

REGIONAL DISTRICT OF NANAIMO
AGRICULTURAL ADVISORY COMMITTEE

Friday, May 26, 2017
2:00 PM
RDN Board Chambers

A G E N D A

PAGES

- 1. CALL TO ORDER**
 - 2. APPROVAL OF THE AGENDA**
 - 3. ADOPTION OF MINUTES**
 - 3.1 Minutes of the Agricultural Advisory Committee meeting held March 17, 2017**

That the minutes of the Agricultural Advisory Committee meeting held on March 17, 2017 be approved.
 - 4. DELEGATIONS**
 - 5. CORRESPONDENCE**
 - 5.1 Agricultural Land Commission Decision (May 15, 2017) on PL2016-155 ALR Non-Farm Use - 2575 Maxey Road – Electoral Area ‘C’**
 - 5.2 Agricultural Land Commission Application Portal Update**
 - 6. UNFINISHED BUSINESS**
 - 7. STAFF REPORTS**
 - 7.1 Request for Comment on Subdivision in the Agricultural Land Reserve Application No. PL2017-030 – Electoral Area ‘E’**
 - 7.2 Request for Comment on Non-Farm Use in the Agricultural Reserve Application No. PL2017-048 – Electoral Area ‘F’**
 - 7.3 Agricultural Land Reserve Preliminary Boundary Analysis for Electoral Area ‘H’ Final Report**
- 3-5
- 6-15
- 16-17
- 18-43
- 44-66
- 67-108

7.4 Proposal to Host a Joint Workshop for Farmers in the Region with Provincial Staff and Regional District of Nanaimo Staff in the Drinking Water & Watershed Protection Program (DWWP) Department, re the new Provincial Groundwater licensing process and how to use the BC Agricultural Water Tool (Verbal Report by Julie Pisani, DWWP Coordinator)

109-111

7.5 Agricultural Land Commission Final Decisions – Verbal Report from RDN Staff (Table attached)

8. BUSINESS ARISING FROM DELEGATIONS

9. NEW BUSINESS

9.1 Agricultural Advisory Committee Member Mileage Reimbursement For Site Visits (Verbal Update)

9.2 Next Meeting (Verbal Update)

10. IN CAMERA

11. ADJOURNMENT

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE AGRICULTURAL ADVISORY COMMITTEE
MEETING HELD ON FRIDAY March 17, 2017 at 2:00 PM
IN THE RDN BOARD ROOM**

Present:

H. Houle	Chairperson, Director, Electoral Area B
J. Fell	Director, Electoral Area F
N. Horner	Alternate Director, Town of Qualicum Beach
J. Thony	Regional Agricultural Organization
K. Reid	Shellfish Aquaculture Organizations
K. Wilson	Representative District 68
G. Laird	Representative District 68
C. Watson	Representative District 69

Regrets

T. Westbroek	Director Town of Qualicum Beach
R. Thompson	Representative District 69
M. Ryn	Regional Agricultural Organization

Also in Attendance:

M. Young	Director, Electoral Area C
J. Holm	Manager, Current Planning
K. Marks	Planner, Current Planning
P. Sherman	Recording Secretary

CALL TO ORDER

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

The Chairperson welcomed Alternate Director Horner to the meeting.

DELEGATION

Diana Chalmers, Principal and Karin Barker, Office Administrator for Discover Montessori School, re PL2017-013 Non-Farm Use – 3452 Jingle Pot Road – Electoral Area ‘C’

Diana Chalmers, Principal and Karin Barker, Office Administrator for Discover Montessori School presented an overview on the challenges of finding and maintaining a suitable location for their school and provided a brochure on the philosophy and focus of the school programs along with a draft site plan of 3452 Jingle Pot Road outlining the Discover Montessori Farm School development concept for the subject property.

MINUTES

Minutes of the Agricultural Advisory Committee meeting held on Friday, February 17, 2017

MOVED Director Fell, SECONDED K. Wilson, that the minutes of the Agricultural Advisory Committee meeting held on Friday, February 17, 2017 be adopted.

CARRIED

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

Agricultural Land Commission Decision (February 28, 2017) on PL2016-158 – ALR Non-Farm Use Application – 403 Lowry’s Road – Electoral Area ‘G’

J. Holm provided a summary of the Agricultural Land Commission decision regarding Regional District of Nanaimo Application No. PL2016-158 – ALR Non-Farm Use.

