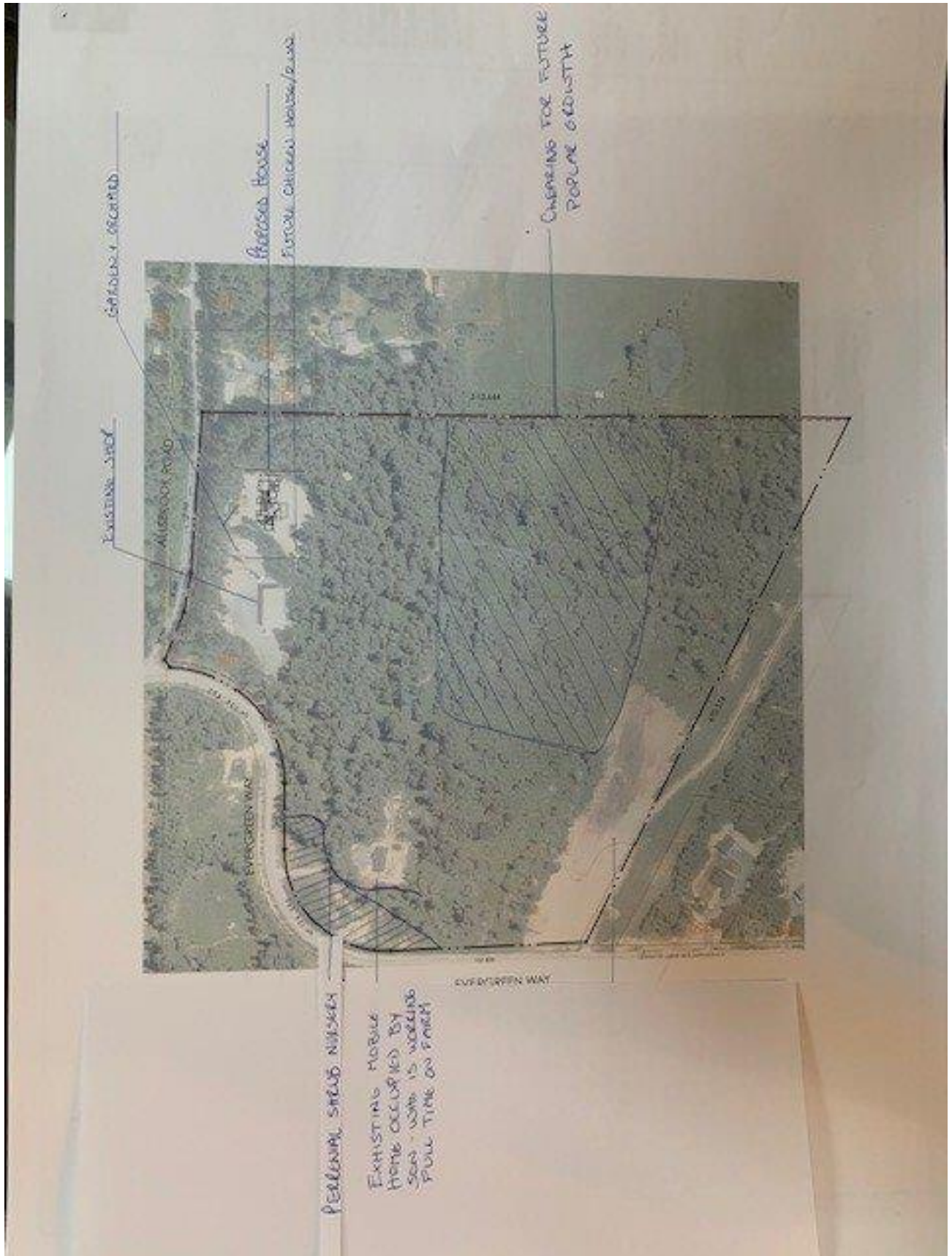
**ALC Attachments**

None.

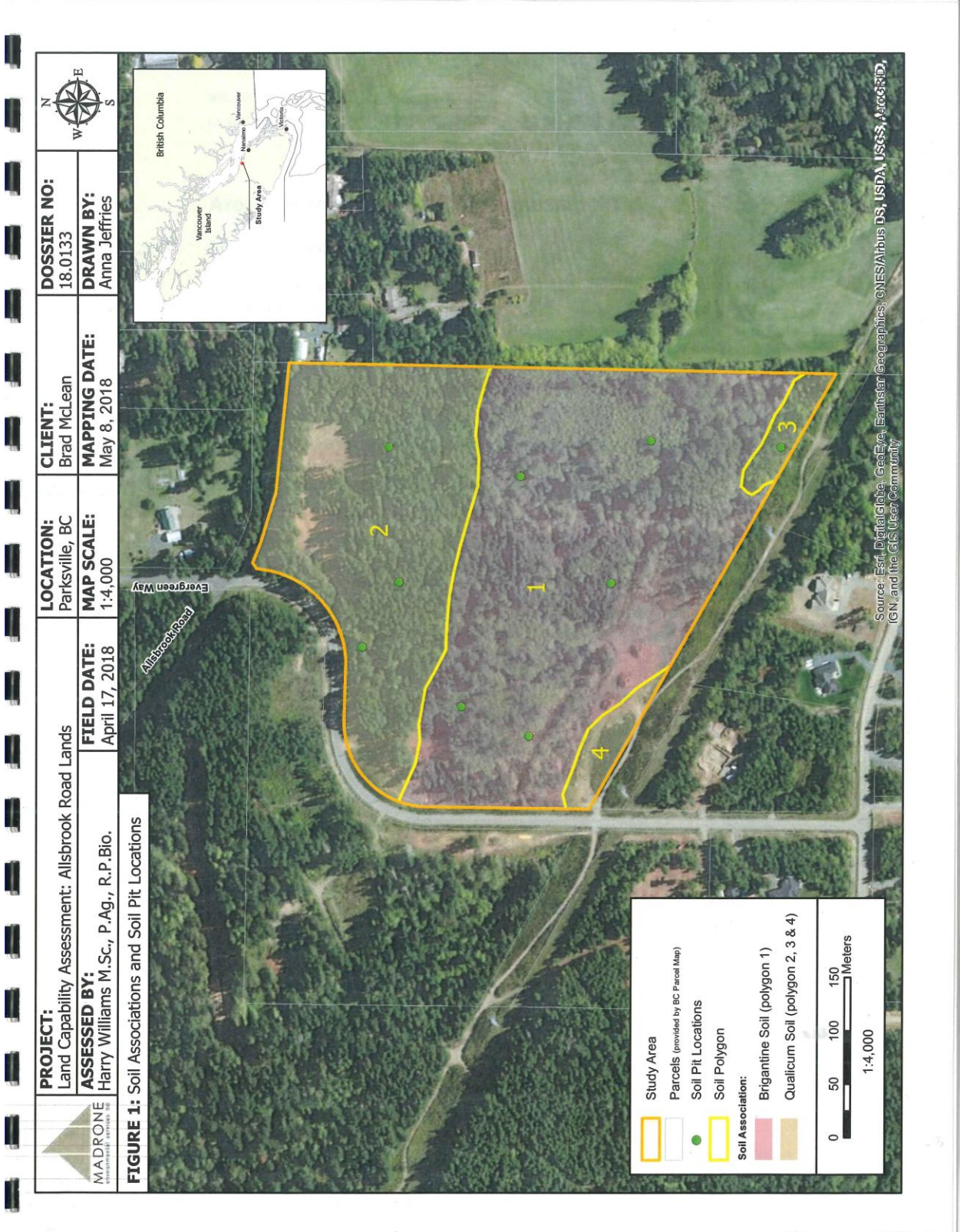
**Decisions**

None.

**Applicant:** Bonnie Jeanne McLean







LAND TITLE OFFICE  
**STATE OF TITLE CERTIFICATE**


Certificate Number: STSR2274714

File Reference: R17531

T. SCOTT RODWAY LAW CORPORATION  
P.O. BOX 138  
#1 - 699 BEACH ROAD  
QUALICUM BEACH BC V9K 1S7


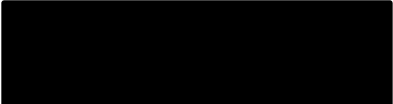
A copy of this State of Title Certificate held by the land title office can be viewed for a period of one year at <https://apps.ltsa.ca/cert> (access code 693091).

I certify this to be an accurate reproduction of title number **CA5928788** at 16:25 this 26th day of April, 2017.

  
REGISTRAR OF LAND TITLES



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<b>Land Title District</b> Land Title Office	VICTORIA VICTORIA
<b>Title Number</b> From Title Number	CA5928788 CA5235254
<b>Application Received</b>	2017-04-12
<b>Application Entered</b>	2017-04-26
<b>Registered Owner in Fee Simple</b> Registered Owner/Mailing Address:	BONNIE JEANNE MCLEAN, HOMEMAKER 
Registered Owner/Mailing Address:	BRODY BOYD MCLEAN, ADMINISTRATOR 

LAND TITLE OFFICE  
**STATE OF TITLE CERTIFICATE**

Certificate Number: STSR2274714

Registered Owner/Mailing Address: SAMANTHA FAITH MCLEAN, STUDENT



**Taxation Authority** PORT ALBERNI ASSESSMENT AREA

**Description of Land**  
Parcel Identifier: 029-465-036  
Legal Description:  
LOT B DISTRICT LOT 115 NANOOSE DISTRICT PLAN EPP46196

**Legal Notations**  
THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT, SEE AGRICULTURAL LAND RESERVE PLAN NO. 5, DEPOSITED 26.07.1974 EXCLUDED AS TO PART BY S102565 24.9.87

**Charges, Liens and Interests**  
Nature: EXCEPTIONS AND RESERVATIONS  
Registration Number: M76300  
Registered Owner: ESQUIMALT AND NANAIMO RAILWAY COMPANY  
Remarks: INTER ALIA  
A.F.B. 9.693.7434A  
44751G  
SECTION 172(3)  
FOR ACTUAL DATE AND TIME OF REGISTRATION SEE ORIGINAL GRANT FROM E AND N RAILWAY COMPANY

Nature: STATUTORY RIGHT OF WAY  
Registration Number: CA2917472  
Registration Date and Time: 2012-12-14 14:41  
Registered Owner: BRITISH COLUMBIA HYDRO AND POWER AUTHORITY  
Remarks: INTER ALIA

Nature: STATUTORY RIGHT OF WAY  
Registration Number: CA2917473  
Registration Date and Time: 2012-12-14 14:41  
Registered Owner: TELUS COMMUNICATIONS INC.  
INCORPORATION NO. A55547  
Remarks: INTER ALIA

**Duplicate Indefeasible Title** NONE OUTSTANDING

**Transfers** NONE

**Pending Applications** NONE

LAND TITLE OFFICE

**STATE OF TITLE CERTIFICATE**

Certificate Number: STSR2274714

*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).*



### AGENT AUTHORIZATION LETTER

I (we) Bonnie Jeanne McLean, Brody McLean and Samantha McLean  
*Printed/typed name(s) of landowner(s)*

hereby appoint Brad McLean to  
*Printed/typed name of agent*

make application to the Agricultural Land Commission as agent on my/our behalf with respect to  
the following parcel (s): *Insert legal description for each parcel under application*

ID 029-465-036  
Legal Lot B District Lot 115 Nanoose District Plan EPP 46196

I Brad McLean understand that as  
*Printed/typed name of agent*

agent, I am required to ensure that all landowners are provided with information being  
submitted to and received from the Agricultural Land Commission.

Signature(s) of landowner(s):

BJ McLean Bonnie Jeanne McLean April 15/19  
Signature Printed Name Date

Brody McLean Brody McLean April 15/19  
Signature Printed Name Date

S McLean SAMANTHA MCLEAN APRIL 15/19  
Signature PRINTED NAME DATE

---

**TO:** Agricultural Advisory Committee      **DATE:** June 26, 2019

**FROM:** Angela Buick  
Planner      **FILE:** PL2019-077

**SUBJECT:** Request for Comment on Subdivision/Non-Farm Use in the Agricultural Land Reserve  
Application No. PL2019-077  
2550 Quennell Road – Electoral Area A  
Section 7, Range 2, Cedar District, Except Those Parts in Plans 8415, 10905, 11405 and 17097

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## SUMMARY

This is an application for a subdivision pursuant to the Agriculture Land Commission Homesite Severance on ALR Lands - Policy L-11 on a 16.1 hectare parcel located in Electoral Area A. Should the Agricultural Advisory Committee wish to provide comments to the Provincial Agricultural Land Commission, it may do so by considering the adoption of a motion. Any comments provided by the Committee will be provided to the Agriculture land Commission, along with a copy of this report to assist the Agriculture Land Commission in making a decision on this application.

## BACKGROUND

The Regional District of Nanaimo (RDN) has received an application for subdivision in the Agriculture Land Reserve (ALR) from the owners Lloyd and Shelagh Hiebert. The proposal is to subdivide the subject property into two parcels of approximately 1.4 and 14.7 hectares.

The subject property is legally described as Section 7, Range 2, Cedar District, Except Those Parts in Plans 8415, 20905, 11405 and 17097 and the civic address is 2550 Quennell Road. The subject property is approximately 16 hectares in area and is located entirely within the ALR. The parcel is bound by Quennell Road to the west, seasonally flooded agricultural lands and Quennell Lake to the east and Agriculture zoned lands to the north and south. The subject property is surrounded by large Agriculture 1 (AG1) zoned properties within the ALR. The property currently contains a dwelling unit, three large farm buildings and various pieces of farm equipment (see Attachments 1 and 2 - Subject Property Map and 2018 Aerial Photo).

A copy of the applicant's submission package is included as Attachment 10. Personal information is redacted in accordance with the *Freedom of Information and Protection of Privacy Act*.

Agricultural Advisory Committee members were provided an opportunity to attend the site on May 8, 2019.

## **REGIONAL GROWTH STRATEGY**

The subject property is currently designated 'Resource Lands and Open Space' pursuant to the "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011" (RGS). The policies of this 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 (see Attachment 8 and 9).

## **OFFICIAL COMMUNITY PLAN**

The subject property is currently designated as Agricultural Lands pursuant to the "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011" (see Attachment 6).

The policies for the Agricultural Lands designation do not support subdivision of land within the ALR that does not result in a net benefit to agricultural production as determined by a qualified professional. In addition, although the zoning of this property currently permits a minimum parcel size of 2.0 hectares, the 'Agricultural' land use designation supports a minimum parcel size of 8.0 hectares for lands within the ALR.

The parcel is designated within the Eagle and Heron Nesting Trees, Freshwater and Fish Habitat Protection and the Yellow Point Aquifer Protection Development Permit Areas. A development permit may be required prior to any subdivision or alteration of the land.

The proposed subdivision would not require amendments to "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2014".

## **ZONING**

The parcel is currently zoned Agricultural 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 - zoning regulations and minimum parcel size). The AG1 Zone permits the following principal uses: farm use, agriculture, residential use and allows two dwelling units on parcels greater than 2.0 hectares in area. The applicant proposes to subdivide a portion of the subject property (see Attachment 3 – Proposed Site Plan).

If this application for a homesite severance is approved by the Commission, ALC Policy L-11 encourages the local government and the approving officers to handle the subdivision application in the same manner as an application under Section 514 of the *Local Government Act* - Subdivision to Provide Residence for a Relative.

Notwithstanding the minimum parcel size pursuant to Subdivision District "D" of 2.0 hectares as per the zoning bylaw, Section 514 provides that a parcel proposed to be created under this section may be reduced to up to and no less than 1.0 hectare, unless a smaller area, in no case less than 2,500 m<sup>2</sup>, is approved by the medical health officer.

The proposed subdivision would not require amendments to Bylaw 500.

## **BOARD POLICY AND AGRICULTURE ADVISORY COMMITTEE PROCEDURE**

Regional District of Nanaimo “Board Policy B1.8: Review of ALR Applications” (Board Policy B1.8) 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. Board 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 RDN 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 ALC and Ministry of Agriculture websites. Local and contextual information can also be found on the RDN’s agricultural projects website at [www.growingourfuture.ca](http://www.growingourfuture.ca).

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 Board 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 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 comment.

With respect to this application, Electoral Area A, Director Keith Wilson has provided the following comments:

As there is no concern about the viability of either parcel as an agricultural holding, and as this is an application that would allow a farmer to remain in the family home, I support this application.

Comments of Electoral Area 'A' Director Keith Wilson will be provided to the ALC, as included with this report.



---

Angela Buick  
abuick@rdn.bc.ca  
May 16, 2019

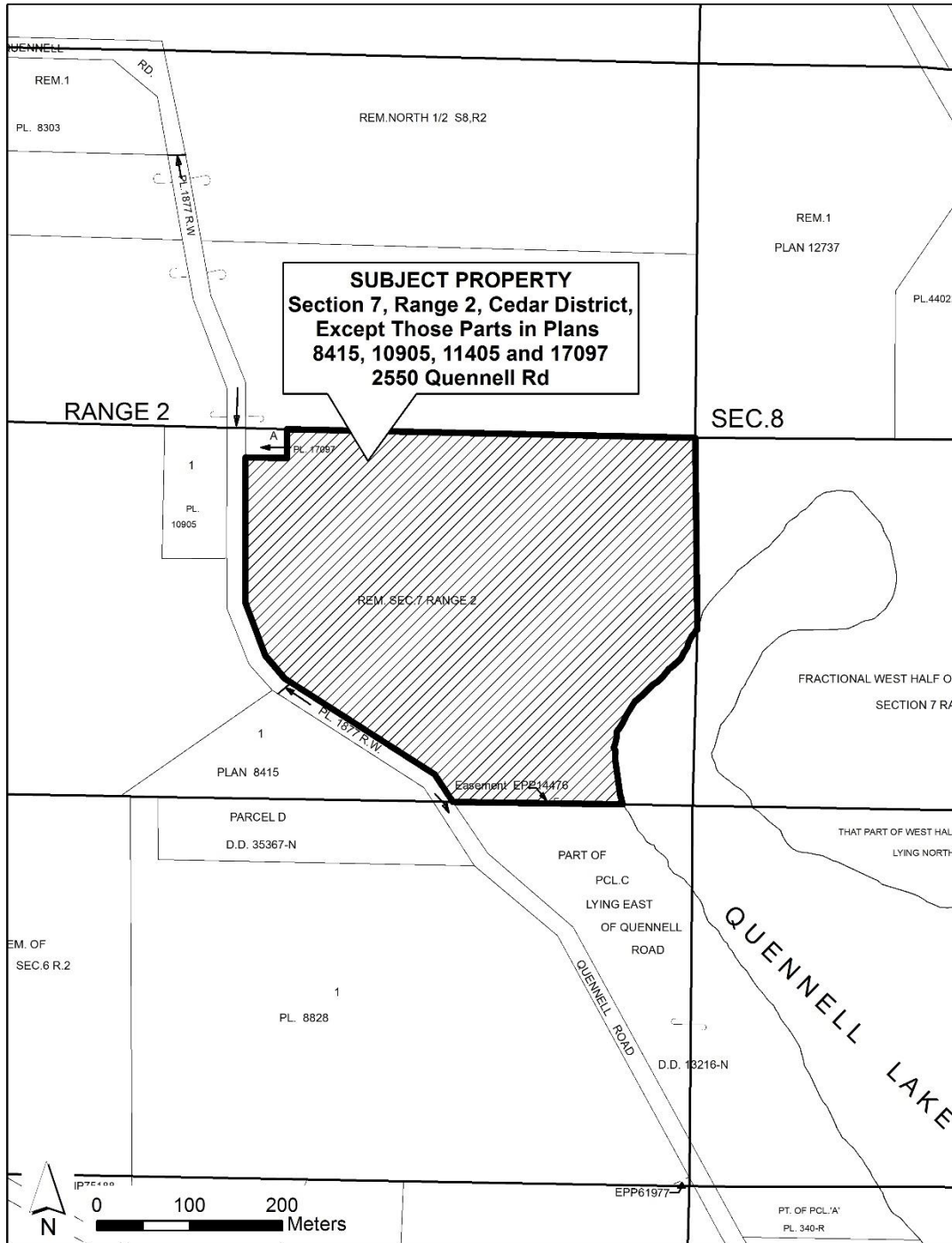
Reviewed by:

- P. Thompson, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development and Acting Chief Administrative Officer

Attachments

1. Subject Property Map
2. 2018 Aerial Photo
3. Proposed Site Plan
4. Existing Zoning
5. Bylaw 500, Schedule '4B' Subdivision Districts – Minimum Parcel Size
6. Official Community Plan Land Use Designation
7. Regional Growth Strategy - Land Use Designation
8. Regional Growth Strategy - Goal 7 - Enhance Economic Resiliency – Agriculture
9. Regional Growth Strategy - Goal 8 – Food Security
10. Applicant's Submission

**Attachment 1**  
**Subject Property Map**





**Attachment 2**  
**2018 Aerial Photo**







**Attachment 4  
 Existing Zoning  
 (Page 1 of 4)**

*Part 3 – Land Use Regulations*

Section 3.4.1

**AGRICULTURE 1**

AG1<sup>42,43</sup>

**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
- b) Agricultural Education and Research
- c) Agri-tourism Accommodation
- d) Production of Biological Integrated Pest Management Products
- e) Gathering for an Event<sup>44</sup>

**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   |
| <b>For Electoral Areas 'A', 'C', 'E', and 'H'</b>  |   |
| b) on a parcel having an area greater than 2.0 ha  | 2   |
| <b>For Electoral Area 'G'</b>  |   |
| 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   |

<sup>42</sup> Bylaw No. 500.383, Adopted June 25, 2013

<sup>43</sup> Bylaw No. 500.402, adopted June 28, 2016

<sup>44</sup> Bylaw No. 500.413, adopted May 22, 2018

**Attachment 4  
Existing Zoning  
(Page 2 of 4)**

*Part 3 – Land Use Regulations*

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**AGRICULTURE 1 continued**

---

- d) Notwithstanding subsection (c), on a parcel located in this zone and created prior to February 22, 2011 and having an area greater than 2.0 ha. 2
  - 3) Height (non-farm and accessory farm buildings and structures) 9.0 m
  - 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 8.0 m  
except where:
    - a) the parcel is less than 4000 m<sup>2</sup> 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;
    - b) 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**

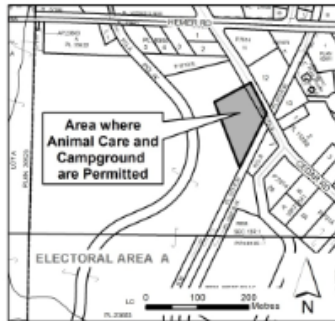
- 1) For any part of a parcel in the Agricultural Land Reserve, 'Farm Use' shall be a permitted principal use and for any part of a parcel not located in the Agricultural Land Reserve, 'Agriculture' shall be a permitted principal use.
- 2) Accessory Farm uses are only permitted on that part of a parcel 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.