UNFINISHED BUSINESS

REPORTS

PL2017-013 Non-Farm Use – 3452 Jingle Pot Road – Electoral Area ‘C’

MOVED G. Laird, SECONDED, Alternate Director N. Horner, that ALR Application No. PL2017-013 Non-Farm Use – 3452 Jingle Pot Road – Electoral Area ‘C’ be forwarded to the Agricultural Land Commission with no recommendation from the Agricultural Advisory Committee.

DEFEATED

MOVED Director Fell, SECONDED, K. Wilson, that ALR Application No. PL2017-013 Non-Farm Use – 3452 Jingle Pot Road – Electoral Area ‘C’ be forwarded to the Agricultural Land Commission with a recommendation to approve the non-farm use with in the Agricultural Land Reserve.

CARRIED

MOVED Alternate Director Horner, SECONDED G. Laird, that the Committee amend the motion to recommend a caveat be placed on the property that the non-farm use be rescinded in the event the Discover Montessori School no longer maintains its interest in operating on the property.

DEFEATED

Agricultural Land Commission Final Decisions – Verbal Report from RDN Staff

J. Holm summarized the Agricultural Advisory Committee recommendations in relation to the Agricultural Land Commission decisions since February 2014 when the Agricultural Advisory Committee was able to provide comment to the Agricultural Land Commission.

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

Agricultural Advisory Committee Comments Provided to the Agricultural Land Commission

MOVED C. Watson, SECONDED K. Reid, that a recommendation be submitted to the Board that staff be requested to send a letter to the Agricultural Land Commission to invite them to attend an Agricultural Advisory Committee meeting to discuss the value and impact that the Committee comments have on the Agricultural Land Commission decisions.

CARRIED

MOVED J. Thony, SECONDED Director Fell, that a recommendation be submitted to the Board that Agricultural Advisory Committee members receive mileage reimbursement for site visits they are asked to attend.

CARRIED

ADJOURNMENT

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

CARRIED

TIME: 3:24 PM

CHAIRPERSON

May 15, 2017

ALC File: 55804

Dean and Erica Kauwell
115 Lenwood Road
Nanaimo, BC V9X 1A4

Dear Mr. Kauwell:

Re: Application to Conduct a Non-Farm Use the Agricultural Land Reserve (ALR)

Please find attached the Reasons for Decision of the Island Panel (Resolution #117/2017) as it relates to the above noted application. A sketch plan depicting the decision is also attached. As agent, it is your responsibility to notify the applicant accordingly.

Reconsideration of a Decision as Directed by the ALC Chair

Please note that pursuant to [s. 33.1 of the *Agricultural Land Commission Act*](#), the Chair may direct the Executive Committee to reconsider any panel decision if, within 60 days from the date of this decision, he considers that the decision may not fulfill the purposes of the commission as set out in s. 6, or does not adequately take into consideration s. 4.3.

You will be notified in writing if the Executive Committee is directed to reconsider your decision. The Commission advises you to take this 60 day period into consideration prior to proceeding with any actions upon this decision.

Reconsideration of a Decision by an Affected Person

We draw your attention to [s. 33\(1\) of the *Agricultural Land Commission Act*](#) which provides a person affected the opportunity to submit a request for reconsideration.

- 33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:
- (a) evidence not available at the time of the original decision has become available,
 - (b) all or part of the original decision was based on evidence that was in error or was false.

For further clarity, s. 33.1 and s. 33(1) are separate and independent sections of the *Agricultural Land Commission Act*.

Further correspondence with respect to this application is to be directed to Sara Huber at (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to be 'S. Huber', written in a cursive style.

Sara Huber, Land Use Planner

Enclosures: Reasons for Decision (Resolution #117/2017)
Sketch plan

cc: Regional District of Nanaimo (File: PL2016-155) Attention: Kristy Marks

55804d1

AGRICULTURAL LAND COMMISSION FILE 55804

REASONS FOR DECISION OF THE ISLAND PANEL

Application submitted pursuant to s. 20(3) of the *Agricultural Land Commission Act*

Applicants:

**Dean Kauwell
Erica Rudischer
(the “Applicants”)**

Agent:

**Dean Kauwell
(the “Agent”)**

Application before the Island Regional Panel:

**Linda Michaluk, Panel Chair
Honey Forbes
Clarke Gourlay**

THE APPLICATION

[1] The legal description of the property involved in the application is:

Parcel Identifier: 000-131-253

Lot 2, Sections 17 and 18, Range 5, Mountain District, Plan 40319
(the "Property")

[2] The Property is 15.4 ha in area.

[3] The Property has the civic address 2575 Maxey Road, Nanaimo BC.

[4] The Property is located within a designated agricultural land reserve ("ALR") as defined in s. 1 of the *Agricultural Land Commission Act* (the "ALCA").

[5] The Property is located within Zone 1 as defined in s. 4.2 of the *ALCA*.

[6] Pursuant to s. 20(3) of the *ALCA*, the Applicants are applying to place 12,000 m³ of fill on 0.8 ha of land to elevate the site by 3 metres such that it is above the floodplain and has level access from Maxey Road in order to construct a dwelling and farm storage building (the "Proposal"). The Proposal along with supporting documentation is collectively the application (the "Application").

RELEVANT STATUTORY PROVISIONS

[7] The Application was made pursuant to s. 20(3) of the *ALCA*:

20(3) An owner of agricultural land or a person with a right of entry to agricultural land granted by any of the following may apply to the commission for permission for a non-farm use of agricultural land.

[8] The Panel considered the Application within the context of s. 6 of the ALCA. The purposes of the Agricultural Land Commission (the “Commission”) set out in s. 6 are as follows:

6 The following are the purposes of the commission:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

EVIDENTIARY RECORD BEFORE THE PANEL

[9] The Panel considered the following evidence:

1. The Application
2. Local government documents
3. Agricultural capability map, ALR context map and satellite imagery
4. Site Visit Report

All documentation noted above was disclosed to the Agent in advance of this decision.

[10] The Regional District of Nanaimo (RDN) Board Policy B1.8 Review of Provincial Agricultural Land Reserve Applications includes a standing Board resolution for exclusion, subdivision or non-farm use ALR lands which reads as follows:

All applications under the Agriculture Land Commission (ALC) Act for exclusion, subdivision, or non-farm use of ALR land are to be forward (sic) to the Agricultural Advisory Committee (AAC) along with a completed ALC local government report in order to allow the AAC to provide comment and recommendation on the application. If the Area

Director has provided comments on the application, the Director's comments will be included with the referral to the AAC.

[11] With respect to the Application, Director Young provided the following comment “...I am in favour of supporting the application for fill soils to be placed in the scrub area adjacent to Maxey Road to support a dwelling unit”.

At its meeting of November 25, 2016, the AAC resolved:

That application No PL2016-155 - ALR Non-Farm Use Application – Kauwell/Rudischer - 2575 Maxey Road – Electoral Area ‘C’ be forwarded to the Agricultural Land Commission with a recommendation to approve the non-farm use within the ALR.

SITE VISIT

[12] On March 22, 2017, the Panel conducted a walk-around and meeting site visit in accordance with the *Policy Regarding Site Visits in Applications* (the “Site Visit”).

[13] A site visit report was prepared in accordance with the *Policy Regarding Site Visits in Applications*. The site visit report was certified as accurately reflecting the observations and discussions of the Site Visit by the Agent on March 27, 2017 (the “Site Visit Report”).

BACKGROUND

[14] In August 2016, the ALC was notified that the Applicants were placing fill on the Property without permission. Through discussions with the RDN, it was explained that that the Property is below the floodplain and fill would be required prior to the construction of buildings. An application for non-farm use was submitted to the RDN in October 2016.

FINDINGS

[15] In assessing agricultural capability, the Panel referred to agricultural capability mapping and ratings. The ratings are identified using the BC Land Inventory (BCLI), ‘Land Capability

Classification for Agriculture in B.C.' system. The improved agricultural capability ratings identified on BCLI map sheet 92F.020 for the mapping units encompassing the Property are Class 1, 2, and 5, more specifically 40% (7:2W 3:1) located on the northeastern portion of the Property, and 40% 5AT. The remaining 20% of the southwest portion of the Property is considered "lake".

Class 1 - land is capable of producing the very widest range of crops. Soil and climate conditions are optimum, resulting in easy management.

Class 2 - land is capable of producing a wide range of crops. Minor restrictions of soil or climate may reduce capability but pose no major difficulties in management.

Class 5 - land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

The limiting subclasses associated with this parcel of land are W (excess water), A (soil moisture deficiency) and T (topographic limitations).

In this regard, the Panel finds that the Property has prime agricultural capability on the northeastern portion of the Property and could support a range of agriculture.