**Attachment 4  
Existing Zoning  
(Page 3 of 4)**

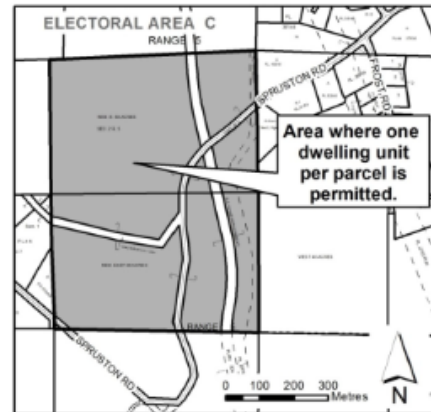
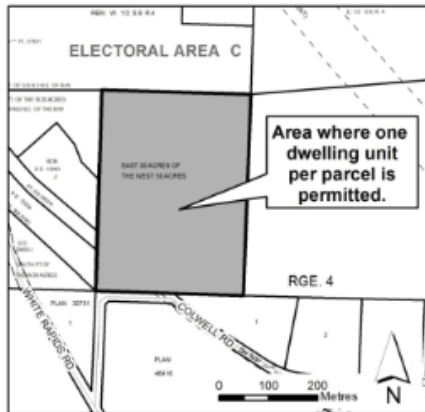
*Part 3 – Land Use Regulations*

**AGRICULTURE 1 continued**

- 5) 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.

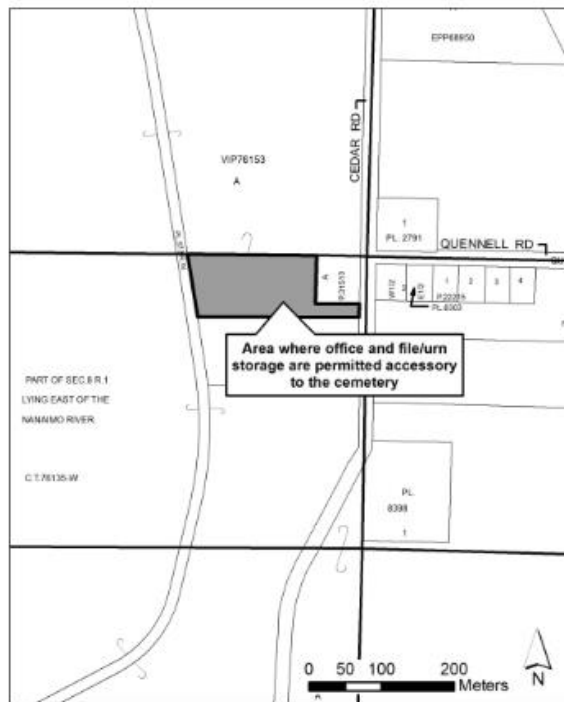


**Attachment 4  
Existing Zoning  
(Page 4 of 4)**

Part 3 – Land Use Regulations

**AGRICULTURE 1 continued**

- 7) Office and file/urn storage accessory to the cemetery shall be permitted in accordance with ALC non-farm use approval in the shaded area outlined in bold in the map below.<sup>45</sup>



<sup>45</sup> Bylaw 500.412, adopted March 27, 2018

**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: <sup>1</sup>

Minimum Parcel Sizes				
Subdivision District	Community Water & Sewer System	Community Water System - No Community Sewer	Community Sewer System - No Community Water	All Other Subdivisions
A	20.0 ha	20.0 ha	20.0 ha	20.0 ha
B	8.0 ha	8.0 ha	8.0 ha	8.0 ha
C	5.0 ha	5.0 ha	5.0 ha	5.0 ha
CC <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
H	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>4,5</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>	No further subdivision		
V <sup>10</sup>	50.0 ha	50.0 ha	50.0 ha	50.0 ha
Z	No further subdivision			
CD9 <sup>11</sup>	400 lots with approved pump and haul service connection			

<sup>1</sup> Bylaw No. 500.238, adopted February 10, 1998  
<sup>2</sup> Bylaw No. 500.347, adopted September 22, 2009  
<sup>3</sup> Bylaw No. 500.27, adopted August 9, 1988  
<sup>4</sup> Bylaw No. 500.66, adopted December 12, 1989  
<sup>5</sup> Bylaw No. 500.324, adopted February 28, 2006  
<sup>6</sup> Bylaw No. 500.264, adopted October 10, 2000  
<sup>7</sup> Bylaw No. 500.264, adopted October 10, 2000  
<sup>8</sup> Bylaw No. 500.27, adopted August 9, 1988  
<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 6)**

**5.1 Agricultural**

The Agricultural Land Use designation applies to all land located in the Agricultural Land Reserve (ALR) at the date of adoption of this plan. These lands occupy approximately fifty-five percent of the plan area and are generally characterized by parcels, greater than 2.0 ha in area. Lands within the ALR are intended for agricultural production. These lands contribute to the economy and are of critical importance in helping Electoral Area ‘A’ become a leader in local food production.

**Objectives and Policies**

Section	Policy/Objective
5.1	
<b>Objective 5.1.1</b>	<b>Protect ALR land from non-agricultural development.</b>
Policy 5.1.1	Lands within the Agricultural Lands designation are shown on Map No. 3.
Policy 5.1.2	Agriculture shall be the priority use on lands located within the Agricultural Lands designation.
Policy 5.1.3	Uses within this designation shall include agriculture and uses which are compatible with agriculture and contribute towards making it more productive.
Policy 5.1.4	Rezoning may be supported, subject to the approval of the Agricultural Land Commission to allow: <ul style="list-style-type: none"> <li>a. Value added agricultural uses;</li> <li>b. ‘Permitted use’ as defined by the <a href="#">ALR Subdivision and Procedure Regulation (BC Regulation 171-2002)</a>, as amended or replaced from time to time; or,</li> <li>c. Agricultural education and/or demonstration of agricultural technologies.</li> </ul>
Policy 5.1.5	This plan supports the creation of an agricultural zone which applies to all lands within this designation.
Policy 5.1.6	Removal of lands from the ALR, which are capable of agricultural production, is considered contrary to the Community Vision and is not supported by this plan.
Policy 5.1.7	Subdivision of land within the ALR, which does not result in a net benefit to agricultural production as determined by a qualified professional, is considered contrary to the Community Vision and is not supported by this plan.
Policy 5.1.8	The RDN should consider providing comments to the Agricultural Land Commission on all applications for non-farm use, subdivision, and exclusion.
Policy 5.1.9	If land is removed from the ALR, the land should continue to be designated ‘Agricultural Lands’ and should not be considered for additional development potential.
Policy 5.1.10	This plan supports ongoing consultation with the Agricultural Advisory Committee, the Agricultural Land Commission, and the Provincial Ministry responsible for Agriculture to find ways to encourage agriculture and make it more productive.
Advocacy Policy 5.1.11	The RDN shall work with the MOTI to discourage the creation of new public roadways ending at lands located in the ALR to reduce the future demand for further non-agricultural development of ALR land.

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

Implementation Actions	Timing (Immediate, Short Term, Long Term, Ongoing)
Designate DPA's on land adjacent to the ALR to ensure adequate buffers are provided and to reduce the impacts of non-agricultural development on agricultural land.	Immediate
Work with the Agricultural Advisory Committee, the Ministry responsible for Agriculture, the Agricultural Land Commission, and the community to develop an agricultural zone and identify opportunities to increase diverse agricultural activity. Amend RDN Land Use and Subdivision Bylaw No. 500, 1987 to include the new zone.	Short Term
Review the current board policy on commenting on applications made to the Agricultural Land Commission and consider the potential role of the Agricultural Advisory Committee. Write a report to the Board with recommendations.	Short Term
Work with the Provincial subdivision approving officer, Ministry of Agriculture, and the Agricultural Land Commission to minimize the impact of subdivision on lands within the ALR.	Ongoing

<b>Objective 5.1.2</b>	<b>Support and promote sustainable agriculture on ALR lands.</b>
Policy 5.1.12	The minimum parcel size for lands located within the Agricultural Lands designation shall be 8.0 ha.
Policy 5.1.13	<p>Despite policy 5.1.12 above, subject to approval from the Agricultural Land Commission, and subject to being consistent with the RGS, the RDN may support the creation of more compact residential clusters through a rezoning or Development Variance Permit (DVP) on lands within this designation which may include smaller parcels and/or a subdivision pursuant to the <a href="#">Strata Property Act</a> subject to the following:</p> <ol style="list-style-type: none"> <li>The proposal must include a significant agricultural component which would contribute towards making Electoral Area 'A' a leader in local food production.</li> <li>The proposal does not result in more dwelling units and/or parcels than what is permitted by the zoning in place at the time the application is made. The overall density and/or number of parcels shall be determined based on the buildable area of the subject property and not the total site area as determined by the RDN.</li> <li>The proposal is consistent with <a href="#">ALR Subdivision and Procedure Regulation</a> (BC Regulation 171/2002).</li> <li>Residential development should be located on the least fertile portions of the subject property.</li> <li>Residential development must include a vegetated buffer designed and constructed in accordance with the Ministry of Agriculture "<a href="#">A Guide to Edge Planning Promoting Compatibility Along Urban-Agricultural Edges</a>" published in 2009 by the Ministry of Agriculture as amended or replaced</li> </ol>



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

	<p>from time to time.</p> <p>f. No parcel of less than 1.0 ha shall be created.</p> <p>g. All development must be serviced with onsite methods for treating wastewater and water systems.</p> <p>h. The proposal includes a report from a professional Agrologist outlining how the proposal would be more efficient from an agricultural perspective than a traditional subdivision and certifying that the proposed residential development is located on the least fertile portions of the land and is necessary to support the proposed agricultural use.</p> <p>i. The remainder must be protected against further subdivision and non-agricultural uses through covenant and/or zoning.</p>
Policy 5.1.14	This plan supports the use of conservation covenants for the preservation of environmentally sensitive features. However, it is recognized that agricultural considerations must be taken fully into account when the use of a conservation covenant for the preservation of environmentally sensitive features is being contemplated.
Policy 5.1.15	This plan supports a feasibility study looking at the use of conservation covenants and transfer of development credits for the preservation of farm land.
Policy 5.1.16	Property owner initiated zoning to reduce subdivision and preserve large parcel of agricultural land is supported.
Policy 5.1.17	The use of agricultural practices which minimize the impacts on the environment, improve water use efficiency, reduce the use of chemical fertilizers, and reduce dependence on fossil fuels, such as permaculture, shall be encouraged.
5.1.18	The use of water for irrigation on agricultural lands to boost local food production is supported.

Implementation Actions	Timing (Immediate, Short Term, Long Term, Ongoing)
Conduct a public process for considering implementation of minimum parcel sizes.	Please refer to Appendix 3 for more information
Conduct a feasibility study looking at the use of conservation covenants and transfer of development credits for the preservation of farm land.	Short Term

Objective 5.1.3	Create opportunities for local food markets
Policy 5.1.19	This plan supports collaboration, cooperation, and flexibility to support agricultural operations looking at investing in agriculture and/or attempting to resolve issues which are limiting agricultural production in Area 'A'.
Policy 5.1.20	The RDN shall work with other levels of government and other agencies to develop financial incentives to preserve farm land and encourage young families to get in to farming.
Policy	This plan supports the use of public land for community gardens and farmers





**Attachment 6**  
**Official Community Plan Land Use Designation**  
**(Page 4 of 6)**

5.1.21	markets where appropriate.
Policy 5.1.22	Proposals for the establishment of a cold storage facility and provincially licensed meat processing facility may be supported within the plan area in consultation with the ministry responsible for Agriculture, Agricultural Land Commission, the farming community, and the community at large.

Implementation Actions	Timing (Immediate, Short Term, Long Term, Ongoing)
Work with the farming community and the Agricultural Advisory Committee to develop strategies which support and encourage agriculture in Electoral Area 'A'.	Ongoing
Amend ' <a href="#">RDN Land Use and Subdivision Bylaw No. 500, 1987</a> ' to permit community gardens and farmers markets. Develop a process for managing the use of these lands for community agriculture.	Short Term

<b>Objective 5.1.4</b>	<b>Support and Encourage Agricultural Education.</b>
Policy 5.1.23	This plan supports the preparation of an Agricultural Plan for Electoral Area 'A' which should at minimum provide an overview of the local food system, its relative food security, capacity, opportunities for enhancing the food-related economy, and recommendations for increasing the sustainability of the food system.
Policy 5.1.24	The RDN should provide perspective purchasers, developers, and land owners with information on living in rural agricultural communities.
Policy 5.1.25	The RDN should work with the Nanaimo and Cedar Farmers Institute, ministry responsible for Agriculture, RDN Advisory Committee, Agricultural Land Commission, Nanaimo Foodshare, and School District 68 to develop an agricultural education program aimed at elementary and high school students.

Implementation Actions	Timing (Immediate, Short Term, Long Term, Ongoing)
Prepare an agricultural plan which is consistent with the plan prepared for the Cowichan Valley Regional District.	Immediate
Develop informational brochures to distribute to prospective property owners as well as existing Area A residents.	Short Term
Work with the Agricultural Advisory Committee to establish an agricultural education program.	Short Term



**Attachment 6  
 Official Community Plan Land Use Designation  
 (Page 5 of 6)**

**5.2 Creating a Local Food System**

A successful local food system requires the right conditions to be in place for both producers and consumers. Both require reliable and steady access to markets offering products at affordable prices. Local food systems also require a reliable means to store and process products before being sent to market.



This plan recognizes that creating a successful, local food systems goes beyond the scope of this OCP and requires cooperation and involvement

from all levels of government as well as farmers and consumers. This section outlines the community's preference on how the RDN could improve the local food system in Electoral Area 'A' and the actions senior governments and other agencies could consider.

**Objectives and Policies**

Section 5.2	Policy/Objective
Objective 5.2.1	<b>Create and enhance opportunities to buy locally produced agricultural products</b>
Policy 5.2.1	Support and encourage farmers markets by: <ul style="list-style-type: none"> <li>a. Making farmers markets and non-industrial agricultural uses exempt from DPA requirements and supporting temporary and/or seasonal farmers markets in any land use designation;</li> <li>b. Waiving and/or significantly reducing building permit and development application fees for the construction of produce stands, farmers markets, and other agricultural markets that sell locally produced agricultural products; and,</li> <li>c. Supporting the Nanaimo Foodshare, Nanaimo and Cedar Farmers Institute, and other agricultural group's educational programs that introduce people to growing their own food and buying locally grown food.</li> </ul>
Policy 5.2.2	Community gardens are supported in all land use designations.
Policy 5.2.3	The integration of edible landscaping in all new development is strongly encouraged.
Policy 5.2.4	The provision of community gardens may be considered a community amenity in conjunction with a proposed development.



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

Section	Policy/Objective
5.2	
Policy 5.2.5	The development of a local cold storage facility, licensed meat processing facility, and value-added agricultural uses which utilize raw products produced on local farms are strongly supported.
Policy 5.2.6	The RDN should work with the Agricultural Advisory Committee, local producers, and potential consumers to explore ways of expanding markets for local agricultural products.
Advocacy Policy 5.2.7	The RDN should work with the local farming community and other agencies to consider the feasibility of establishing a composting facility whereby dairy manure and other organic material could be processed in to a viable alternative to raw manure and chemical fertilizers for use on local fields.
Advocacy Policy 5.2.8	The RDN should help control the spread of noxious weeds by working with the Ministry of Transportation and Infrastructure to ensure frequent cutting of roadside vegetation adjacent to farming areas.
5.2.9	The RDN may support the provision of community water on lands outside of the GCB for the purpose of facilitating increased agricultural productivity.

Implementation Actions	Timing (Immediate, Short Term, Long Term, Ongoing)
When considering a rezoning application, the RDN shall encourage the applicant to incorporate provisions for local food production in the design.	Ongoing
Amend <a href="#">‘RDN Land Use and Subdivision Bylaw No. 500, 1987’</a> to permit farmers markets and community gardens in all zones.	Immediate
Approach the Cowichan Valley Regional District, Nanaimo and Cedar Farmers Institute, Nanaimo Foodshare, and other agricultural groups to partner on the development of an updated local food map showing locations where locally grown food can be purchased in the Region and the timing of various locally produced crops.	Short Term



## 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.

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 Iowa 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.

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).

*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*



**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% ([www.alc.gov.bc.ca/alr/stats](http://www.alc.gov.bc.ca/alr/stats)).

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

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



# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 58995

**Application Status:** Under LG Review

**Applicant:** Lloyd Hiebert

**Local Government:** Nanaimo Regional District

**Local Government Date of Receipt:** 04/16/2019

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

**Proposal Type:** Subdivision

**Proposal:** To remove 3 acres from 41.9 parcel for owners occupancy. To retain yard, garden area, and Sitka spruce seed orchard.

**Mailing Address:**

2550 Quennell Road

Nanaimo, BC

V9X 1K4

Canada

**Primary Phone:** [REDACTED]

**Mobile Phone:** [REDACTED]

**Email:** [REDACTED]

## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 007-837-968

**Legal Description:** SEC 7 R 2 CEDAR DISTRICT EXC PT IN PLS 8415 10905 11405 & 17097

**Parcel Area:** 16.1 ha

**Civic Address:** 2550 Quennell Road

**Date of Purchase:** 12/15/1972

**Farm Classification:** Yes

**Owners**

1. **Name:** Lloyd Hiebert

**Address:**

2550 Quennell Road

Nanaimo, BC

V9X 1K4

Canada

**Phone:** [REDACTED]

**Cell:** [REDACTED]

**Email:** [REDACTED]

## Current Use of Parcels Under Application

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

*22 acres of grass silage*

*2 acres of Sitka seed spruce orchard*

*12 acres of hay land*

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

*Buildings used to store and process potato crop.*

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

*House, yard and orchard 3.9 acres*

## Adjacent Land Uses

### North

**Land Use Type:** Agricultural/Farm

**Specify Activity:** Hay

### East

**Land Use Type:** Agricultural/Farm

**Specify Activity:** Pasture land

### South

**Land Use Type:** Agricultural/Farm

**Specify Activity:** Hay land

### West

**Land Use Type:** Other

**Specify Activity:** Horse boarding

## Proposal

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

*1.4 ha*

*14.7 ha*

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

*To remove 3 acres from 41.9 parcel for owners occupancy. To retain yard, garden area, and Sitka spruce seed orchard.*

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

*The 3 acres is mainly the house and living space of the owner. He is unable to manage the work required on the property in whole. There are other smaller homes and properties in the area.*

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

*In the long term as the remaining property can still be used for agricultural.*

**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.**

*Yes*

**Applicant Attachments**

- Proposal Sketch - 58995
- Homesite Severance Qualification - 58995
- Certificate of Title - 007-837-968

**ALC Attachments**

None.

**Decisions**

None.





Reference Plan over part of  
 Section 7, Range 2, Cedar District, Except those parts in  
 Plans 8415, 10805, 11405 and 17087.  
 Pursuant to Section 90(1)(a) of the Land Title Act  
 For easement purposes  
 SPOS 920 001

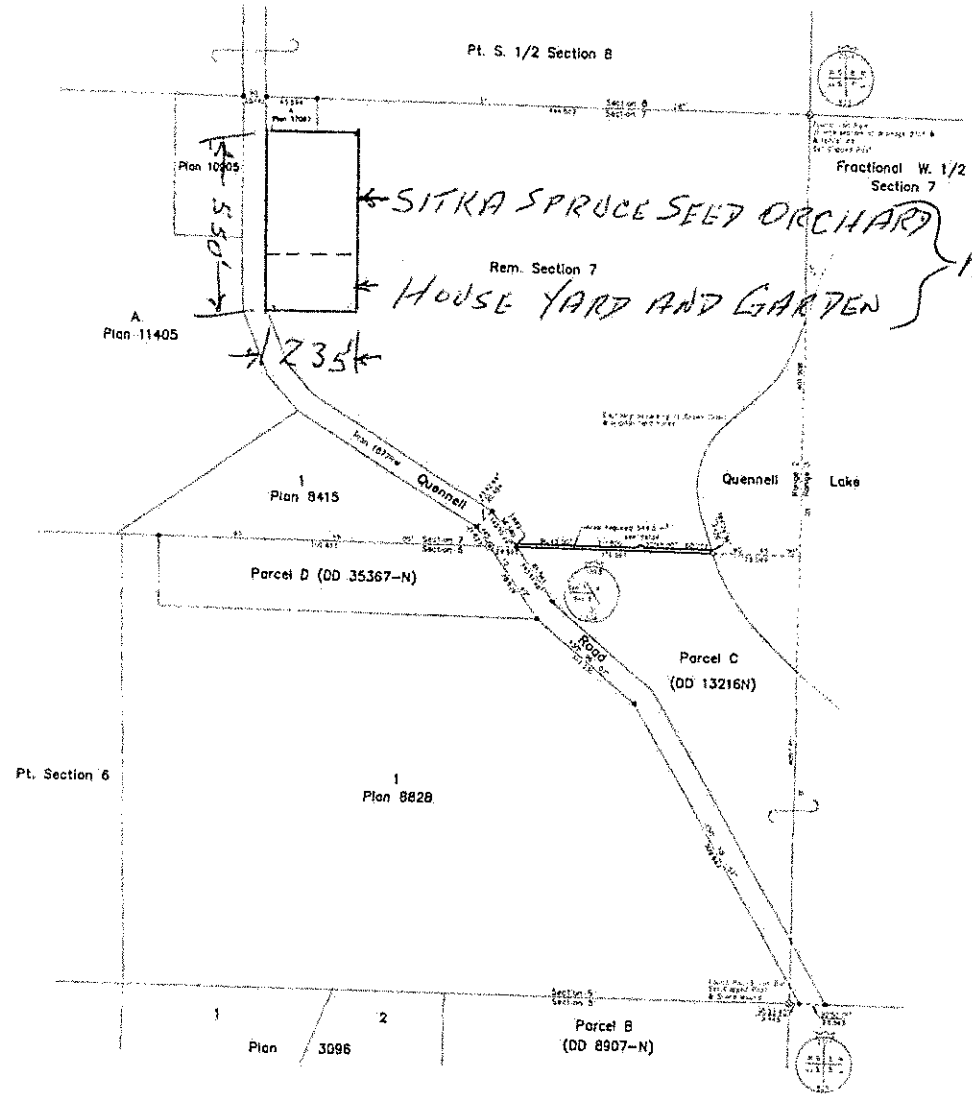
Plan VTP

Deposited in the Land Title Office at Victoria B.C.  
 this \_\_\_\_\_ day of \_\_\_\_\_ 2011



The intended plot area of this plan is shown in white by  
 3/16ths of an inch (1/8 inch) when plotted at a scale of 1/2500.  
 Distances are in metres unless otherwise indicated.  
 Measurement bearings are derived from Plan 8828.

- Legend
- Denote Standard Iron Nail Found
  - Denote Standard Iron Nail Placed
  - Denote Standard Concrete Nail Found
  - ◇ Denote Standard Ripped Nail Set



DETAIL  
 SCALE 1:2000  
 Rem. Section 7



Parcel C  
 (DD 13216N)

This Plan has within the  
 Network Physical District

I, Ryan J. Turner, a British Columbia Land Surveyor, certify  
 that I was present at and personally supervised the survey represented  
 by this plan, and that the survey and plan are correct. The field survey was  
 completed on the 10th day of August, 2011.  
 The plan was completed and checked, and the checklist filed under  
 628300 on the 11th day of August, 2011.

Signature of R.J.T.S.

R. J. Turner Land Surveying Inc.  
 Box 428, 20 Warren Street  
 Ladysmith, B.C.  
 V9G 1A1  
 250-263-1379  
 Fax 250-263-8177

LAND TITLE ACT  
**STATE OF TITLE CERTIFICATE**

JOAN PHILLIPS, NOTARY PUBLIC  
BOX 1059, 379 DAVIS ROAD  
LADYSMITH BC V9G 1A7

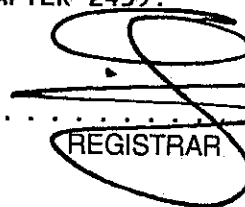
YOUR FILE NUMBER:  
11663/HIEBERT

LAND TITLE DISTRICT: VICTORIA, BRITISH COLUMBIA

CERTIFICATE NO: STBC0851260

TITLE NO: FA16039

THIS IS TO CERTIFY THAT AT 05:36 ON 20 APRIL, 2006,  
THE STATE OF THE TITLE TO THE LAND DESCRIBED HEREIN IS AS STATED  
AND IS SUBJECT TO THE NOTATIONS APPEARING BELOW. 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).

  
REGISTRAR



APPLICATION FOR REGISTRATION RECEIVED ON: 06 FEBRUARY, 2006  
ENTERED: 10 FEBRUARY, 2006

REGISTERED OWNER IN FEE SIMPLE:  
LLOYD WAYNE HIEBERT, FARMER  
2550 QUENNELL ROAD  
NANAIMO, BC  
V9X 1K4

TAXATION AUTHORITY:  
NANAIMO/COWICHAN ASSESSMENT AREA

DESCRIPTION OF LAND:  
PARCEL IDENTIFIER: 007-837-968  
SECTION 7, RANGE 2, CEDAR DISTRICT, EXCEPT THOSE PARTS IN PLANS 8415,  
10905, 11405 AND 17097

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

CHARGES, LIENS AND INTERESTS:  
NATURE OF CHARGE  
CHARGE NUMBER      DATE      TIME

UNDERSURFACE RIGHTS  
S74161      1987-07-02      09:36  
REGISTERED OWNER OF CHARGE  
SHELAGH ANNE HIEBERT      AS TO AN UNDIVIDED 1/2 INTEREST  
S74161  
REMARKS: DD S70539

MORTGAGE  
CA187973      2006-03-17      10:19  
REGISTERED OWNER OF CHARGE  
HSBC BANK CANADA  
CA187973

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

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**TO:** Agricultural Advisory Committee      **DATE:** June 26, 2019  
**FROM:** Kristy Marks  
Planner      **FILE:** PL2019-082

**SUBJECT: Request for Comment on Subdivision in the Agricultural Land Reserve  
Application No. PL2019-082  
3786 Jingle Pot Road – Electoral Area C  
Lot A, Section 19, Range 4, Mountain District, Plan VIP85152**

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## SUMMARY

This is an application for subdivision in the Agricultural Land Reserve to allow a two lot subdivision for a relative on a 15.86 hectare parcel located in Electoral Area C. Should the Agricultural Advisory Committee wish to provide comments to the Provincial Agricultural Land Commission (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.

## BACKGROUND

The Regional District of Nanaimo (RDN) has received an application for subdivision in the ALR from Mary-Ann Galvin on behalf of Mary Bajich. The subject property is legally described as Lot A, Section 19, Range 4, Mountain District, Plan VIP85152 and the civic address is 3786 Jingle Pot Road. The subject property is approximately 15.86 hectare in area and is located partially within the ALR. The parcel is bound by the City of Nanaimo to the north and east, the Millstone River to the south, and Anders & Dorrit's Community Park and Jingle Pot Road to the west. The property currently contains a dwelling unit and a number of farm buildings (see Attachments 1 and 2 for Subject Property Map and Aerial Photo).

A copy of the applicant's submission package is included as Attachment 10. Personal Information is redacted in accordance with the *Freedom of Information and Protection of Privacy Act*.

Agricultural Advisory Committee members were provided an opportunity to attend the site on June 13, 2019.

## 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 policies of this designation do not support the creation of new parcels that are smaller than the

size supported by the Official Community Plan in effect at the date of the adoption of the RGS (see Attachment 7). In this case, the OCP Rural lands designation supports a minimum parcel size of 2.0 hectares. Further to this, the RGS encourages the provincial government to protect and preserve the agricultural land base through the ALR and discourages 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 Electoral East Wellington - Pleasant Valley Official Community Plan Bylaw No. 1055, 1997" (see Attachment 6). The policies of this designation encourage the retention of large land holdings within the ALR to maintain the option and feasibility of farm use. In addition, the 'Rural' designation supports a minimum parcel size of 2.0 hectares for lands within the ALR.

The parcel is also designated within the Hazard Lands and Freshwater and Fish Habitat Protection Development Permit Areas. A development permit may be required prior to any subdivision or alteration of the land.

Amendments to "Regional District of Nanaimo Electoral East Wellington - Pleasant Valley Official Community Plan Bylaw No. 1055, 1997" 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 Agriculture 1 Zone permits farm use - on lands within the ALR, agriculture – on lands not located in the ALR, and residential use, home based business and secondary suite and allows 2 dwelling units on parcels greater than 2.0 hectares. Permitted accessory farm uses include temporary saw mill, agricultural education and research, agri-tourism accommodation, production of biological integrated pest management products, and gathering for an event. The applicant proposes to subdivide a 2.0 hectare parcel as shown on the Proposed Plan of Subdivision, prepared by the applicant (see Attachment 3).

Amendments to Bylaw 500 are not required.

## **BOARD POLICY AND AAC PROCEDURE**

Regional District of Nanaimo "Board Policy B1.8: Review of ALR Applications" (Board Policy B1.8) 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. Board 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 [www.growingourfuture.ca](http://www.growingourfuture.ca).

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 Board 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 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 comment.

With respect to this application, Electoral Area C, Director Young has not provided comments yet for this application.



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Kristy Marks  
kmarks@rdn.bc.ca  
June 14, 2019

Reviewed by:

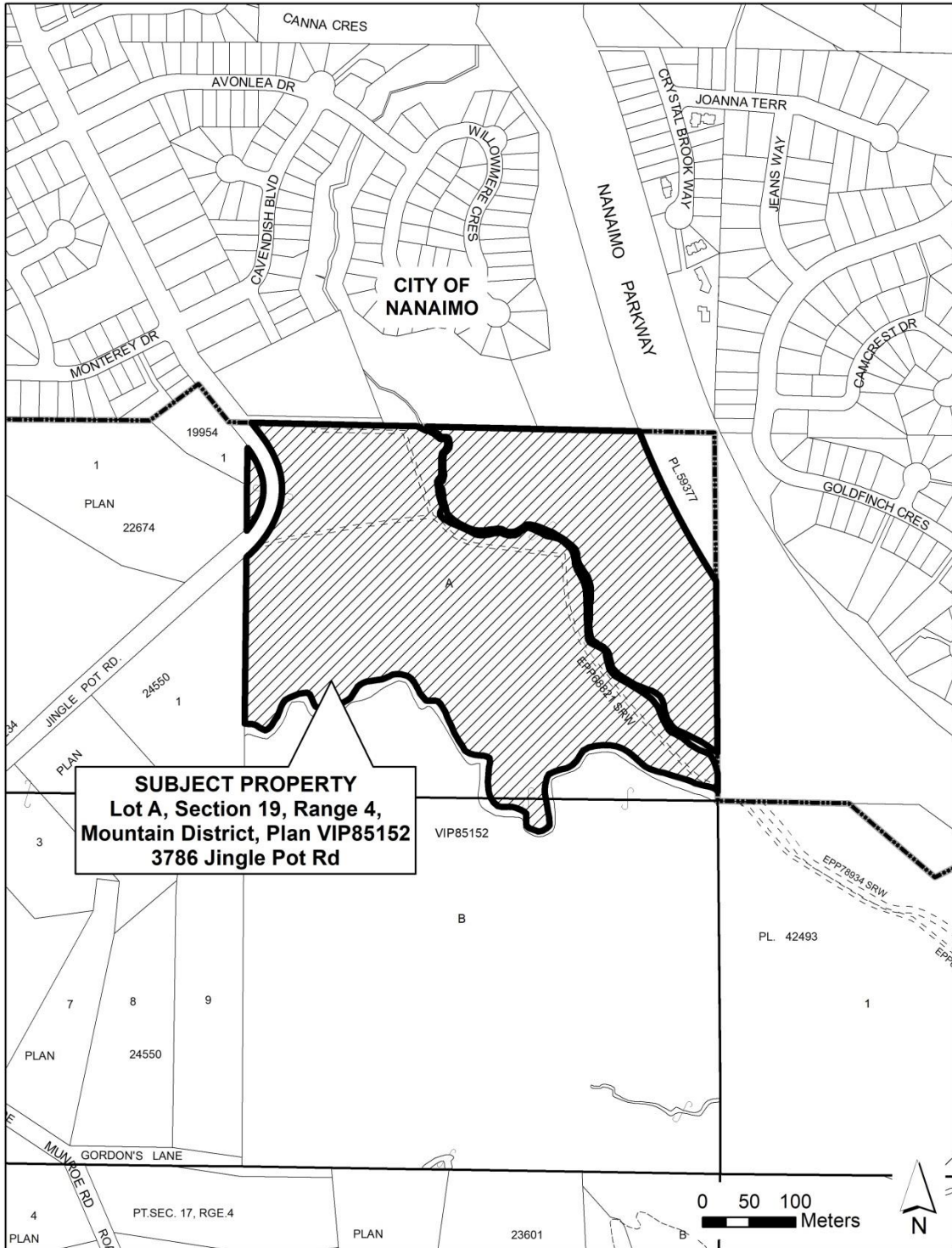
- P. Thompson, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. 2018 Aerial Photo
3. Proposed Plan of Subdivision
4. Existing Zoning
5. Bylaw 500, Schedule '4B' Subdivision Districts - Minimum Parcel Size
6. Official Community Plan - Land Use Designation
7. Regional Growth Strategy - Land Use Designation
8. Regional Growth Strategy - Goal 7 - Enhance Economic Resiliency - Agriculture
9. Regional Growth Strategy - Goal 8 - Food Security
10. Applicant's Submission



### Attachment 1 Subject Property Map

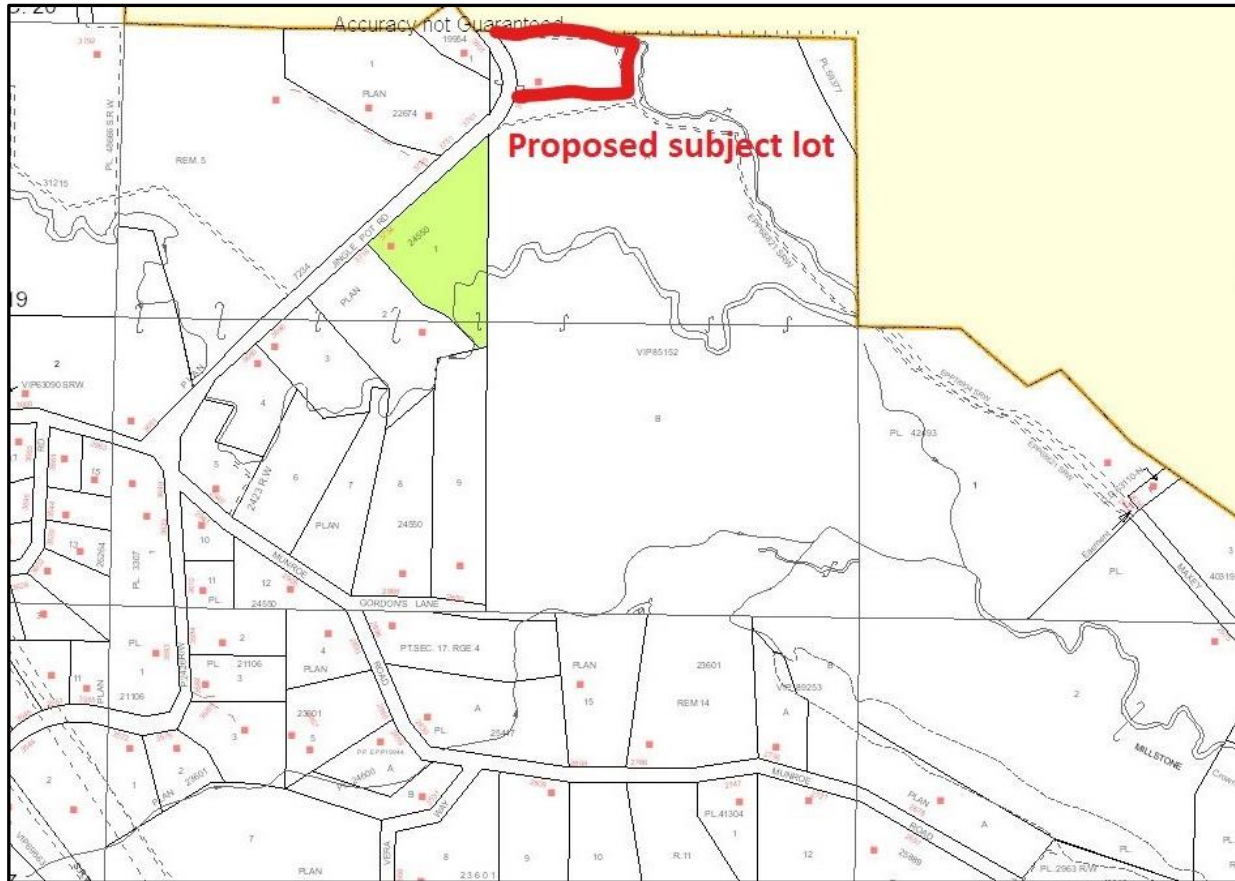




**Attachment 2**  
**2018 Aerial Photo**



### Attachment 3 Proposed Plan of Subdivision





**Attachment 4  
Existing Zoning  
(Page 1 of 4)**

*Part 3 – Land Use Regulations*

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Section 3.4.1

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**AGRICULTURE 1**

**AG1<sup>4243</sup>**

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**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
  - b) Agricultural Education and Research
  - c) Agri-tourism Accommodation
  - d) Production of Biological Integrated Pest Management Products
  - e) Gathering for an Event<sup>44</sup>
- 

**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

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<sup>42</sup> Bylaw No.500.383, Adopted June 25, 2013

<sup>43</sup> Bylaw No. 500.402, adopted June 28, 2016

<sup>44</sup> Bylaw No. 500.413, adopted May 22, 2018

**Attachment 4  
Existing Zoning  
(Page 2 of 4)**

*Part 3 – Land Use Regulations*

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**AGRICULTURE 1 continued**

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- d) Notwithstanding subsection (c), on a parcel located in this zone and created prior to February 22, 2011 and having an area greater than 2.0 ha. 2
  - 3) Height (non-farm and accessory farm buildings and structures) 9.0 m
  - 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 8.0 m  
except where:
    - a) the parcel is less than 4000 m<sup>2</sup> 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;
    - b) 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**

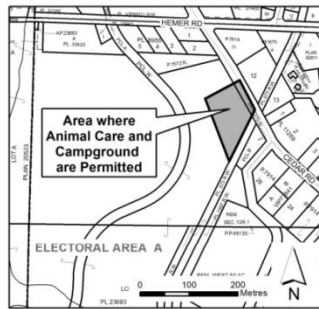
- 1) For any part of a parcel in the Agricultural Land Reserve, 'Farm Use' shall be a permitted principal use and for any part of a parcel not located in the Agricultural Land Reserve, 'Agriculture' shall be a permitted principal use.
- 2) Accessory Farm uses are only permitted on that part of a parcel 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.

**Attachment 4  
Existing Zoning  
(Page 3 of 4)**

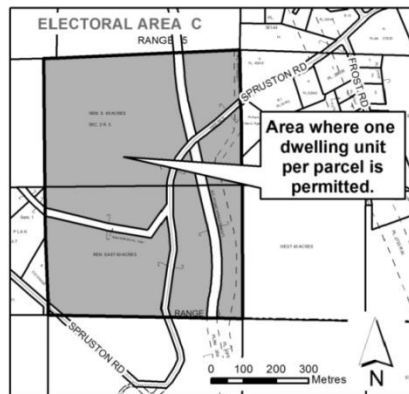
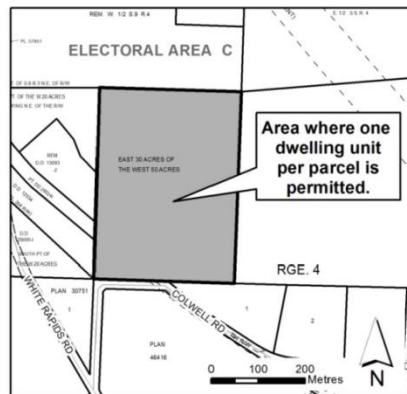
*Part 3 – Land Use Regulations*

**AGRICULTURE 1 continued**

- 5) 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.