[16] At the Site Visit the Agent informed the Panel that the total fill area is now to be ± 0.3 ha (not 0.8 ha), including the fill that has already been placed, which would accommodate the proposed dwelling and a farm storage building. According to *ALC Policy L-15 Placement of Fill or Removal of Soil: Construction of a Single Family Residence*, a maximum of 0.2 ha area of fill may be placed on ALR land where it has been determined by the local government through the building approval process that it is both necessary and reasonable for the construction of a residence.

[17] With regard to the location of the proposed dwelling, the Application states that the proposed fill site is the only suitable building site on the Property as the RDN requires that construction be 3 metres above the level of the floodplain, and setback 30 metres

from Millstone River. The Applicants also considered a location that would not negatively impact the hay production currently taking place on the Property. To mitigate impact on the adjacent hay production, the Applicants have constructed a 2:1 fill slope with a concrete retaining wall. During the Site Visit, the Agent stated that they intend to add a second tier to the concrete retaining wall.

[18] In consideration of the proposed ± 0.3 ha fill area the Panel has no objection as the fill area is also being utilized for a farm storage building intended to support the agricultural activities taking place on the Property. The Agent stated that the farm storage building is to be used for storing hay equipment, including a tractor, mower, rake, and bailer.

[19] Additionally, the Panel finds that the proposed ± 0.3 ha fill area is close to Maxey Road, thus reducing the impact on productive agricultural land. However, as the toe of the fill slope is expected to extend just past the edge of the hay field, the Panel requires that the Applicants add and maintain a second tier of the concrete retaining wall to stabilize the fill slope and to minimize sloughing onto the hay field.

DECISION

[20] For the reasons given above, the Panel refuses the Proposal to place 12,000 m³ of fill on 0.8 ha of land to elevate the site by 3 metres such that it is above the floodplain and has level access from Maxey Road in order to construct a dwelling and farm storage buildings.

[21] The Panel does; however, approve the placement ± 4500 m³ of fill on 0.3 ha of land for the residential dwelling and the farm storage building. This approval includes the fill already placed on the Property and pertains to the area on which the fill is presently placed. Approval is subject to the following conditions:

[22] The Proposal is approved subject to the following conditions:

- a. Fill placement activities restricted to the 0.3 ha area shown on the sketch plan attached to Resolution #117/2017;
- b. Total volume of imported material must be limited to $\pm 4500 \text{ m}^3$ to achieve the finished grade elevations as shown on the plans provided with the application; and
- c. The addition and maintenance of a second tier of the concrete retaining wall.

[23] This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

[24] These are the unanimous reasons of the Island Panel of the Agricultural Land Commission.

[25] A decision of the Panel is a decision of the Commission pursuant to s. 11.1(5) of the *Agricultural Land Commission Act*.

[26] This decision is recorded as Resolution #117/2017 and is released on May 15, 2017.