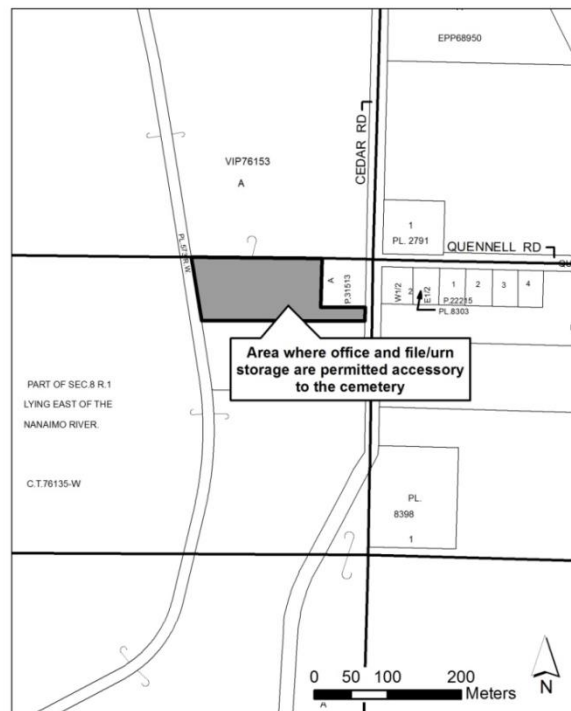


**Attachment 4  
Existing Zoning  
(Page 4 of 4)**

Part 3 – Land Use Regulations

**AGRICULTURE 1 continued**

- 7) Office and file/urn storage accessory to the cemetery shall be permitted in accordance with ALC non-farm use approval in the shaded area outlined in bold in the map below.<sup>45</sup>



<sup>45</sup> Bylaw 500.412, adopted March 27, 2018



**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:<sup>1</sup>

Minimum Parcel Sizes				
Subdivision District	Community Water & Sewer System	Community Water System - No Community Sewer	Community Sewer System - No Community Water	All Other Subdivisions
A	20.0 ha	20.0 ha	20.0 ha	20.0 ha
B	8.0 ha	8.0 ha	8.0 ha	8.0 ha
C	5.0 ha	5.0 ha	5.0 ha	5.0 ha
CC <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
H	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>4,5</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>	No further subdivision		
V <sup>10</sup>	50.0 ha	50.0 ha	50.0 ha	50.0 ha
Z	No further subdivision			
CD9 <sup>11</sup>	400 lots with approved pump and haul service connection			

<sup>1</sup> Bylaw No. 500.238, adopted February 10, 1998  
<sup>2</sup> Bylaw No. 500.347, adopted September 22, 2009  
<sup>3</sup> Bylaw No. 500.27, adopted August 9, 1988  
<sup>4</sup> Bylaw No. 500.66, adopted December 12, 1989  
<sup>5</sup> Bylaw No. 500.324, adopted February 28, 2006  
<sup>6</sup> Bylaw No. 500.264, adopted October 10, 2000  
<sup>7</sup> Bylaw No. 500.264, adopted October 10, 2000  
<sup>8</sup> Bylaw No. 500.27, adopted August 9, 1988  
<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

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**Objectives: Resource**

- *Support and maintain* the long-term viability of the natural resource land base and *protect* it from activities and land uses, which may diminish its resource value or potential.
- *Encourage* the comprehensive management of the resource land base.
- *Minimize* the impact of resource operations and activities on the natural environment and neighbouring land uses and development.

**Policies: Resource<sup>1</sup>**

*Action:*

1. Land within the *Resource* designation as shown on Map No. 3 attached to and forming part of this Plan, shall have a minimum parcel size of 50.0 hectares.<sup>2</sup>
2. On land in the *Resource* designation, residential development shall be limited to one (1) dwelling unit per four (4) hectares, to a maximum of two (2) dwelling units per parcel.
3. Permitted uses within the *Resource* designation shall generally be associated with those activities involving natural resource harvesting or extraction, primary processing and passive recreational uses, including campgrounds. This shall not preclude the Regional District Board from amending the Land Use and Subdivision Bylaw to either include or exclude other uses, which are deemed to be compatible or incompatible with the *Resource* designation.

*Development Activated:*

5. Where land designated as *Resource* is proposed to be subdivided, the Regional District shall encourage the Approving Officer to give due consideration to the protection of any adjacent forestry and/or agricultural lands, including active and *bona fide* farming operations not located within the Agricultural Land Reserve, by encouraging buffers and subdivision road layout designs which minimize intrusive points of access.

**4.2 RURAL**

The Rural designation applies to lands with recognized agricultural or forestry value and which are designated as either Agricultural Land Reserve or Forest Land Reserve. These

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<sup>1</sup> Bylaw No. 1055.05, adopted December 4, 2018  
<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

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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:*

1. 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>3</sup>
2. 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.
5. 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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<sup>3</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

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*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 *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.
3. 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

**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 Iowa 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.

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).

*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*



**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% ([www.alc.gov.bc.ca/alr/stats](http://www.alc.gov.bc.ca/alr/stats)).

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

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



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

**Application ID:** 59052

**Application Status:** Under LG Review

**Applicant:** Mary Bajich

**Agent:** Mary-Ann Galvin

**Local Government:** Nanaimo Regional District

**Local Government Date of Receipt:** 04/29/2019

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

**Proposal Type:** Subdivision

**Proposal:** Subdivision for a relative/s. Mary Bajich has 5 children. Subdividing the 2.2 ha which includes the family home would allow us to keep the farm that has been in our family since 1966. Siblings could then live side by side and continue to jointly farm.

### **Agent Information**

**Agent:** Mary-Ann Galvin

**Mailing Address:**

3786 Jingle Pot Road

Nanaimo, BC

V9T 5R1

Canada

**Primary Phone:** [REDACTED]

**Mobile Phone:** [REDACTED]

**Email:** [REDACTED]

### **Parcel Information**

#### **Parcel(s) Under Application**

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 027-545-636

**Legal Description:** LOT A SECTION 19 RANGE 4 MOUNTAIN DISTRICT PLAN VIP85152

**Parcel Area:** 15.8 ha

**Civic Address:** 3786 JINGLE POT ROAD, NANAIMO, BC, V9T 5R1

**Date of Purchase:** 01/18/1966

**Farm Classification:** Yes

**Owners**

1. **Name:** Mary Bajich

**Address:**

c/o 3786 Jingle Pot Road

Nanaimo, BC

V9T 5R1

**Applicant:** Mary Bajich

Canada  
Phone: [REDACTED]  
Cell: [REDACTED]  
Email: [REDACTED]

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### Current Use of Parcels Under Application

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

*PID: 027-545-636 ( owned by Mary Bajich) = 15.86 ha approx. ( 8.5 ha approx. hay, 5 ha approx. rock bluff classed forest land reserve, 0.5 ha approx. grazing, 0.5 ha approx. fruit trees, garden/landscaping and 2 ha approx. swamp and marsh, no longer useable due to flooding).*

*Adjacent parcel PID: 027-545-644 to the south (also owned by Mary Bajich) - 27.2 ha approx. of which 4.09 ha approx. hay and remainder 23.1 ha approx. is timbered.*

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

*City of Nanaimo sewer upgrade (right of way) 2016/2017. Approx. 2500 feet of drain pipe and drain rock in the hay field. Replowed and recultivated hay field. Fencing ongoing as required.*

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

*No non-agricultural uses currently taking place. However, 5 rescue Alpacas located on the +/- 0.5 ha grazing area previously mentioned.*

### Adjacent Land Uses

#### North

**Land Use Type:** Other

**Specify Activity:** residential and park land

#### East

**Land Use Type:** Other

**Specify Activity:** Nanaimo Parkway

#### South

**Land Use Type:** Other

**Specify Activity:** Mary Bajich hay field and forest land

#### West

**Land Use Type:** Agricultural/Farm

**Specify Activity:** RDN park, and a number of +/- 5 acre hobby farms

**Applicant:** Mary Bajich

## Proposal

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

2.2 ha  
13.6 ha

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

*Subdivision for a relative/s. Mary Bajich has 5 children. Subdividing the 2.2 ha which includes the family home would allow us to keep the farm that has been in our family since 1966. Siblings could then live side by side and continue to jointly farm.*

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

*It borders the City of Nanaimo sewer pipeline and the city right of way. The pond and the drainage ditch along the proposed subdivision's south boundary acts as natural separation between the proposed subject subdivision and the remainder of the property. Grazing land adjacent to the farmhouse and neighbouring property to the north is very shallow soil with hard rock underneath. Also, there are two property accesses on Jingle Pot Road, an upper and lower entrance. Each property would have their own access. In the neighbourhood there are a considerable number of hobby farms located along Jingle Pot Road, Gordons Lane and Munroe Road.*

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

*The subdivision would support agricultural use both short term and long term. The 2.2 ha would allow for fruit production, vegetable gardening, chickens and some grazing.*

### 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.

*Yes*

## Applicant Attachments

- Agent Agreement - Mary-Ann Galvin
- Site Photo - Farm pic 7
- Site Photo - Farm pic 8
- Site Photo - Farm pic 9
- Proposal Sketch - 59052
- Homesite Severance Qualification - 59052
- Site Photo - Farm pic 1
- Site Photo - Farm pic 2
- Site Photo - Farm pic 3
- Site Photo - Farm pic 4
- Site Photo - Farm pic 5
- Site Photo - Farm pic 6
- Certificate of Title - 027-545-636

## ALC Attachments

None.

**Applicant:** Mary Bajich

**Decisions**

None.

**Applicant:** Mary Bajich

**TITLE SEARCH PRINT**

2019-04-25, 11:15:02

File Reference:

Requestor: Susan Waugh

\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\*

**Title Issued Under** SECTION 98 LAND TITLE ACT

**Land Title District** VICTORIA  
Land Title Office VICTORIA

**Title Number** FB181916  
From Title Number ES92500

**Application Received** 2008-06-13

**Application Entered** 2008-06-23

**Registered Owner in Fee Simple**  
Registered Owner/Mailing Address: MARY MAGDELINE BAJICH, RETIRED,  
3786 JINGLE POT ROAD  
NANAIMO, BC  
V9T 5R1

**Taxation Authority** Nanaimo/Cowichan Assessment Area

**Description of Land**  
Parcel Identifier: 027-545-636  
Legal Description:  
LOT A SECTION 19 RANGE 4 MOUNTAIN DISTRICT PLAN VIP85152

**Legal Notations**

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE CA5002558

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 EXCLUDED AS TO PART BY P82076, 23.09.1985, R.E. HOOPER, PER JF



**TITLE SEARCH PRINT**

File Reference:

2019-04-25, 11:15:02

Requestor: Susan Waugh

**Charges, Liens and Interests**

Nature: UNDERSURFACE RIGHTS  
Registration Number: M76301  
Registered Owner: HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA  
Remarks: INTER ALIA  
A.F.B. 38.42.22519F  
SECTION 172(3)

Nature: RIGHT OF WAY  
Registration Number: E93095  
Registration Date and Time: 1976-10-27 11:30  
Registered Owner: CITY OF NANAIMO  
Transfer Number: CA6041875  
Remarks: INTER ALIA  
CANCELLED AS TO ALL EXCEPT THAT PART IN PLAN 3669  
RW BY EP50247  
CANCELLED AS TO PART IN PLAN 3669 RW SHOWN AS ROAD  
BY FB181913  
EXTENDED BY CA6044211  
CANCELLED AS TO PART IN PLAN 3669 RW BY CA6100330

Nature: UNDERSURFACE RIGHTS  
Registration Number: M76303  
Registration Date and Time: 1983-08-03 08:00  
Registered Owner: THE DIRECTOR OF SOLDIER SETTLEMENT  
Remarks: INTER ALIA  
DD 36061N (SUBJECT TO M76301)  
SECTION 172(3)

Nature: STATUTORY RIGHT OF WAY  
Registration Number: EW18937  
Registration Date and Time: 2004-02-17 13:36  
Registered Owner: TELUS COMMUNICATIONS INC.  
Remarks: CANCELLED AS TO THAT PART SHOWN AS RETURN TO  
CROWN AND ROAD BY FB181914

Nature: STATUTORY RIGHT OF WAY  
Registration Number: EW18938  
Registration Date and Time: 2004-02-17 13:36  
Registered Owner: BRITISH COLUMBIA HYDRO AND POWER AUTHORITY  
Remarks: CANCELLED AS TO THAT PART SHOWN AS RETURN TO  
CROWN AND ROAD BY FB181915

**TITLE SEARCH PRINT**

2019-04-25, 11:15:02

File Reference:

Requestor: Susan Waugh

Nature: COVENANT  
Registration Number: FB181918  
Registration Date and Time: 2008-06-13 14:38  
Registered Owner: THE CROWN IN RIGHT OF BRITISH COLUMBIA  
REGIONAL DISTRICT OF NANAIMO  
Remarks: INTER ALIA

Nature: STATUTORY RIGHT OF WAY  
Registration Number: CA6044211  
Registration Date and Time: 2017-06-05 09:46  
Registered Owner: CITY OF NANAIMO  
Remarks: PART IN PLAN EPP68821  
EXTENSION OF E93095

**Duplicate Infeasible Title** NONE OUTSTANDING

**Transfers** NONE

**Pending Applications** NONE





















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**TO:** Agricultural Advisory Committee      **DATE:** June 26, 2019

**FROM:** Kristy Marks  
Planner      **FILE:** PL2019-103

**SUBJECT:** Request for Comment on Non-Adhering Residential Use in the Agricultural Land Reserve  
Application No. PL2019-103  
2483 Pirart Road – Electoral Area C  
Lot 5, Section 15, Range 5, Mountain District, Plan EPP82011

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## SUMMARY

This is an application for non-adhering residential use in the Agricultural Land Reserve to permit the siting of a manufactured home on a 2.01 hectare parcel located in Electoral Area C. Should the Agricultural Advisory Committee wish to provide comments to the Provincial Agricultural Land Commission (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.

## BACKGROUND

The Regional District of Nanaimo (RDN) has received an application for a non-adhering residential use in the Agricultural Land Reserve from Elaine Hosak. The subject property is legally described as Lot 5, Section 15, Range 5, Mountain District, Plan EPP82011 and the civic address is 2483 Pirart Road. The subject property is 2.01 hectares in area and is located entirely within the ALR. The parcel is bound by Pirart Road to the north, developed rural residential parcels to the east and south and McGarrigle Creek to the west. The property currently contains a dwelling unit (see Attachments 1 and 2 for Subject Property Map and Aerial Photo).

A copy of the applicant's submission package is included as Attachment 10. Personal Information is redacted in accordance with the *Freedom of Information and Protection of Privacy Act*.

Agricultural Advisory Committee (AAC) members were provided an opportunity to attend the site on June 13, 2019.

## 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) (see

Attachment 7). Further to this, the RGS encourages the provincial government to protect and preserve the agricultural land base through the ALR (see Attachments 8 and 9).

### **OFFICIAL COMMUNITY PLAN**

The subject property is currently designated as ‘Rural’ pursuant to the “Regional District of Nanaimo Electoral East Wellington-Pleasant Valley Official Community Plan Bylaw No. 1055, 1997” (OCP) (see Attachment 6). The policies of this designation limit residential development to one dwelling unit per hectare to a maximum of two dwelling units per parcel.

The parcel is also designated within the Freshwater and Fish Habitat Protection Development Permit Area. A development permit may be required prior to any subdivision or alteration of the land.

Amendments to “Regional District of Nanaimo Electoral East Wellington - Pleasant Valley Official Community Plan Bylaw No. 1055, 1997” 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 Agriculture 1 Zone permits farm use – on lands within the ALR, agriculture – on lands not within the ALR, residential use, home based business, and a secondary suite and allows 2 dwelling units on parcels greater than 2.0 hectares in area. Permitted accessory farm uses include temporary saw mill, agricultural education and research, agri-tourism accommodation, production of biological integrated pest management products, and gathering for an event. The applicant proposes to site a manufactured home on the subject property as shown on the Proposed Site Plan, prepared by the applicant (see Attachment 3).

Amendments to Bylaw 500 are not required.

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

Regional District of Nanaimo “Board Policy B1.8: Review of ALR Applications” (Board Policy B1.8) 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. Board Policy B1.8 has not been amended to include a Board resolution for non-adhering residential use applications which were previously considered under non-farm use applications. Board Policy B1.8 does include a standing Board resolution for non-farm use of lands within the ALR which reads as follows:

Policy B1.8 also states that all ALR non-farm use applications are to be forwarded to the Provincial Agricultural Land Commission (ALC) with no resolution of support or opposition from the Regional Board of Directors.

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 [www.growingourfuture.ca](http://www.growingourfuture.ca).

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 Board 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 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 comment.

With respect to this application, Electoral Area C, Director Young has not provided comments yet for this application.

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Kristy Marks  
kmarks@rdn.bc.ca  
June 14, 2019

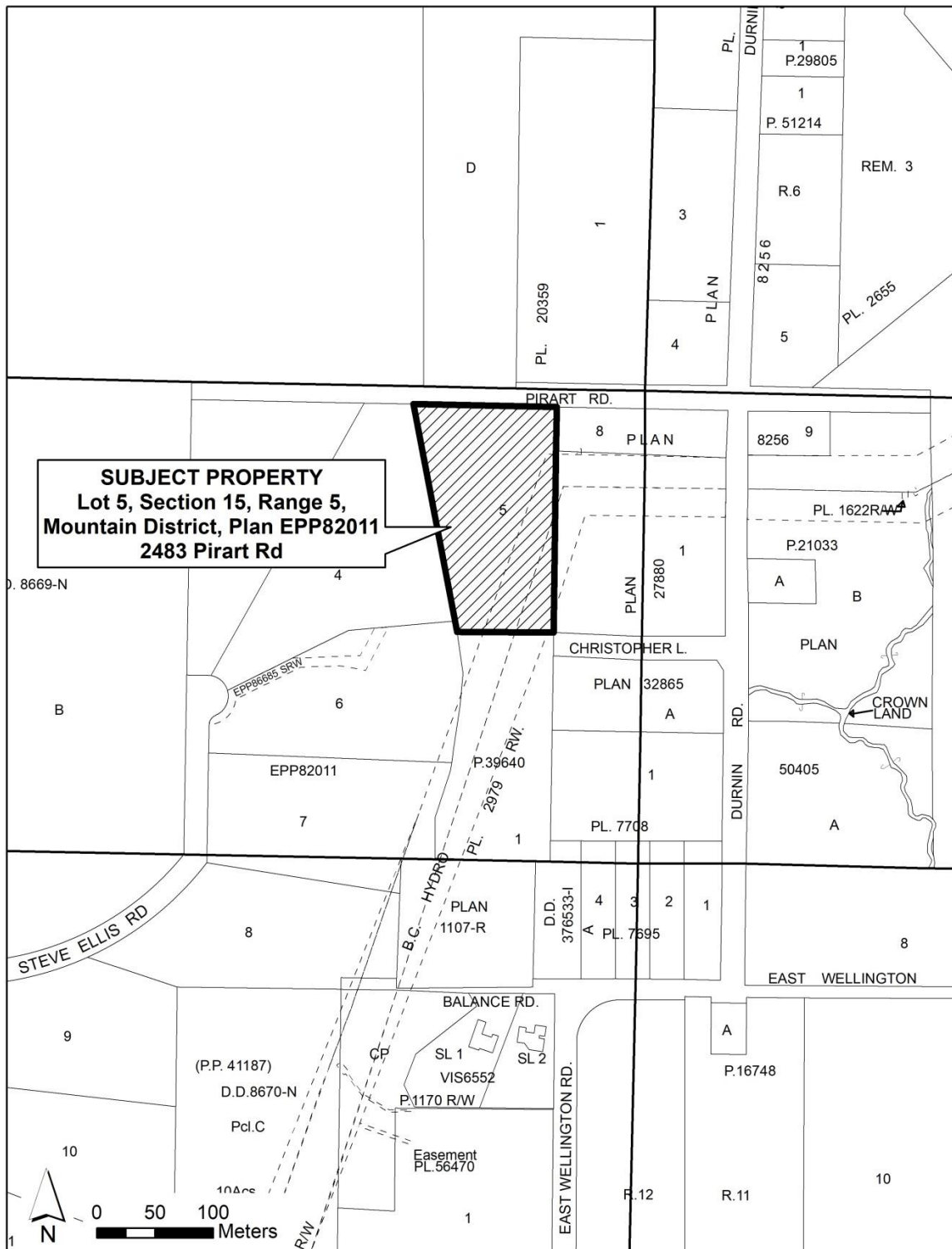
Reviewed by:

- P. Thompson, Manager, Current Planning
- G. Garbutt, General Manager, Strategic & Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Subject Property Map
2. 2018 Aerial Photo
3. Proposed Site Plan
4. Existing Zoning
5. Bylaw 500, Schedule '4B' Subdivision Districts - Minimum Parcel Size
6. Official Community Plan - Land Use Designation
7. Regional Growth Strategy - Land Use Designation
8. Regional Growth Strategy - Goal 7 - Enhance Economic Resiliency - Agriculture
9. Regional Growth Strategy - Goal 8 - Food Security
10. Applicant's Submission

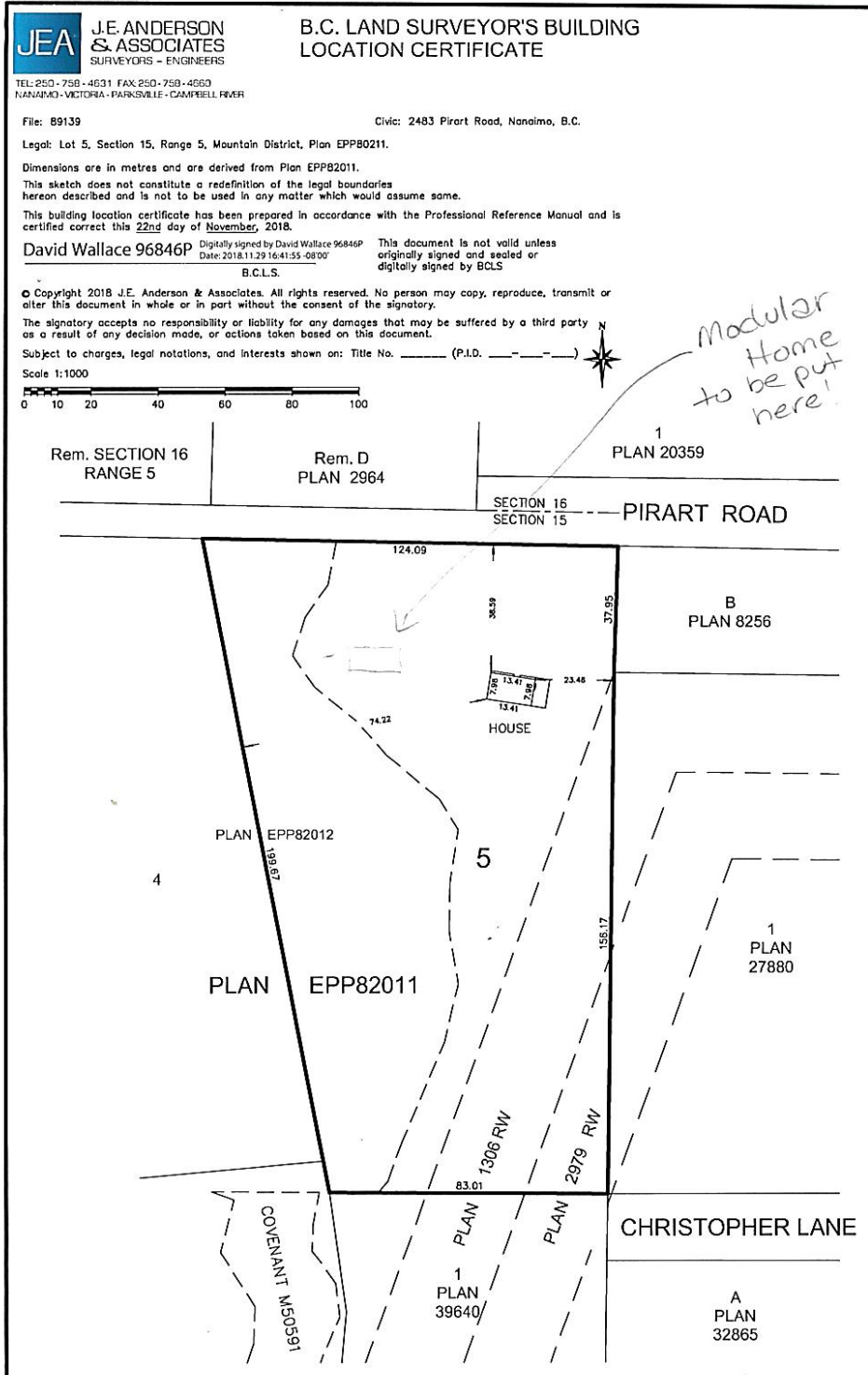
### Attachment 1 Subject Property Map







**Attachment 3  
 Proposed Site Plan**



**Attachment 4  
Existing Zoning  
(Page 1 of 4)**

*Part 3 – Land Use Regulations*

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Section 3.4.1

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**AGRICULTURE 1**

**AG1<sup>4243</sup>**

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**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
- b) Agricultural Education and Research
- c) Agri-tourism Accommodation
- d) Production of Biological Integrated Pest Management Products
- e) Gathering for an Event<sup>44</sup>

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**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

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<sup>42</sup> Bylaw No.500.383, Adopted June 25, 2013

<sup>43</sup> Bylaw No. 500.402, adopted June 28, 2016

<sup>44</sup> Bylaw No. 500.413, adopted May 22, 2018



**Attachment 4  
Existing Zoning  
(Page 2 of 4)**

*Part 3 – Land Use Regulations*

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**AGRICULTURE 1 continued**

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- d) Notwithstanding subsection (c), on a parcel located in this zone and created prior to February 22, 2011 and having an area greater than 2.0 ha. 2
- 3) Height (non-farm and accessory farm buildings and structures) 9.0 m
- 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.