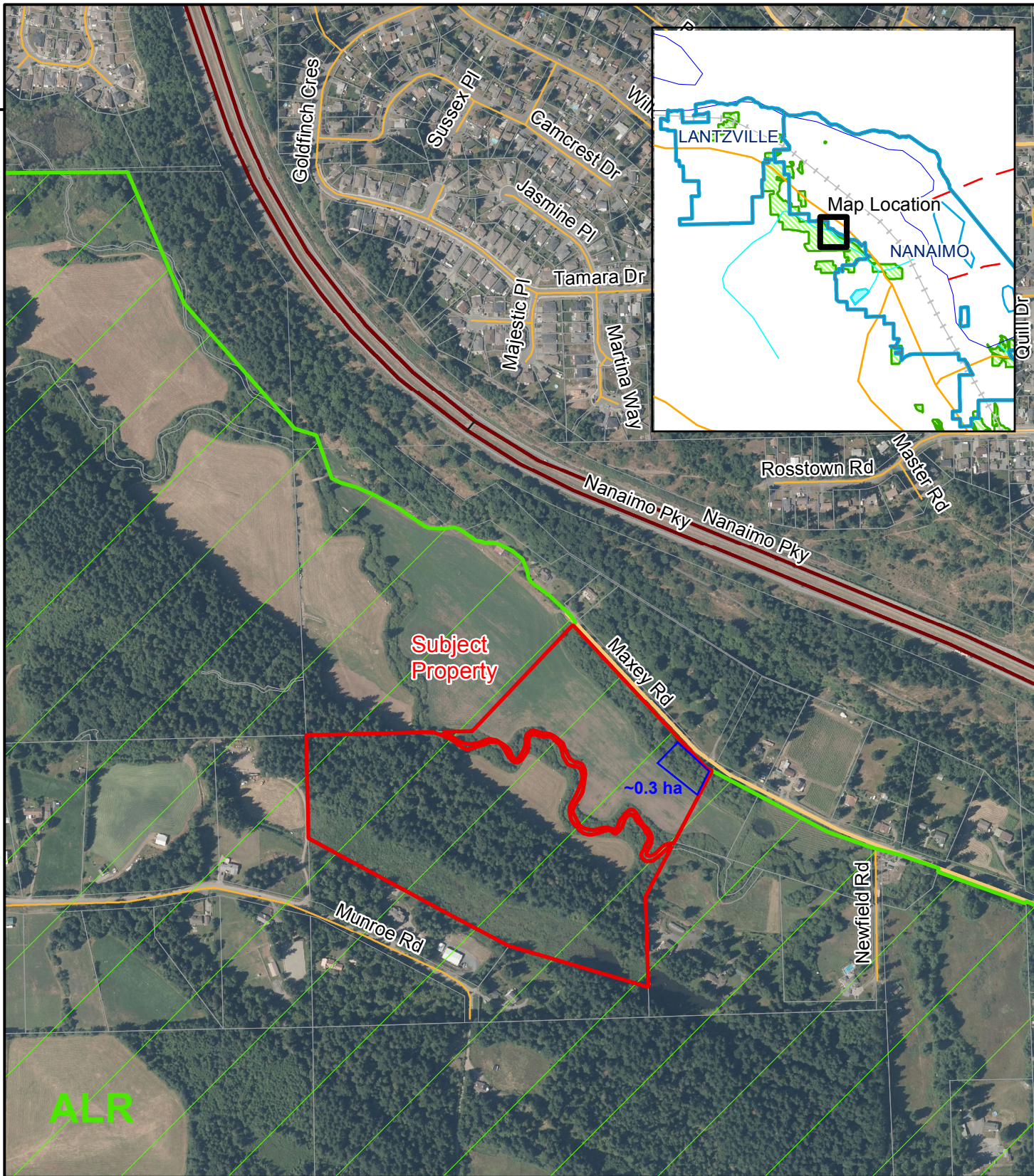
CERTIFICATION OF DECISION



Linda Michaluk, Panel Chair, on behalf of the Island Panel

END OF DOCUMENT

49°12'0"N




**ALC Application # 55804
(Kauwell)**

Conditionally Approved NFU (fill)

Resolution # 117/ 2017

Legend:

 Property Boundary

 Conditionally Approved NFU

Sent: Thursday, April 06, 2017 4:08 PM

Subject: ALC Application Portal Update - New Public Search Functionality



ALC Application Portal Update

Thursday, April 6, 2017 – Please circulate to relevant local government staff.

New Public Application Search Function

As of March 31, 2017, the ALC Application Portal now includes application search functionality for the public. Applications electronically submitted to the ALC starting July 15, 2015 are available on Application Search.

Applications submitted to the ALC become visible in Application Search when the ALC acknowledges the submission as complete. Once the local government forwards the application and the associated fee to the ALC, staff check that required documents are present and assign the ALC Acknowledged - Complete status accordingly.

Application Search is located in the Popular Topics section on the [ALC website](#) homepage.

Did You Know?

- 1. Protecting Private Information** - Applicant submissions and public correspondence included in local government staff reports and other attachments should have personal contact information redacted (specifically, email addresses and phone numbers).

- 2. Reviewing Applications – Applicant -> Local Government -> ALC** - Applications submitted through the Portal move from applicant to local government and then to the ALC. The ALC does not vet or see application material until the local government chooses to electronically forward an application to the ALC.

Note: Transportation, Utility, Recreation Trail Use applications and Notice of Intent submissions come directly to the ALC with a read-only copy sent to the local government.

- 3. Forwarding Resolutions** - A local government resolution authorizing applications to be forwarded to the ALC is required for all applications unless:

- There is no Zoning/OCP designation where the parcel is located, or
- The application is for inclusion into the ALR

“An application...may not proceed unless authorized by a resolution of the local government if...the application...applies to land that is zoned by bylaw to permit agricultural or farm use, or requires, in order to proceed, an amendment to an official settlement plan, an official community plan, an official development plan or a zoning bylaw.”