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**3.4.1.3 Minimum Setback Requirements**

- 1) All non-farm buildings and structures – All lot lines 8.0 m  
except where:
  - a) the parcel is less than 4000 m<sup>2</sup> 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;
  - b) 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.

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**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.
- 2) 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 - 22*

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

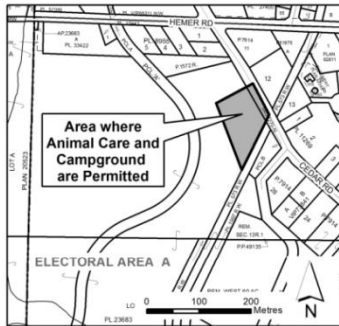


**Attachment 4  
Existing Zoning  
(Page 3 of 4)**

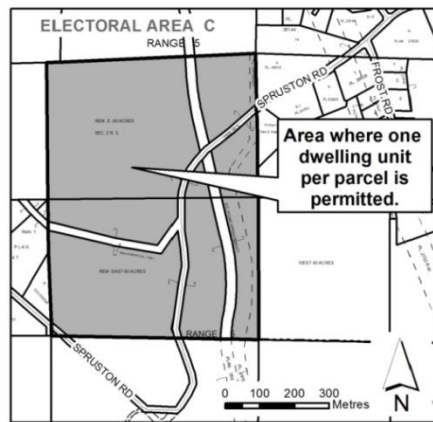
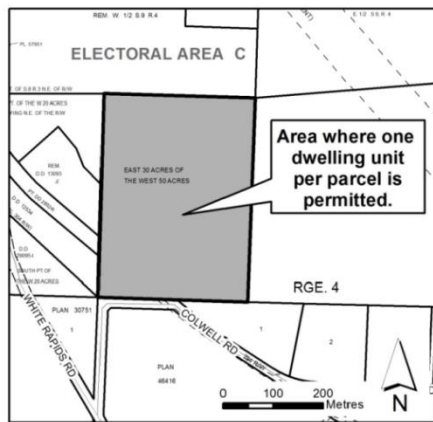
*Part 3 – Land Use Regulations*

**AGRICULTURE 1 continued**

- 5) 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.

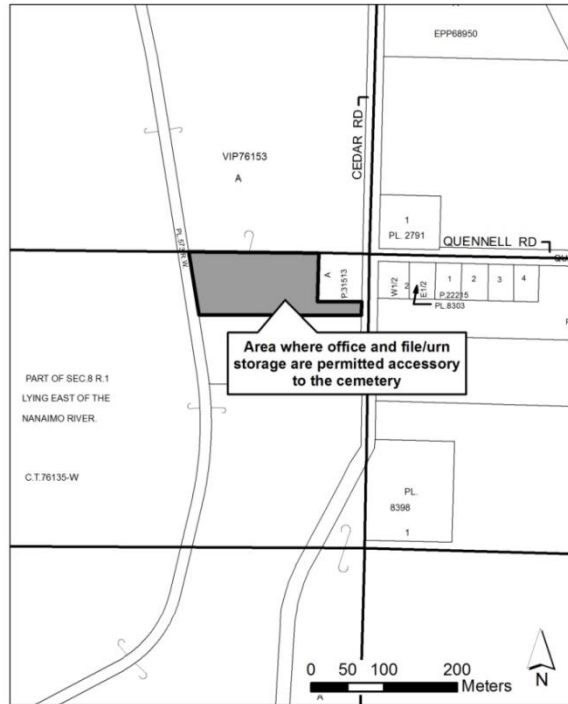


**Attachment 4  
Existing Zoning  
(Page 4 of 4)**

Part 3 – Land Use Regulations

**AGRICULTURE 1 continued**

- 7) Office and file/urn storage accessory to the cemetery shall be permitted in accordance with ALC non-farm use approval in the shaded area outlined in bold in the map below.<sup>45</sup>



<sup>45</sup> Bylaw 500.412, adopted March 27, 2018

**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:<sup>1</sup>

Minimum Parcel Sizes				
Subdivision District	Community Water & Sewer System	Community Water System - No Community Sewer	Community Sewer System - No Community Water	All Other Subdivisions
A	20.0 ha	20.0 ha	20.0 ha	20.0 ha
B	8.0 ha	8.0 ha	8.0 ha	8.0 ha
C	5.0 ha	5.0 ha	5.0 ha	5.0 ha
CC <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
H	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>4,5</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>	No further subdivision		
V <sup>10</sup>	50.0 ha	50.0 ha	50.0 ha	50.0 ha
Z	No further subdivision			
CD9 <sup>11</sup>	400 lots with approved pump and haul service connection			

<sup>1</sup> Bylaw No. 500.238, adopted February 10, 1998  
<sup>2</sup> Bylaw No. 500.347, adopted September 22, 2009  
<sup>3</sup> Bylaw No. 500.27, adopted August 9, 1988  
<sup>4</sup> Bylaw No. 500.66, adopted December 12, 1989  
<sup>5</sup> Bylaw No. 500.324, adopted February 28, 2006  
<sup>6</sup> Bylaw No. 500.264, adopted October 10, 2000  
<sup>7</sup> Bylaw No. 500.264, adopted October 10, 2000  
<sup>8</sup> Bylaw No. 500.27, adopted August 9, 1988  
<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

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**Objectives: Resource**

- *Support and maintain* the long-term viability of the natural resource land base and *protect* it from activities and land uses, which may diminish its resource value or potential.
- *Encourage* the comprehensive management of the resource land base.
- *Minimize* the impact of resource operations and activities on the natural environment and neighbouring land uses and development.

**Policies: Resource<sup>1</sup>**

*Action:*

1. Land within the *Resource* designation as shown on Map No. 3 attached to and forming part of this Plan, shall have a minimum parcel size of 50.0 hectares.<sup>2</sup>
2. On land in the *Resource* designation, residential development shall be limited to one (1) dwelling unit per four (4) hectares, to a maximum of two (2) dwelling units per parcel.
3. Permitted uses within the *Resource* designation shall generally be associated with those activities involving natural resource harvesting or extraction, primary processing and passive recreational uses, including campgrounds. This shall not preclude the Regional District Board from amending the Land Use and Subdivision Bylaw to either include or exclude other uses, which are deemed to be compatible or incompatible with the *Resource* designation.

*Development Activated:*

5. Where land designated as *Resource* is proposed to be subdivided, the Regional District shall encourage the Approving Officer to give due consideration to the protection of any adjacent forestry and/or agricultural lands, including active and *bona fide* farming operations not located within the Agricultural Land Reserve, by encouraging buffers and subdivision road layout designs which minimize intrusive points of access.

**4.2 RURAL**

The Rural designation applies to lands with recognized agricultural or forestry value and which are designated as either Agricultural Land Reserve or Forest Land Reserve. These

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<sup>1</sup> Bylaw No. 1055.05, adopted December 4, 2018

<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

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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:*

1. 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>3</sup>
2. 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.
5. 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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<sup>3</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

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*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 *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.
3. 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

**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.

**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 Iowa 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.

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).

*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*

**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% ([www.alc.gov.bc.ca/alr/stats](http://www.alc.gov.bc.ca/alr/stats)).

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

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



# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 59096

**Application Status:** Under LG Review

**Applicant:** Elaine Hosak , Jennifer McDonald , Andrew McDonald

**Agent:** Elaine Hosak

**Local Government:** Nanaimo Regional District

**Local Government Date of Receipt:** 05/21/2019

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

**Proposal Type:** Non-Adhering Residential Use - Additional Residence for Farm Use

**Proposal:** The purpose of the proposal is to apply for the placement of a modular (Moduline, Dartmouth, S/N: 0312851) on the west side of the property. The benefit of having the modular home on the property will help support the agricultural functions of the property as well as support employment of a helper for the land operations. Furthermore, it can help to support the community of children and youth to learn the uses of agriculture land as it is important to think of the future.

The accepted offer of the property was on July 5, 2018, with the understanding of being able to put a second dwelling on the property for farm hand. We went to the Regional District of Nanaimo and were told yes to having a second dwelling, which lead us to remove all subjects on the purchase of property. The people we purchased the home from asked if we would like to begin the infrastructure work before moving in, so we chose to move forward with installing a third septic tank and a second septic field. The next step was to find a appropriate sized modular home, which we did and purchased on February 1, 2019. As of February 22, 2019 the government chose to change the rules of Bill 52 while we were already moving forward with the original allowable actions. We also had a farm helper lined up to move into the modular home, however, because of the changes and the need to complete this application, this person is now without a home. We have all the documentation to support the prior purchases and actions previous to the Bill 52 change. We are asking for your consideration to allow for the previous rules to be applied to us and our situation.

## Agent Information

**Agent:** Elaine Hosak

**Mailing Address:**

2483 Pirart Road

Nanaimo, BC

V9R 6V5

Canada

**Primary Phone:** [REDACTED]

**Email:** [REDACTED]

## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 009-490-230

**Legal Description:** Parcel A (DD8668N) Section 15 Range 5 Mountain District EXCEPT That Part in Plan 39640

**Parcel Area:** 2 ha

**Civic Address:** Nanaimo area

**Date of Purchase:** 02/06/2019

**Farm Classification:** Yes

**Owners**

1. **Name:** Elaine Hosak

**Address:**

2483 Pirart Road

Nanaimo, BC

V9R 6V5

Canada

**Phone:** [REDACTED]

**Email:** [REDACTED]

2. **Name:** Jennifer McDonald

**Address:**

2483 Pirart Road

Nanaimo, BC

V9R 6V5

Canada

**Phone:** [REDACTED]

**Email:** [REDACTED]

3. **Name:** Andrew McDonald

**Address:**

2483 Pirart Road

Nanaimo, BC

V9R 6V5

Canada

**Phone:** [REDACTED]

**Email:** [REDACTED]

---

**Current Use of Parcels Under Application**

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

*Parcel 1: 60% hay, 30% vegetables, 10% chickens*

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

*30% fenced for vegetables and chickens*

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

*2,400 sq ft House*

**Adjacent Land Uses**

**North**

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** Hay

## **East**

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** House

## **South**

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** Hay

## **West**

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** Vegetables and chickens

## **Proposal**

### **1. What is the purpose of the proposal?**

*The purpose of the proposal is to apply for the placement of a modular (Moduline, Dartmouth, S/N: 0312851) on the west side of the property. The benefit of having the modular home on the property will help support the agricultural functions of the property as well as support employment of a helper for the land operations. Furthermore, it can help to support the community of children and youth to learn the uses of agriculture land as it is important to think of the future.*

*The accepted offer of the property was on July 5, 2018, with the understanding of being able to put a second dwelling on the property for farm hand. We went to the Regional District of Nanaimo and were told yes to having a second dwelling, which lead us to remove all subjects on the purchase of property. The people we purchased the home from asked if we would like to begin the infrastructure work before moving in, so we chose to move forward with installing a third septic tank and a second septic field. The next step was to find a appropriate sized modular home, which we did and purchased on February 1, 2019. As of February 22, 2019 the government chose to change the rules of Bill 52 while we were already moving forward with the original allowable actions. We also had a farm helper lined up to move into the modular home, however, because of the changes and the need to complete this application, this person is now without a home. We have all the documentation to support the prior purchases and actions previous to the Bill 52 change. We are asking for your consideration to allow for the previous rules to be applied to us and our situation.*

### **2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.**

*The additional residence for farm use is needed to house the equipment for haying the fields and supplies for chickens. This residence will also support agriculture by housing someone who is able to help with the daily farm duties.*

### **3. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.**

*According to the appraisal of the property in July of 2018, the current house on the property was built in 1970 and is 2,400 sq ft. It is a detached, two-storey, wood frame home with stucco exterior finishing. The occupancy is 2 of the current property owners.*



**4. What is the total floor area of the proposed additional residence in square metres?**

88.2 m<sup>2</sup>

**5. Describe the rationale for the proposed location of the additional residence.**

*The proposed location of the modular residence is on the west side of the property. This is the easiest accessible point to place, as well as the most level position of the sloped property.*

**6. What is the total area of infrastructure necessary to support the additional residence?**

*The infrastructure required has already been completed that included the install of a third septic tank and second septic field for the purpose of a second residence. The installation was completed prior to the government decision to change Bill 52. The driveway and parking will be used from already existing one to the primary house.*

**7. Do you need to import any fill to construct the additional residence or infrastructure?**

No

### **Applicant Attachments**

- Agent Agreement - Elaine Nelson-Hosak
- Proposal Sketch - 59096
- Site Photo - Photos of 2483 Pirart Rd
- Professional Report - Appraisal Report
- Professional Report - House
- Professional Report - Modular Home
- Professional Report - Septic
- Certificate of Title - 009-490-230

### **ALC Attachments**

None.

### **Decisions**

None.

LAND TITLE OFFICE  
**STATE OF TITLE CERTIFICATE**

Certificate Number: STSR2750824

File Reference: McDonald/Hosak

THE GLENN B. SINCLAIR LAW  
CORPORATION  
102 - 65 FRONT STREET  
NANAIMO BC V9R 5H9

A copy of this State of Title Certificate held by the land title office can be viewed for a period of one year at <https://apps.ltsa.ca/cert> (access code 741106).

I certify this to be an accurate reproduction of title number **CA7336791** at 11:04 this 25th day of April, 2019.

  
REGISTRAR OF LAND TITLES



---

<b>Land Title District</b> Land Title Office	VICTORIA VICTORIA
<b>Title Number</b> From Title Number	CA7336791 CA7292914
<b>Application Received</b>	2019-02-06
<b>Application Entered</b>	2019-02-11
<b>Registered Owner in Fee Simple</b> Registered Owner/Mailing Address:	ANDREW LEE MCDONALD, OPERATOR / PIPE LAYER JENNIFER JUNE MCDONALD, CLEANER 2483 PIRART ROAD NANAIMO, BC V9R 6V5 AS TO AN UNDIVIDED 1/2 INTEREST AS JOINT TENANTS
Registered Owner/Mailing Address:	ELAINE ALBERTA HOSAK, BUSINESSWOMAN 2483 PIRART ROAD NANAIMO, BC V9R 6V5 AS TO AN UNDIVIDED 1/2 INTEREST

LAND TITLE OFFICE  
**STATE OF TITLE CERTIFICATE**

Certificate Number: STSR2750824

**Taxation Authority**

Nanaimo/Cowichan Assessment Area

**Description of Land**

Parcel Identifier:

030-681-863

Legal Description:

LOT 5 SECTION 15 RANGE 5 MOUNTAIN DISTRICT PLAN EPP82011

**Legal Notations**

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 14 OF THE LOCAL GOVERNMENT ACT, SEE CA7213721

THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT, SEE AGRICULTURAL LAND RESERVE PLAN NO. 5, DEPOSITED 26.07.1974 EXCLUDED AS TO PART BY P82076 23.09.1981

**Charges, Liens and Interests**

Nature:

EXCEPTIONS AND RESERVATIONS

Registration Number:

M76300

Registered Owner:

ESQUIMALT AND NANAIMO RAILWAY COMPANY

Remarks:

INTER ALIA

AFB 9.693.7434A 57350G SECTION 172(3)

FOR ACTUAL DATE AND TIME OF REGISTRATION

SEE ORIGINAL GRANT FROM E & N RAILWAY COMPANY

FOR ACTUAL DATE AND TIME OF REGISTRATION SEE

ORIGINAL GRANT FROM E & N RAILWAY COMPANY

Nature:

RIGHT OF WAY

Registration Number:

271116G

Registration Date and Time:

1962-10-05 10:00

Registered Owner:

BRITISH COLUMBIA HYDRO AND POWER AUTHORITY

Remarks:

INTER ALIA

CANCELLED AS TO ALL EXCEPT PART

IN PLAN 1306 RW

Nature:

RIGHT OF WAY

Registration Number:

349909G

Registration Date and Time:

1967-10-27 11:03

Registered Owner:

BRITISH COLUMBIA HYDRO AND POWER AUTHORITY

Remarks:

INTER ALIA

PART SHOWN OUTLINED IN RED ON PLAN 1622 RW

Nature:

RIGHT OF WAY

Registration Number:

E89131

Registration Date and Time:

1976-11-25 12:39

Registered Owner:

BRITISH COLUMBIA HYDRO AND POWER AUTHORITY

Remarks:

INTER ALIA

PART IN PLAN 2979 RW,

LAND TITLE OFFICE  
**STATE OF TITLE CERTIFICATE**

Certificate Number: STSR2750824

Nature: COVENANT  
Registration Number: M50591  
Registration Date and Time: 1983-05-13 11:19  
Registered Owner: HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA  
Remarks: INTER ALIA  
PART FORMERLY PARCEL A (DD 8668N), EXCEPT PLAN 39640

Nature: STATUTORY RIGHT OF WAY  
Registration Number: EM110861  
Registration Date and Time: 1998-11-19 09:41  
Registered Owner: BRITISH COLUMBIA HYDRO AND POWER AUTHORITY  
Remarks: INTER ALIA  
PART SHOWN ON PLAN VIP68071

Nature: COVENANT  
Registration Number: CA7292908  
Registration Date and Time: 2019-01-11 17:11  
Registered Owner: THE CROWN IN RIGHT OF BRITISH COLUMBIA  
Remarks: INTER ALIA

Nature: COVENANT  
Registration Number: CA7292930  
Registration Date and Time: 2019-01-11 17:11  
Registered Owner: REGIONAL DISTRICT OF NANAIMO  
Remarks: INTER ALIA

Nature: COVENANT  
Registration Number: CA7292936  
Registration Date and Time: 2019-01-11 17:11  
Registered Owner: REGIONAL DISTRICT OF NANAIMO  
Remarks: INTER ALIA

Nature: RENT CHARGE  
Registration Number: CA7292937  
Registration Date and Time: 2019-01-11 17:11  
Registered Owner: REGIONAL DISTRICT OF NANAIMO  
Remarks: INTER ALIA

Nature: STATUTORY RIGHT OF WAY  
Registration Number: CA7292938  
Registration Date and Time: 2019-01-11 17:11  
Registered Owner: REGIONAL DISTRICT OF NANAIMO  
Remarks: INTER ALIA

LAND TITLE OFFICE

**STATE OF TITLE CERTIFICATE**

Certificate Number: STSR2750824

Nature: COVENANT  
Registration Number: CA7292942  
Registration Date and Time: 2019-01-11 17:11  
Registered Owner: REGIONAL DISTRICT OF NANAIMO  
Remarks: INTER ALIA

Nature: COVENANT  
Registration Number: CA7292944  
Registration Date and Time: 2019-01-11 17:11  
Registered Owner: THE CROWN IN RIGHT OF BRITISH COLUMBIA  
Remarks: INTER ALIA

Nature: COVENANT  
Registration Number: CA7292946  
Registration Date and Time: 2019-01-11 17:11  
Registered Owner: REGIONAL DISTRICT OF NANAIMO  
Remarks: INTER ALIA

Nature: STATUTORY BUILDING SCHEME  
Registration Number: CA7292950  
Registration Date and Time: 2019-01-11 17:11  
Remarks: INTER ALIA

Nature: MORTGAGE  
Registration Number: CA7336792  
Registration Date and Time: 2019-02-06 11:16  
Registered Owner: COMPUTERSHARE TRUST COMPANY OF CANADA  
INCORPORATION NO. A0052313  
Transfer Number: CA7428718

**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).*

Appraisal Report



Of The Land And Improvements  
**LOCATED AT**

2483 Pirart Road  
Nanaimo, BC V9R 6V5

**PREPARED FOR**

The Mortgage Group

**PREPARED BY**

Garry Craik  
DAR  
#2 - 3179 Barons Road  
Nanaimo, BC V9T 5W5



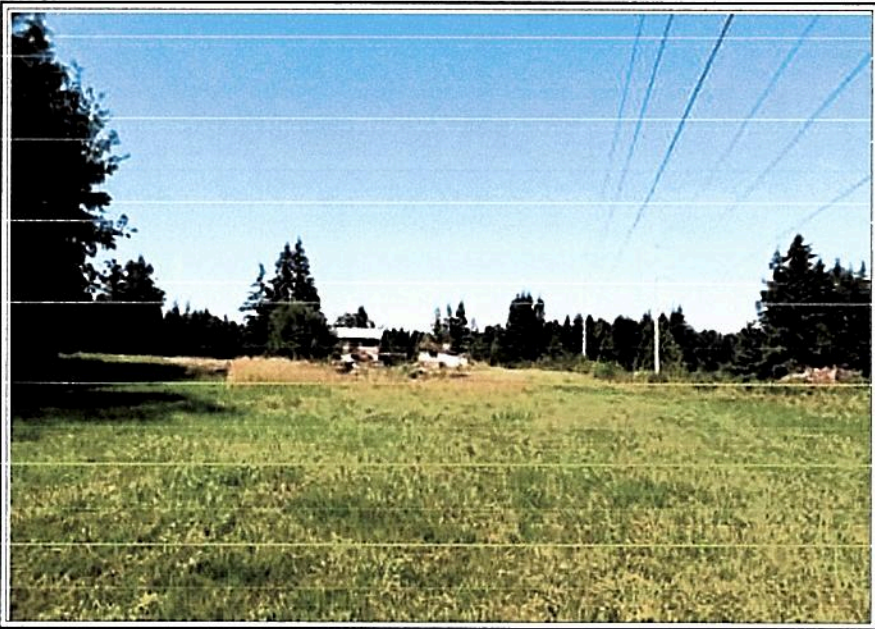
**SUBJECT PROPERTY PHOTO ADDENDUM**

Borrower: HO SAM, Elaine	File No.: 26676-G	
Property Address: 2483 Pirart Road	Case No.:	
City: Nanaimo	Prov.: BC	P.C.: V9R 6V5
Lender: The Mortgage Group		



**FRONT VIEW OF  
SUBJECT PROPERTY**

Appraised Date: July 20, 2018  
Appraised Value: \$ 665,000



**REAR VIEW OF  
SUBJECT PROPERTY**



**STREET SCENE**



Borrower: HO SAM, Elaine  
Property Address: 2483 Pirart Road  
City: Nanaimo  
Lender: The Mortgage Group

File No.: 26676-G  
Case No.:  
Prov.: BC P.C.:V9R 6V5



LIVING ROOM



KITCHEN

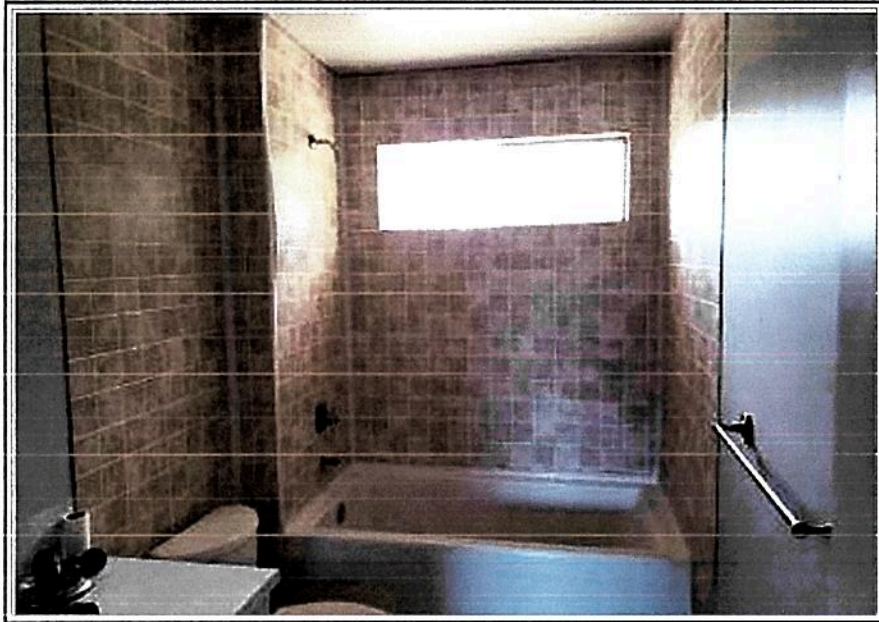


BEDROOM



Borrower: HO SAM, Elaine  
Property Address: 2483 Pirart Road  
City: Nanaimo  
Lender: The Mortgage Group

File No.: 26676-G  
Case No.:  
Prov.: BC  
P.C.:V9R 6V5



BATHROOM



DINING ROOM



BEDROOM



Borrower: HO SAM, Elaine  
Property Address: 2483 Pirart Road  
City: Nanaimo  
Lender: The Mortgage Group

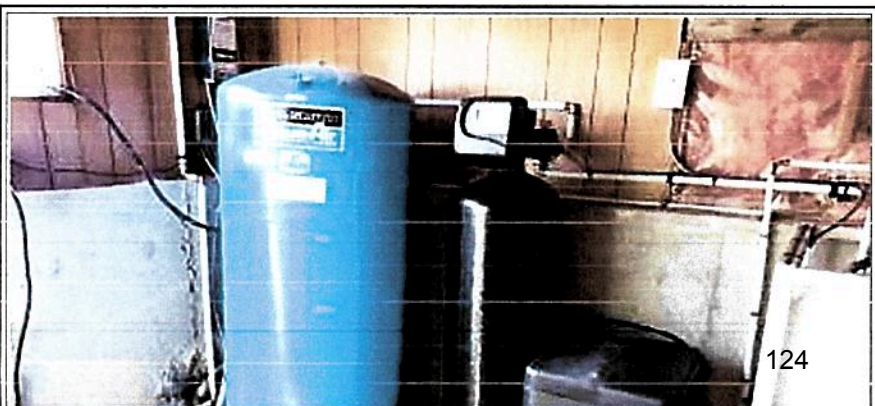
File No.: 26676-G  
Case No.:  
Prov.: BC P.C.: V9R 6V5



FAMILY ROOM



BATHROOM



UTILITY ROOM



Borrower: HO SAM, Elaine  
Property Address: 2483 Pirart Road  
City: Nanaimo  
Lender: The Mortgage Group

File No.: 26676-G  
Case No.:  
Prov.: BC P.C.: V9R 6V5



LAUNDRY ROOM



STORAGE



RAISED DECK

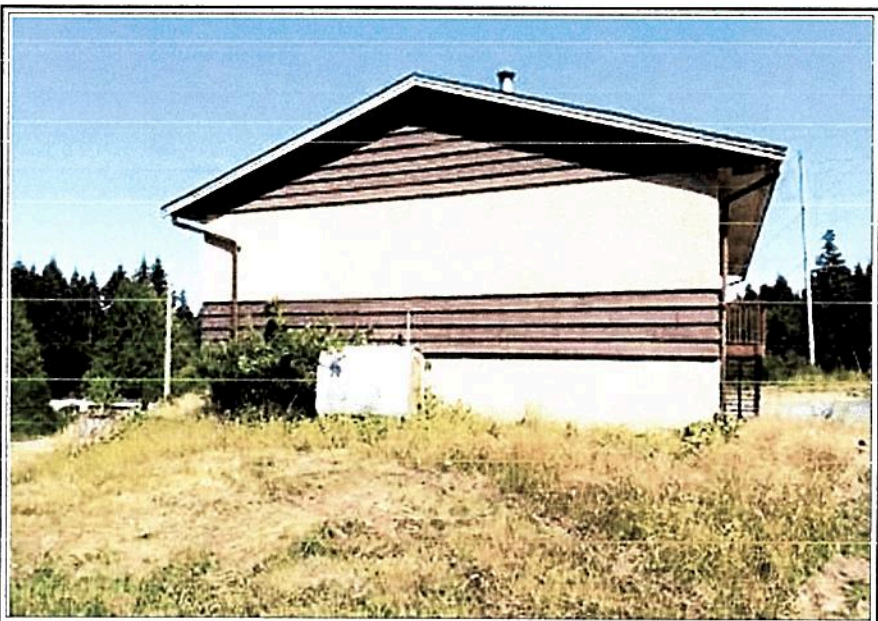


Borrower: HO SAM, Elaine  
Property Address: 2483 Pirart Road  
City: Nanaimo  
Lender: The Mortgage Group

File No.: 26676-G  
Case No.:  
Prov.: BC P.C.:V9R 6V5



NEW WELL



SIDE VIEW



REAR VIEW OF THE ACREAGE



Borrower: HO SAM, Elaine  
Property Address: 2483 Pirart Road  
City: Nanaimo  
Lender: The Mortgage Group

File No.: 26676-G  
Case No.:  
Prov.: BC P.C.:V9R 6V5



SIDE VIEW OF THE SUBJECT



REAR VIEW OF THE SUBJECT  
RESIDENCE

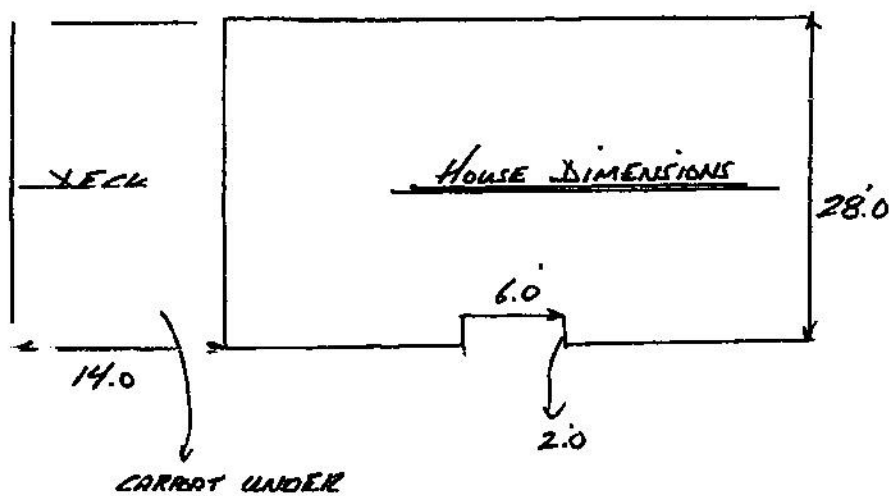


MORE ACREAGE VIEW

Borrower: HO SAM, Elaine  
Property Address: 2483 Pirart Road  
City: Nanaimo  
Lender: The Mortgage Group

File No.: 26676-G  
Case No.:  
Prov.: BC  
P.C.: V9R 6V5

Existing Home  
Built in 1970.





### CUSTOMER'S PURCHASE AGREEMENT

1985 South Wellington Road  
 Nanaimo, B.C. V9X 1R4  
 Email: gorhomes@shaw.ca  
 www.gordonshomesales.com

Phone: 250-753-6223  
 Fax: 250-753-7129  
 Toll Free: 1-800-616-1291

Date: February 1st/19  
 //We: Tom Hosak + Elaine Hosak + (Jennifer McDonald)

(hereinafter known as the PURCHASER)

Address: 2483 Pirart Road, Nanaimo V9R 6V5

Email: \_\_\_\_\_ Cell: \_\_\_\_\_ Phone: [REDACTED]

Hereby offer to Purchase from you as follows:

MANUFACTURER <u>Moduline</u>	MODEL <u>Dartmouth</u>	CSA <u>240-457101</u>
SERIAL NUMBER <u>0312851</u>	MOBILE HOME REGISTRATION NUMBER <u>63335</u>	COLOUR

PROPOSED LOCATION	PURCHASE PRICE	\$
<u>Legal/Park</u>	<u>As viewed as is, where is.</u>	<u>25,000.00</u>
OPTIONAL EQUIPMENT	<u>Deposit #38</u>	<u>(10,000.00)</u>
	<u>due on or before April 5th</u>	<u>15,000.00</u>
	<u>No warranty given or perceived</u>	
	<u>Not included, Delivery to site or setup</u>	
	<u>Hold until paid in yard</u>	
	<u>Remainder amount paid (15,000.00) April 25/19 Chq #39</u>	
	BN #102153434 RT0001	
	P.S.T. #1001-7999	
	TOTAL PRICE	
	SUB-TOTAL	
	Net Order Alteration	
	Documentation and Registration	
	SUB-TOTAL	
	TRADE-IN	
	PRICE DIFFERENCE	
	TOTAL	
	Deposit	

DESCRIPTION OF TRADE-IN		
Make	Model	Year
M.H. Reg.#	Serial No.	
Bedrooms	CSA	
Amount owing: To Whom		

I hereby transfer all my right and title in the USED UNIT referred to herein as the trade-in to  
**Gordon's Homes Sales Ltd.**

DECLARING SAME TO BE FREE OF ALL ENCUMBRANCES except as noted, such transfer being as part payment and deposit on this contract I hereby authorize  
**Gordon's Homes Sales Ltd.**

to dispose of the said Used Unit.

**SPECIAL INSTRUCTIONS:**  
 Porches, decks, skirting, electrical connections and all site preparation are Purchaser's responsibility. Any extra equipment such as cat, crane, timbers, extra tractor, etc., to be at Purchaser's expense.

**READ THIS PARAGRAPH**  
 The Purchaser expressly agrees that, except as specifically set out on the front and back of this agreement, there is no other warranty, representation, condition, agreement or understanding of any nature in respect of this transaction, that any warranty herein is in place of all other conditions or warranties, express or implied, Statute or other wise, and that this agreement specifically relates to any condition...

# RM BUILDERS GROUP INC

Date: Aug/13/2018  
Invoice # 106

2752 East Wellington Road  
Nanaimo B, C V9R6W5  
250-668-4086  
mcmannhomes@gmail.com  
GST#733867097

TO: Elaine Hosak

QUANTITY	DESCRIPTION	UNIT-PRICE	LINE TOTAL
	Install third septic tank and second septic field at Pirart Road Allowing for a second dwelling on the property to have a septic field.  (All Plans and Permits will be sent to you for when you apply for building permit for the second dwelling)		\$6500.00

Subtotal \$6500.00  
GST \$325.00  
Total \$6825.00

\*This is what I paid for the 2<sup>ND</sup> well to be put in for the modular home.



# RECORD OF SEWERAGE SYSTEM

island health

Filing # (OFFICE USE ONLY) **NA18/100**

1. Property Information	<input type="checkbox"/> New Construction		<input checked="" type="checkbox"/> Alteration		<input type="checkbox"/> Repair		<input type="checkbox"/> Amendment - Original Filing #	
	Tax Assessment Roll # <b>768005318.000</b>				PID # <b>009-490-230</b>			
	Legal Description (Plan, Lot, District Lot, Block Numbers) <b>Pcl.A, Section 15, Range 5, Mountain District, Plan 39640</b>							
	Street (Civic) Address or General Location <b>2483 Pirart Road</b>					City <b>Nanaimo</b>		
2. Owner Information	Name of Legal Owner <b>Russell McMann Builders Group</b>				Mailing Address			
	Phone		City <b>Nanaimo</b>		Prov <b>BC</b>	Postal Code <b>V9R 6W5</b>		
3. Authorized Person Information	Name of Authorized Person <b>Steve Brydges</b>				Mailing Address			
	Phone		City <b>Duncan</b>		Prov <b>BC</b>	Postal Code <b>V9L5J2</b>		
	Registration # <b>OW0881</b>			Email <b>[REDACTED]</b>				
	4. Structure Information							
Sewerage System Will Serve: <input checked="" type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Other Structure (specify) ++ bedroom house <input type="checkbox"/> Other Dwelling (specify)								
The sewerage system is designed for an estimated minimum daily domestic sewage flow of (check one) <input checked="" type="checkbox"/> Less than or equal to 9,100 litres <input type="checkbox"/> More than 9,100 litres but less than 22,700 litres								
5. Site Information	Depth of native soil to seasonal high water table or restrictive layer (cm) <b>125+</b>			Information respecting the type, depth and porosity of the soil is attached <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
	GPS Location of System (decimal degrees) Latitude <b>N49.184472 Deg.</b> Longitude <b>W-124.014969 Deg.</b>				Horizontal Accuracy (m) <b>10m</b> <input checked="" type="checkbox"/> Recreational GPS <input type="checkbox"/> Differential GPS			
	6. Drinking Water Protection							
Will the sewerage system be located less than 30 m from a well? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No								
If yes, attach a professional's report and specify the intended distance (m)								
Distance of proposed sewerage system to the closest body of surface water <b>+30 m</b> (m)								
7. System Information	Sewerage treatment method <input checked="" type="checkbox"/> Type 1 <input type="checkbox"/> Type 2 <input type="checkbox"/> Type 3							
8. Legal or Regulatory Considerations	<input checked="" type="checkbox"/> Construction of the proposed sewerage system will not conflict with legal instruments registered on the property.				Is this filing submitted as the result of an order from the Health Authority? <input type="checkbox"/> Yes (attach a copy of the order) <input checked="" type="checkbox"/> No			
	9. Plot Plan and Specifications							
Plot Plan (to scale) and specifications are attached <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No								
<input checked="" type="checkbox"/> The plans and specifications are consistent with Standard Practice								
Source of Standard Practice: <input checked="" type="checkbox"/> Ministry of Health Standard Practice Manual <input type="checkbox"/> Other								
10. Authorized Person's Signature	Signature 				OFFICE USE ONLY			
	Date <b>July 9/18</b>				Filing Accepted Date <b>July 11, 2018</b>			
Receipt Number <b>233009</b>								



## Save On Septic

### Design Specifications for Septic System

**Project Location:** 2483 Pirart Road, Nanaimo, B.C.

Flows From : Existing 3 Bedroom House + New 4 bedroom House

House Square footage 2500 (3 Bed) 3000 (4 Bed)

Number of Persons: 3 Bedroom -Max. 4.5 4 Bedroom -Max.6

Daily Design Flow: 2900L

Expected Flow: 1550L

Water Source: Well Setback Distance from well : 30m+

Treatment Level Required: Type 1

### Soils Testing

Soil Type: Sandy Loam

Texture: Strong Grade: Granular

Constraints: none Solution: N/A

Structure: Single Grain

Design Loading Rate: 27L/M2/Day

Depth of Native Soils: +125cm

Dosing Type: Pressure Dosed /On Demand

Type of Dispersal: 2 Pressurized Drainfields Phase1 & 2

Minimum Vertical Separation Required: 60cm

Minimum Depth of Fill Required: 0 cm

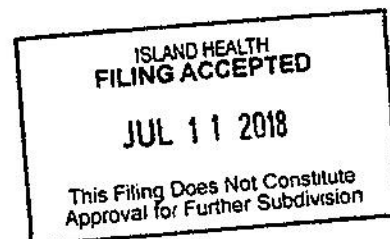
Type of Fill: N/A

AIS= 2900L/ 27 = 107.41 m2

Linear Loading Rate/Contour Length: 2900/240= 12.1m

Length of Trenches : 15.24 m X2= 30.5m

### System Components



**Number of Septic Tanks: 1**

Existing Septic Tank Size: 600 I.G.

Manufacturer: unknown

Model: 2-600

Component material: Concrete

Capacity: 600 I.G.

Number of Compartments: 2

Filter : no Type: N/A

Type of Risers & Lids: PolyLok

Size/ Material: 20" Dia. P.E.

**Septic Tank #2: New**

Septic Tank Size: 1000 I.G.

Manufacturer: Dan's Precast

Model: 2-1000

Component material: Concrete

Septic Tank Capacity: 1000 I.G.

Number of Compartments: 2

Filter : Yes Type: Polylok

Type of Riser & Lid: PolyLok

Size/ Material: 20" Dia. P.E

Pump : No Type: N/A

**Septic Tank #3: New**

Septic Tank Size: 1000 I.G.

Manufacturer: Dan's Precast

Model: 2-1000 REVERSE

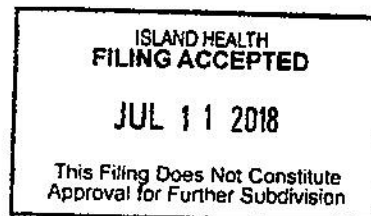
Component material: Concrete

Septic Tank Capacity in Compartment #1: 330 I.G.

Pump Tank Capacity in Compartment #2: 670 I.G.

Number of Compartments: 2

Filter : Yes Type: Polylok



Type of Riser & Lid: PolyLok  
Size/ Material: 20" & 24" Dia. P.E  
Pump : Yes Type: Hydromatic

**Pump:**

Number of Pumps: 2  
Manufacturer: Hydromatic  
Model: SHEF-45  
Design Flow Rate: 41.3 usg @17.1 TDH  
HP/Voltage: 1/2hp/ 115V  
Discharge Size: 2"  
Transport Line Size/Type: 2" Dia. PVC Sch 40

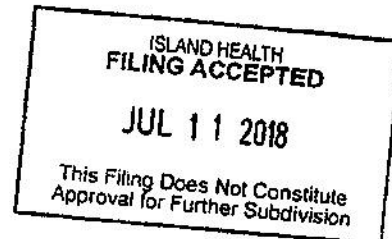
**Floats/Controls:**

Floats/Pressure Transducer F/PT: PT  
Type: SJE Rhombus  
Control Panel Manufacturer: SJE Rhombus  
Model: IFS Series IFS31W124C8AC10E24F  
Data Logging: Yes  
Electrical Requirements: 1-15 Amp Circuit 115v. 1-20Amp 115v  
Timer/On Demand: On Demand  
Timer ON/OFF Settings:       ON: N/A               O/R: N/A  
  OFF: N/A               O/R: N/A



**Dispersal System: 2-4x 50 laterals**

Total Design Area: 15.24 X 0.91m x 4= 55.5 m<sup>2</sup> x 2 Drainfields= 111.0 m<sup>2</sup>  
Trench Width: 0.91 m (3') Length: 15.24m (50')  
Design AIS Required: 2900/27= 107.4 m<sup>2</sup>  
Depth of Trenches/Bed/Mound: Trench @ 0.45m Depth (18")  
Cover Depth: 15 cm (6")  
Type of Transport Line & Manifold: 50mm Dia. PVC pipe Sch 40  
Number of Laterals: Phase1 =4 lines, Phase2 =4 lines



Client: Russell McMann

---

Lateral Length: 15.24m (50') Centre Fed Ball Valves : Yes

Lateral Size/Type: 1.25" PVC Class200

Added Fill depth/Type: 0cm Type: Native

Interceptor Ditch Required: Yes \_\_\_\_\_

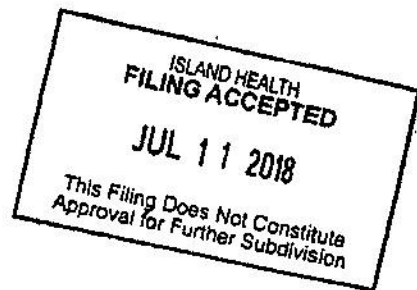
No X \_\_\_\_\_

Location of Laterals: In Front Yard /setback 20' from P/L

Orifice Spacing/Size: 1/8" Dia. @ 24" c.c.

Filter Cloth Required/Type: No

Orifice Shields/ Type: Polylok 1.25"



# Pump Selection for a Pressurized System - Single Family Residence Project

## Parameters

Discharge Assembly Size	2.00	inches
Transport Length	65	feet
Transport Pipe Class	40	
Transport Line Size	2.00	inches
Distributing Valve Model	None	
Max Elevation Lift	1	feet
Manifold Length	20	feet
Manifold Pipe Class	40	
Manifold Pipe Size	2.00	inches
Number of Laterals per Cell	4	
Lateral Length	56	feet
Lateral Pipe Class	200	
Lateral Pipe Size	1.25	inches
Orifice Size	1/8	inches
Orifice Spacing	2	feet
Residual Head	5	feet
Flow Meter	None	inches
'Add-on' Friction Losses	0	feet

## Calculations

Minimum Flow Rate per Orifice	0.43	gpm
Number of Orifices per Zone	104	
Total Flow Rate per Zone	45.2	gpm
Number of Laterals per Zone	4	
% Flow Differential 1st/Last Orifice	2.1	%
Transport Velocity	4.3	fps

## Frictional Head Losses

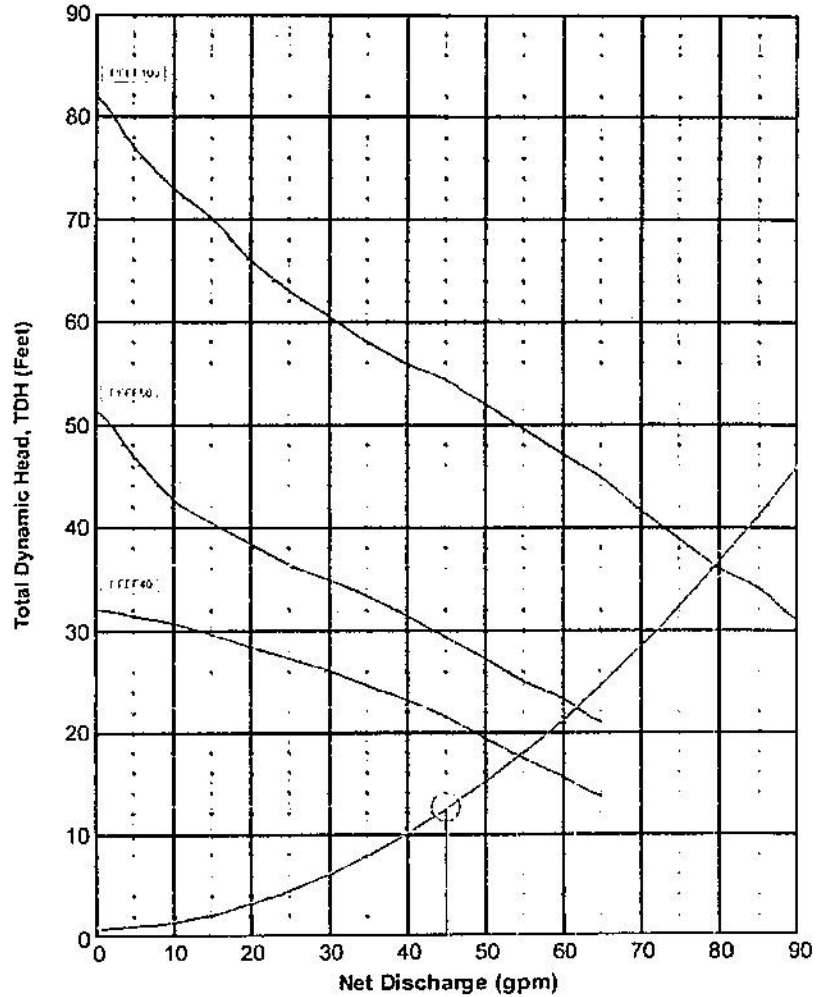
Loss through Discharge	4.1	feet
Loss in Transport	2.2	feet
Loss through Valve	0.0	feet
Loss in Manifold	0.7	feet
Loss in Laterals	0.2	feet
Loss through Flowmeter	0.0	feet
'Add-on' Friction Losses	0.0	feet

## Pipe Volumes

Vol of Transport Line	11.3	gals
Vol of Manifold	3.5	gals
Vol of Laterals per Zone	18.4	gals
Total Volume	33.2	gals

## Minimum Pump Requirements

Design Flow Rate	45.2	gpm
Total Dynamic Head	17.7	feet



## PumpData

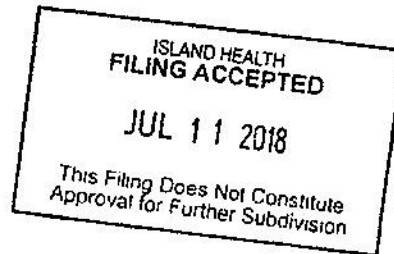
PKP350 Effluent Pump  
1/2HP, 115V 1Ø

PFEF40 Effluent Pump  
4/10HP, 115/230V 1Ø

PFEF50 Effluent Pump  
1/2HP, 115/230V 1Ø

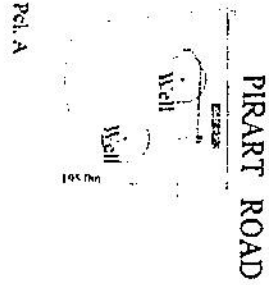
## Legend

System Curve	—
Pump Curve	- - -
Pump Optimal Range	—
Operating Point	○
Design Point	○





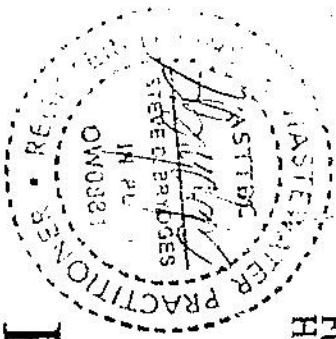
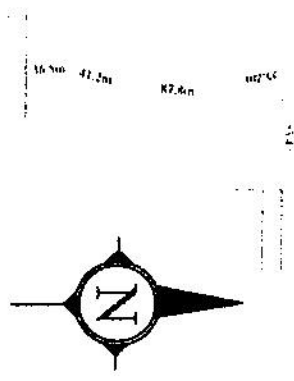
ISLAND HEALTH  
 FILING ACCEPTED  
 JUL 11 2018  
 This Filing Does Not Constitute  
 Approval for Further Subdivision



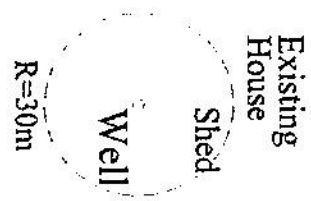
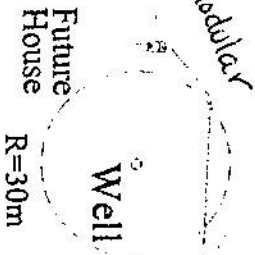
315.7m

PIRART ROAD

3.0m SETBACK



Pcl. A



195.0m



- PROPOSED 1000 I.G. SEPTIC TANK w/ FILTER (PHASE 2)
- EXISTING 600 I.G. SEPTIC TANK (ADD RISERS)
- PROPOSED 1000 I.G. SEPTIC TANK/PUMP TANK w/ DUPLICATION PUMPS
- INSTALL 4-15.24m CHAMBER TRENCHES (SEE DETAIL)
- PROPOSED PHASE 2 DRAINFIELD 4-15.24m LATERALS
- PROPOSED FLUSH-OUTS AT DISTAL ENDS
- 2-50mmØ PVC SCH 40 TRANSPORT LINE w/ ANTI-SIPHON
- 100mmØ PVC GRAVITY SEWER at MIN. 2% GRADE
- DENOTES 4' TEST HOLE LOCATION
- DENOTES PERK TEST LOCATION



PROJECT: PROPOSED SEPTIC SYSTEM-SITE PLAN OF 2483 PIRART ROAD  
 CLIENT: MCANN HOME

# Observed Soil Conditions

## Test Pit Logs

Date: APRIL 25/18		Site: 2433 PIRART ROAD		Logged by: SOB					
TP# 1		Pit Location: S. End of D. Field Area		Slope: 6-7					
Soil Horizons ( depths measured in cm / m / in / ft )									
Depth		Colour	Texture	Structure	Rupture resistance (or density)	Coarse gravel (%)	Roots depth & quantity	Mottles depth & quantity	Moisture seepage
from	to								
0	99cm	BROWN	S. loam	SG	SG	2%	Yes	∅	∅
					Friable				
99	126	Tan	Gravelly Sand	SG	"	20%	"	∅	∅
No W/T encountered.									
Notes									
Depth		Colour	Texture	Structure	Rupture resistance (or density)	Coarse gravel (%)	Roots depth & quantity	Mottles depth & quantity	Moisture seepage
from	to								
0	89	Brown	S. loam	SG	SG	2%	Yes	∅	∅
							abundant		
89	127	Tan	Gravelly Sand	SG	SG	15-20%	Yes	∅	∅
							Some		
No W/T encountered.									
Notes									

Based on USDA Field Book for Describing and Sampling Soils (2002).

\* Date water table measured

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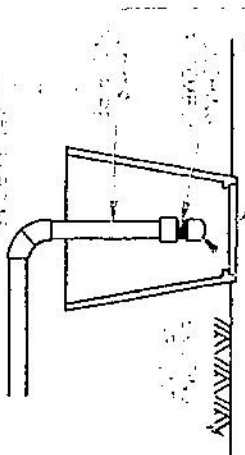
JUL 11 2018

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1000 I.G. TANK DIMENSIONS:  
HEIGHT: 60"  
WIDTH: 78"  
LENGTH: 102"  
INVERT: 49"

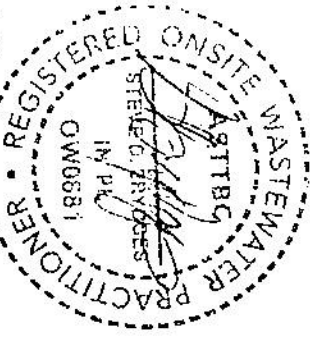
### 1000 I.G. Primary Septic Tank Details

Flushout Detail



### 1000 I.G.

PHASE 2  
Side View

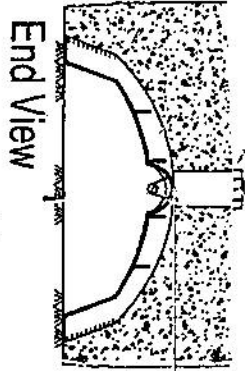
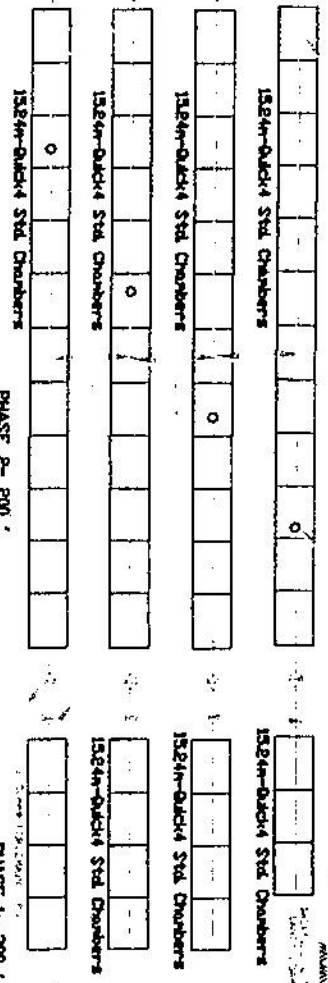


Side View

Std. Quick4 Chambers @ 6" Burial Depth-Pressure Distribution

### Drainfield Detail

PHASE 1- 800'  
PHASE 2- 200'



End View

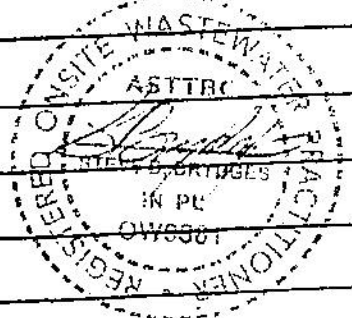
SAVE ON SEPTIC PROJECT: PROPOSED SEPTIC SYSTEM-DETAIL TANK PLAN OF 2483 PRIART ROAD CLIENT: MANNING HOMES

McMANN HOMES

Address: 2483 PRIART RD. NANAIMO  
 Date: APR. 25/18  
 Auger Hole (AH) #: S-1 END OF D/E AH location:  
 Depth: 75cm AH diameter: 7cm AH radius (a):  
 Permeameter ID#: 1 Height of air hole (H): Perm: ID = 10cm Tested by: SDB

Results:

Day	Total elapsed time min	Interim time min	Water level reading mm	Drop in Level mm	Rate of fall - mm/min	Remarks or Observations
		1min	438			22m from (Front) Lower Pt
			428	10		33m from S. Boundary Pt
			419	9		15m to D/W (S)
			410	9		15m to House (W)
			403	7		
			396	7		
			388	8		
			381	7		
			374	7		
			368	6		
			362	6		
			355	7		
			<del>end.</del>			Sandy Loam. (7.0) Stable rate of fall (stable fall)



$K(fs) = \frac{7.0}{\text{stable fall}} \times 56.3 = 394.1$  mm/c  
 CSS soil factor

Permeameter

AH Diameter	7	7.5	8	8.5	9	9.5	10	10.5
Soil Factor CS	72.0	69.8	67.3	65.1	62.2	58.9	58.7	55.5
SS	56.3	54.5	52.5	50.8	47.2	46.2	46.3	44.0
US	32.4	31.4	30.5	29.5	28.0	27.4	26.3	25.9
AH Diameter	11	11.5	12	12.5	13	13.5	14	
Soil Factor CS	53.8	52.4	50.4	49.8	48.9	47.9	47.0	
SS	41.5	40.7	39.7	39.3	38.5	37.5	36.8	
US	25.1	24.6	24.2	23.7	23.5	23.2	22.8	

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APPRAISAL REPORT

26676-G

CLIENT(S): <u>The Mortgage Group</u>	APPRaiser <u>Garry Craik</u>
ADDRESS: _____	ADDRESS OF PROPERTY
TEL: ( _____)	ADDRESS: <u>2 - 3179 Barons Road</u>
_____	<u>Nanaimo, BC V9T 5W5</u>
_____	CITY <u>Nanaimo</u>
_____	PROVINCE <u>BC</u> POSTAL CODE <u>V9R 6V5</u>
_____	TEL: ( _____)

APPLICANT NAME HO SAM, Elaine

LEGAL DESCRIPTION See Attached Addendum

MUNICIPALITY or DISTRICT Regional District of Nanaimo

ASSESSMENT: LAND 814,000 IMP 151,000 TOTAL 965,000 TAXES \$ 3,992.77 YEAR 2018

PURPOSE OF APPRAISAL: To estimate the market value \*\*\* or \_\_\_\_\_

INTENDED USER(S) First National

INTENDED USE OF APPRAISAL REPORT: Financing \*\*\* or \_\_\_\_\_

PROPERTY RIGHTS APPRAISED: Fee simple \*\*\* Leasehold \_\_\_\_\_ Condominium \_\_\_\_\_ Co-operative \_\_\_\_\_ Other (Specify) \_\_\_\_\_

OCCUPIED BY: Owner \_\_\_\_\_ Tenant \_\_\_\_\_ Vacant \*\*\*

HIGHEST & BEST USE: \*\*\* As Is NOTE: IF HIGHEST & BEST USE IS NOT THE CURRENT USE - SEE COMMENTS

NEIGHBOURHOOD DESCRIPTION					
NATURE OF DISTRICT	TREND OF DISTRICT	CONFORMITY OF SUBJ.	AVG. AGE OF PROPERTIES	SUPPLY	DEMAND
<u>***</u> RESIDENTIAL	<u>***</u> IMPROVING	<u>***</u> INFERIOR	<u>***</u> IN NEIGHBOURHOOD:	<u>***</u> GOOD	<u>***</u> GOOD
<u>***</u> RURAL	<u>***</u> STABLE	<u>***</u> SIMILAR	<u>40</u> YEARS	<u>***</u> AVG.	<u>***</u> AVG.
<u>***</u> MIXED	<u>***</u> DETERIORATING	<u>***</u> SUPERIOR	AREA BUILT UP <u>90</u> %	<u>***</u> FAIR	<u>***</u> FAIR
	<u>***</u> TRANSITIONAL			<u>***</u> POOR	<u>***</u> POOR
DISTANCE ELEMENTARY SCHOOL <u>3</u> Blocks	PUBLIC TRANSPORTATION <u>2</u> Blocks	PRICE RANGE IN NEIGHBOURHOOD			
TO SECONDARY SCHOOL <u>2</u> Miles	SHOPPING FACILITIES <u>2</u> Miles	<u>\$ 500,000 - \$1,200,000+</u>			
	DOWNTOWN <u>4</u> Miles	<u>Predominantly</u>			

SUMMARY: including VALUE TRENDS AND ADVERSE INFLUENCES IN AREA, if any (e.g. railroad tracks, commercial/industrial properties, major traffic arteries, etc.)

There were no adverse neighbourhood influences observed. The subject property is situated within an established rural residential area in the "East Wellington" area of the Regional District of Nanaimo. The subject is located within reasonable proximity to most civic amenities including; transit, schools, shopping and recreational areas. Jingle Pot Road a main neighbourhood traffic artery is 4 blocks away and access to the Inland Island Highway is about 2 miles away. Regional Shopping and Westwood Lake recreational area are about 5-10 minutes away via car. Market conditions have stabilized in Nanaimo and area over the past +/-1 month.

SITE DESCRIPTION					
SITE DIMENSIONS: <u>N/A</u>	<u>***</u> PAVED ROAD	<u>***</u> TELEPHONE	<u>***</u> SANITARY SEWER		
SITE AREA: <u>4.96 Acres</u> SOURCE: <u>BCAA</u>	<u>***</u> GRAVEL ROAD	<u>***</u> GAS	<u>***</u> SEPTIC		
TOPOGRAPHY: <u>Gradual upward slope from road.</u>	<u>***</u> SIDEWALK	<u>***</u> MUNICIPAL WATER	<u>***</u> STORM SEWER		
CONFIGURATION: <u>Irregular</u>	<u>***</u> CURBS	<u>***</u> WELL-PRIVATE	<u>***</u> OPEN DITCH		
ZONING: <u>R1 - Single Dwelling Residential</u>	<u>***</u> STREET LIGHTS	<u>***</u> WELL-COMMUNAL			
	<u>***</u> CABLEVISION				
DOES PRESENT USE CONFORM: <u>***</u> YES <u>_____</u> NO IF NO, SEE COMMENTS.					
LANDSCAPING	EASEMENTS	DRIVEWAY	ELECTRICAL		
<u>***</u> CUSTOM	<u>***</u> FAIR	<u>***</u> UTILITY	<u>***</u> PRIVATE	<u>***</u> SINGLE	<u>***</u> CONCRETE
<u>***</u> GOOD	<u>***</u> POOR	<u>***</u> ACCESS	<u>***</u> MUTUAL	<u>***</u> DOUBLE	<u>***</u> ASPHALT
<u>***</u> AVERAGE	<u>***</u> NONE	<u>***</u> N/K	<u>***</u> NONE	<u>***</u> Gravel	<u>***</u> UNDERGROUND
					<u>***</u> OVERHEAD
COMMENT ON ANY POSITIVE/NEGATIVE FEATURES: (e.g. regarding conforming of zoning, effects of easements, etc.)	<u>See Attached Addendum</u>				

DESCRIPTION OF IMPROVEMENTS - EXTERIOR					
ESTIMATED YEAR BUILT: <u>1970's</u>	EFFECTIVE AGE: <u>25-30</u>	REMAINING ECONOMIC LIFE (Yrs) <u>30</u>			
CONSTRUCTION COMPLETE: <u>Yes</u>	PERCENTAGE COMPLETE: <u>100</u>				
GLA	BASEMENT	TYPE OF BUILDING	DESIGN	CONSTRUCTION	
SOURCE Appraiser	<u>***</u> FULL	<u>***</u> DETACHED	<u>***</u> ONE-STORY	<u>***</u> WOOD FRAME	
1st <u>1,220</u>	<u>***</u> PARTIAL	<u>***</u> SEMI-DETACHED	<u>***</u> SPLIT-LEVEL	<u>***</u> BRICK	
2nd _____	<u>***</u> CRAWL SPACE	<u>***</u> ROW/TOWNHOUSE	<u>***</u> 1 1/2 STOREY	<u>***</u> STONE	
3rd _____	TOTAL AREA <u>1,144</u>	<u>***</u> APARTMENT	<u>***</u> 2-STOREY	<u>***</u> CONCRETE	
TOTAL <u>1,220</u>	<u>***</u> SQ.FT. _____ SQ.M.				
<u>***</u> SQ.FT. _____ SQ.M.	EXTERIOR FINISH	ROOFING MATERIAL	OVERALL EXT. CONDITION		
WINDOW SASH/GLAZING	<u>***</u> CONCRETE	<u>***</u> ASPHALT SHINGLE	<u>***</u> GOOD		
<u>Aluminum Frame Single</u>	<u>***</u> BRICK VENEER	<u>***</u> WOOD SHINGLE	<u>***</u> AVERAGE		
<u>Glaze/Double Hung</u>	<u>***</u> STONE VENEER	<u>***</u> FIBERGLASS SHINGLE	<u>***</u> FAIR		
	<u>***</u> STUCCO		<u>***</u> POOR		
	<u>***</u> WOOD SIDING	APPROX. AGE			

DESCRIPTION OF IMPROVEMENTS - INTERIOR					
INSULATION	FLOORING	WALLS	CEILINGS	FINISH	
<u>***</u> CEILING	<u>***</u> W-W CARPET	<u>***</u> SHEET VINYL		<u>***</u> PLYWOOD	
<u>***</u> WALLS	<u>***</u> SOFTWOOD	<u>***</u> VINYL TILE		<u>***</u> PLASTER	
<u>***</u> BASEMENT	<u>***</u> HARDWOOD	<u>***</u> CERAMIC		<u>***</u> GYPSUM BOARD	
<u>***</u> CRAWL	<u>***</u> LINOLEUM	<u>141</u>		<u>***</u> Wood Panelling	
<u>***</u> Assumed	<u>***</u> Laminate			<u>***</u> T-Bar Ceilings	



<b>FOUNDATION</b>	<b>PLUMBING LINES</b>	<b>ELECTRICAL</b>	<b>WATER HEATER</b>	<b>HEATING SYSTEM</b>
*** POURED CONCRETE	*** COPPER	FUSES	GAS	*** FORCED AIR
CONCRETE BLOCK	*** PVC OR PLASTIC	*** BREAKERS	*** ELECTRIC	BASEBOARD
CONCRETE SLAB	GALVANIZED			HOT WATER
BRICK OR STONE		RATED CAPACITY OF MAIN BREAKERS 100 AMPS	60 Gal. CAPACITY	
				Oil FUEL TYPE

**BUILT-IN APPLIANCES/EXTRA FEATURES:**  
 \_\_\_\_\_ STOVE \_\_\_\_\_ VACUUM \_\_\_\_\_ CENTRAL AIR \_\_\_\_\_ SAUNA \_\_\_\_\_ SOLARIUM \*\*\* R Hood  
 \_\_\_\_\_ OVEN \_\_\_\_\_ GARBAGE DISPOSAL \_\_\_\_\_ AIR CLEANER \_\_\_\_\_ WHIRLPOOL \_\_\_\_\_ SKYLIGHTS  
 \*\*\* DISHWASHER \*\*\* FIREPLACE(S) \_\_\_\_\_ SECURITY SYSTEM \_\_\_\_\_ SWIMMING POOL \_\_\_\_\_ GARAGE OPENER \_\_\_\_\_

**BASEMENT FINISHES, UTILITY:** Family room, games room and bathroom are finished in the basement. Storage rooms are not complete. Lower quality basement finish - wood panelling and t-bar ceilings, updating would help. Some of the laminate floor was uneven and transition boards and trim were missing.

**GARAGES/CARPORTS:** Attached single carport (14' x 28.5')

**DECKS, PATIOS, OTHER IMPROVEMENT:** Wood decking over carport and an attached storage shed.

**COMMENTS:** Building, appearance, quality of construction, condition: Bungalow style wood frame residence, average overall quality of workmanship & materials, the subject residence is basically dated, updating would enhance saleability, however in satisfactory condition, average street appeal. "East Wellington" rural residential location, close to most City amenities.

ROOM ALLOCATION					COST APPROACH		
LEVEL:	FIRST	SECOND	THIRD	BSMT.			
ROOMS:					SOURCE OF COST DATA: M&S MANUAL	LOCAL CONTRACTOR	OTHER
ENTRANCE	1			1	LAND VALUE: including site improvements (as is) ..		\$ 450,000
LIVING	1				BUILDING COST NEW		DEPRECIATED COST
DINING	1				COST 1,220 . . . . . @ \$ 150.00	\$ 183,000	
KITCHEN	1				GARAGE: Single Carport . . . . .	\$	\$ 10,000
FULL BATH	1			1	BASEMENT FINISH: . . . . .	\$	\$ 65,000
PART BATH					OTHER EXTRAS DW/Deck/Storage	\$	\$ 15,000
BEDROOM	3					\$	\$
FAMILY				2		\$	\$
LAUNDRY				1		\$	\$
OTHER(S)				2	TOTAL REPLACEMENT COST: . . . . .	\$ 183,000	
					LESS: ACCRUED DEPRECIATION 31.0%	\$ 56,730	\$ 126,270
					INDICATED VALUE: . . . . .	\$	\$ 666,270
					INDICATED VALUE FROM THE COST APPROACH	\$	\$ 666,000

SALES COMPARISON APPROACH								
ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3		
		DESCRIPTION	\$ ADJUST	DESCRIPTION	\$ ADJUST	DESCRIPTION	\$ ADJUST	
ADDRESS	2483 Pirart Road Nanaimo	2865 Munroe Road Nanaimo		4896 Aho Road Cedar		13180 Prospect Drive Cedar		
DATE OF SALE	Pending	June 30, 2018		July 17, 2018		May 20, 2018		
SALES PRICE	664,900	830,000		665,000		730,000		
SITE	4.96 Acres	3.60 Acres	-25,000	5.0 Acres	40,000	4.94 Acres	50,000	
GLA	1220 Sq.Ft.	1842 Sq.Ft.	-50,000	1723 Sq.Ft.	-37,500	1355 Sq.Ft.		
EFF. AGE/COND	Eff 25-30 / Average	Eff. 10 / Average	-40,000	Eff. 15 / Average		Eff. 15 / Average	-30,000	
DESIGN&APPEAL	Bungalow	Bungalow		1.5 Storey		Bungalow		
RMS/BEDS/BATHS	6 / 3 / 1	7 / 3 / 2	-5,000	7 / 2 / 2	-5,000	4 / 1 / 1.5	-2,500	
BASEMENT	1144 Sq.Ft.-P. Fin.	1871 sq.ft.-Part Fin.	-35,000	None	65,000	760 sq.ft.-Full Fin.	20,000	
GARAGE/PARKING	Single Carport	Double Garage	-15,000	Garage/Studio	-50,000	Garage/Shop/Studio	-100,000	
	DW/Deck/Storage	DW/Patio/Storage		DW/Deck/Storage		DW/Deck/Storage		
MLS/DOM	442825/15	439785/57		442285/26		438308/38		
ADJUSTED VALUES/NET ADJUSTED TOTALS		20.5 -20.5	660,000	29.7 1.9	677,500	27.7 -8.6	667,500	

**CONCLUSIONS:** Few sales of similar type homes available. The site adjustment would reflect the total sites values including the influences of size, location, view, frontage, depth, shape, topography, access and site improvements. Objective adjustments - i.e., gla, room count, garages, workshops, etc. are self evident in the sales grid above.

**INDICATED VALUE FROM THE SALES COMPARISON APPROACH \$ 665,000**

**FINAL DETERMINATION OF VALUE/COMMENT ON REASONABLE EXPOSURE TIME:** The final estimate of value is based upon an analysis and reconciliation of both the cost approach and the sales comparison approach. The reasonable exposure time is considered to be 0-60 days, taking into consideration the type of property, location, asking price, and time of the year offered for sale.

**COMMENT ON AND ANALYZE ANY KNOWN SALES, LISTING OR OFFER TO PURCHASE ON THE SUBJECT PROPERTY OVER THE PAST THREE YEARS:** (Include source of information.) Current MLS listing of \$669,900. There is a reported pending sale for \$664,900. BC Assessment sales history is as follows; reported sale in July of 2014 for \$568,657.

## APPRAISAL REPORT

**DEFINITION OF MARKET VALUE:** The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuring the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby; (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what they consider their best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in the currency of use in the country where the property is located or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions\* granted by anyone associated with the sale.

### STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION

#### CONTINGENT AND LIMITING CONDITIONS:

1. The appraiser is not responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser may provide a sketch in the appraisal report to show approximate dimensions of the improvements and the sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size. All improvements were measured in compliance with the current guidelines of the American National Standards Institute (ANSI).
3. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
4. The appraiser has estimated the value of the land in the cost approach at its highest and best use and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
5. The appraiser has noted in the appraisal report any adverse conditions (such as needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the viewing of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, expressed or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not qualified in any way through experience or education in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
6. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
7. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
8. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workpersonlike manner.
9. The appraiser must provide his or her prior expressed written consent before the lender and or client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower, the mortgagee or its successors and assigns, and the mortgage insurer. The appraiser's expressed written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

#### APPRAISER'S CERTIFICATION: The appraiser certifies and agrees that:

1. I have researched the subject market area and have selected a minimum of three recent sales of properties that I consider most similar and proximate to the subject property for consideration in the sales comparison analysis and have made a dollar adjustment when appropriate to reflect the market reaction to those items of significant variation. If a significant item in a comparable property is superior to, or more favorable than, the subject property, I have made a negative adjustment to reduce the adjusted sales price of the comparable and, if a significant item in a comparable property is inferior to, or less favorable than the subject property, I have made a positive adjustment to increase the adjusted sales price of the comparable.
2. I have taken into consideration the factors that in my opinion have an impact on value in my development of my opinion of market value in this appraisal report. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge, that all statements and information in the appraisal report are true and correct.
3. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the contingent and limiting conditions specified in this form or as stated in the appraisal report.

**APPRAISAL REPORT**

4. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in any transaction that may involve the property being appraised. I did not base, either partially or completely, my analysis and/or my opinion of market value in the appraisal report on the race, color, religion, sex, disability, familial status, or national origin of either the present owners, prospective owners, or present occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property.
5. I have no present or contemplated future interest in the subject property, and neither my current or future employment, nor my compensation for performing, this appraisal is contingent upon the appraised value of the property.
6. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value opinion, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation, or the need to approve a specific mortgage loan.
7. I have diligently attempted to perform this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place as of the effective date of this appraisal. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value.
8. I have personally viewed at least the exterior areas of the subject property and exterior of all properties listed as comparables, where applicable, in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements or on the subject site of which I am aware and have made adjustments for these adverse conditions in my analysis of the property value to the extent that I had market evidence to support them. I have also commented about, the effect of the adverse conditions, if any on the marketability of the subject property.
9. I personally prepared all conclusions and opinions about the real estate that are set forth in the appraisal report. If I relied on significant professional assistance from any individual or individuals in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by them in the appraisal report. I certify that any individual so named is qualified to perform the tasks. Unless otherwise noted in the report, I have not authorized anyone to make a change to any item in the report. I am therefore not responsible for any unauthorized change made to the appraisal report.

**SUPERVISORY APPRAISER'S CERTIFICATION:** If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that: I directly supervised the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications number 4 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

**ADDRESS OF PROPERTY APPRAISED:** 2483 Pirart Road, Nanaimo, BC V9R 6V5

**APPRAISER:**



**SUPERVISORY APPRAISER: (only if required)**

**ADDENDUM**

<b>Borrower:</b> HO SAM, Elaine	<b>File No.:</b> 26676-G	
<b>Property Address:</b> 2483 Pirart Road	<b>Case No.:</b>	
<b>City:</b> Nanaimo	<b>Province:</b> BC	<b>Postal Code:</b> V9R 6V5
<b>Lender:</b> The Mortgage Group		

**Legal Description**

Proposed Lot 5, Parcel A, Section 15, Range 5, Except Plan VIP 39640 (DD8668N), Nanaimo Rural ROLL:  
04/768/005318000  
PID: 009-490-230

**Site Comments**

Hydro Right of Way traverses through the south east section of the subject acreage. Irregular shaped acreage parcel, as per the MLS listing site servicing is by a newly drilled private well providing "excellent quality and quantity of water" and a new private septic tank & field system (assumed operational). Minimal landscaping, most of the subject acreage has been selectively cleared. A small creek traverses through a portion of the subject acreage. The subject acreage possesses Mount Benson views. A title search with respect to easements was not performed nor was a survey made available to us.

**Extra Comments**

The purpose of this appraisal and appraisal report is to ascertain and report the market value, as defined in this report of the subject land and improvements thereon, located at 2483 Pirart Road, in Nanaimo, BC in fee simple, for the function of mortgage financing.

The appraiser has personally view the subject property on July 20, 2018, and has gathered and analyzed all of the data deemed necessary, which was obtained from the local real estate board, the Multiple Listing Service Data, the public record, and from the appraiser's own files. The appraiser has further completed a cost approach and a sales comparison approach analysis.

The appraisal report has been completed in accordance with the Uniform Standard of Professional Appraisal Practice (USPAP).

It is the opinion of the appraiser that the market value of the subject property as of July 24, 2018 is Six Hundred Sixty Five Thousand Dollars (\$665,000 Cdn.)

Six Hundred Sixty Five Thousand Dollars

\$665,000 AS IS

THIS REPORT CONTAINS AND IS SUBJECT TO specific terminology descriptions, conditions, and special limitations reflect the stated opinion of the market value, the use, and the intended user of the report. Please carefully read, and pay particular attention to all of these descriptions, and special limitations.

Garry Craik  
DAR

## ALC Application Outcomes - February 2014 to June 2019

AAC has been providing comment on applications to the Provincial ALC in accordance with RDN Board Policy B1 since February 2014. For information on recent and archived ALC applications and decisions, visit the ALC webpage at <https://www.alc.gov.bc.ca/alc/content/applications-and-decisions>. The applications, AAC comment and ALC decisions are summarized in the following table:

Application No	Application Type	Property Legal/Civic Address	Electoral Area	AAC Recommendation	ALC File No	ALC Decision
PL2014-005	ALC Inclusion / Exclusion	0848214 BC Ltd	H	None provided	53673	Approved
PL2014-010	Subdivision	2455 Holden Corso Road & 1617 Rugg Road	A	Approval	53680	Refused
PL2014-013	Subdivision	531, 533, 539 Parker Road West	G	None provided	53681	Refused
PL2014-017	Subdivision	2670 McLean's Road	C	Approval	54215	Refused
PL2014-027	Subdivision	2729 Parker Road	E	Approval	53723	Approved
PL2014-051	Subdivision	2560 Grafton Ave. & 2555 Tintern Road	F	Approval	53789	Refused
PL2015-057	Nonfarm Use	640 Grovehill Road	H	Approval	54288	Approved
PL2015-160	Subdivision	2116 Alberni Highway	F	None provided	55109	Refused
PL2015-177	Subdivision	Part of Lot 1, Plan 2273, Virginia Road	F	None provided	54599	Refused
PL2016-034	Subdivision	2070 Akenhead Road	A	Approval	54876	Refused
PL2016-035	Nonfarm Use	Lot 1, Plan EPP16024 & Lot C, Plan VIP80909, Hodge's Road	G	Approval	54982	Refused
PL2016-042	Nonfarm Use	2602 Holden Corso Road	A	Approval	55086	Denied

## JUNE 2019

Application No	Application Type	Property Legal/Civic Address	Electoral Area	AAC Recommendation	ALC File No	ALC Decision
PL2016-064	Nonfarm Use	2347 & 2419 Cedar Road	A	Approval Area 1 Non Approval Area 2	55251	Approved Area 1 11/21/2016 Refused Area 2 11/21/2016
PL2016-096	Subdivision	Rodney Edwards & Laurie Kallin	C	Non Approval	55410	Refused 01/30/2017
PL2016-097	Nonfarm Use	Culverden Holdings Ltd. / Seven Springs Camp and Retreat Centre	E	Approval	55354	Refused 12/21/2016
PL2016-151	Exclusion	Mazzoni & Associates Planning; Ezra Cook Holdings Ltd. Inc. No. 458302	H	Approval	55717	Cancelled 07/13/2017
PL2016-155	Non-Farm Use (Placement of Fill)	Dean Kauwell, Erica Rudischer	C	Approval	55804	Approved 05/15/2017
PL2016-158	Nonfarm Use	Clarke Gourlay, Morningstar Springs Farm Ltd.	G	Approval	55827	Approved 02/28/2017
PL2016-189	Exclusion	1155 Leffler Road, Errington B.C., V0R 1V0	F	Approval	55899	Refused Sept 28, 2017
PL2017-013	Non-Farm Use	3452 Jingle Pot Road	C	No recommendation	55883	Approved June 2017
PL2017-030	CANCELLED				55706	CANCELLED
PL2017-048	Non-Farm Use	1384 Tyler Road	F	Defeated (motion to approve was defeated)	55659	Refused August 2017



## JUNE 2019

Application No	Application Type	Property Legal/Civic Address	Electoral Area	AAC Recommendation	ALC File No	ALC Decision
PL2017-030	Subdivision	2298 Northwest Bay Road, Nanoose Bay, BC V9P 9B3	E	No recommendation	56569	Refused Oct 2017
PL2017-064	Subdivision	Yellow Point Road / 2437 Quennell Rd	A	No recommendation	56488	Refused Feb 2018
PL2018-017	WITHDRAWN	1430 Ward Rd & 2341 Swayne Rd	F	Refuse	57233	WITHDRAWN
PL2018-024	ON HOLD	3139 Jingle Pot Rd	C	ON HOLD	57244	ON HOLD
PL2017-194	Placement of Fill	1115 Lefler Rd	F	Refuse	56987	Refused April 2019
PL2018-012	Subdivision	2783 & 2789 Haslam Rd	A	Refuse	57224	Refused Sept 2018
PL2018-075	Non-Farm Use	3452 Jingle Pot Road	C	Approve	57605	Refused May 2019
PL2018-106	Subdivision	2298 Northwest Bay Rd	E	Approve	57716	Refused Feb 2019
PL2018-160	Non-Farm Use		H		58137	On hold
PL2018-144	Non-Farm Use	1330 Hodges Road 1410 Hodges Road	G	Approve	58039	Approved 06/13/2019
PL2018-146	Non-Farm Use	3106 Northwest Bay Rd	E	Approve	58056	Pending
PL2018-155	Non-Farm Use	3734 Jingle Pot Rd	C	No recommendation	58070	Approved 04/17/2019
PL2019-007	Non-Farm Use	2452 Hemer Road	A	Approve	58437	Refused June 2019
PL2019-009	Non-Farm Use	Lot 5, District lot 35, Wellington District, Plan 3225 Except That Part In Plan 44451/Doumont Rd	C	Refuse	58367	Pending
PL2019-015	Subdivision	1731 Benham Rd.		CANCELLED	58463	CANCELLED

## JUNE 2019

PL2019-047	Non-Farm Use	420 Lowrys Road		CANCELLED	58447	CANCELLED
PL2019-060	Non-Farm Use	2300 Fowler	H	CANCELLED	58698	CANCELLED
PL2019-046	Non-Farm Use	981 Virginia Rd	F	CANCELLED	58680	CANCELLED
PL2019-077	Subdivision	2550 Quennell Road	A	June Meeting	58995	
PL2019-075	Non-Adhering Residential Use	1160 Evergreen Way	F	June Meeting	59004	
PL2019-082	Subdivision	3786 Jingle Pot Rd	C	June Meeting	59052	
PL2019-103	Non-Adhering Residential Use	2483 Pirart Rd	C	June Meeting	59096	