Non-Farm Use and Subdivision - [S. 25\(3\) of the ALC Act](#)

Exclusion - [S. 30\(4\) of the ALC Act](#)

Contact Information: ALC Application Portal Team

For any questions please contact:

ALC Application Portal phone: (604) 868-2979

Sincerely,

The ALC Application Portal Team

TO: Agricultural Advisory Committee DATE: May 26, 2017

FROM: Stephen Boogaards
Planner FILE: PL2017-030

SUBJECT: **Request for Comment on Subdivision in the Agricultural Land Reserve
Application No. PL2017-030
Glenn Dawson
Lot 1, District Lot 62, Nanoose District, Plan 37368
2298 Northwest Bay Road - Electoral Area 'E'**

SUMMARY

This is an application for subdivision in the Agricultural Land Reserve (ALR) to allow a two lot subdivision on a 9.7 hectare parcel located in Electoral Area 'E'. Should the Agricultural Advisory Committee (AAC) 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 Thomas Hoyt on behalf of Glenn Dawson. The subject property is legally described as Lot 1, District Lot 62, Nanoose District, Plan 37368 and the civic address is 2298 Northwest Bay Road. The subject property is approximately 9.7 hectares in area and is located entirely within the ALR. A small portion of the property fronts on Northwest Bay Road to the north and Spurs Place to the south. The property is located to the east of a plant nursery and is surrounded by other rural and agricultural properties. Properties to the east, west and south are all within the ALR. The property currently contains a dwelling unit and the property owner currently operates a tree farm (see Attachments 1 and 2 for Subject Property Map and Aerial Photo).

The applicant proposes to subdivide the property to create a 7.35 hectare lot (Lot A) and a 2.38 hectare lot (Lot B), both accessible from Northwest Bay Road.

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*.

AAC members were provided an opportunity to attend the site on May 4, 2017.

REGIONAL GROWTH STRATEGY

The subject property is currently designated Resource Land and Open Spaces pursuant to the "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011" (RGS). The Resource Lands and

Open Spaces designation do not support the creation of new parcels that are smaller than the size supported by the Official Community Plan (OCP) in effect at the date of the adoption of the RGS (see Attachment 7). Further to this, the RGS encourages the provincial government to protect and preserve the agricultural land base through the ALR. The RGS also discourages the subdivision of agricultural lands (see Attachments 8 and 9 for Regional Growth Strategy designation and Food Security goal).

OFFICIAL COMMUNITY PLAN

The subject property is currently designated as Resource Lands within the Agricultural Land Reserve pursuant to the “Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005” (see Attachment 6 for OCP Land Use Designation). The Resource Lands designation includes an objective to protect agricultural land resources for present and future food production and supports a minimum parcel size of 8.0 hectares for land within the ALR. The policies identify that the retention of large land holdings within the ALR shall be encouraged to maintain the option and feasibility of farm use.

The parcel is also designated within the Watercourse Protection Development Permit Area (DPA). Due to a watercourse being located on the subject property, a development permit will be required prior to the subdivision of the property.

Amendments to “Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005” are not required.

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 for zoning regulations and minimum parcel size). The AG1 Zone permits farm use, residential uses, and accessory uses. The zoning allows two dwelling units on parcels greater than 2.0 hectares. The applicant proposes to subdivide the property to create a 7.35 hectare lot (Lot A) and a 2.38 hectare lot (Lot B) shown on the Proposed Plan of Subdivision, prepared by T.G. Hoyt and dated August 22, 2016 (see Attachment 3).

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

BOARD POLICY AND AAC PROCEDURE

Regional District of Nanaimo “Board Policy B1.8: Review of ALR Applications” provides an opportunity for the AAC to review and provide comments on ALR applications for exclusion, subdivision and non-farm use, on lands within the ALR. 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.

Comment provided to the ALC from the AAC is consensus based, through Committee adoption of a motion. If an AAC member has comments regarding an application being submitted to the ALC, the appropriate time to provide those comments is in the Committee meeting, during discussion on the application, and prior to the Committee's adoption of its motion. Only motions approved by the Committee will be forwarded to the ALC for its consideration. Comments from individual AAC members will not be included in the staff report that is forwarded to the ALC.

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

ELECTORAL AREA DIRECTOR COMMENT

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

Due to the current condition of this property and my thought that subdivision will have little or no impact on the agricultural potential for the property, I support this application and urge the ALC to approve it.

*Bob Rogers
RDN Area E Director*



Stephen Boogaards
sboogaards@rdn.bc.ca
May 5, 2017

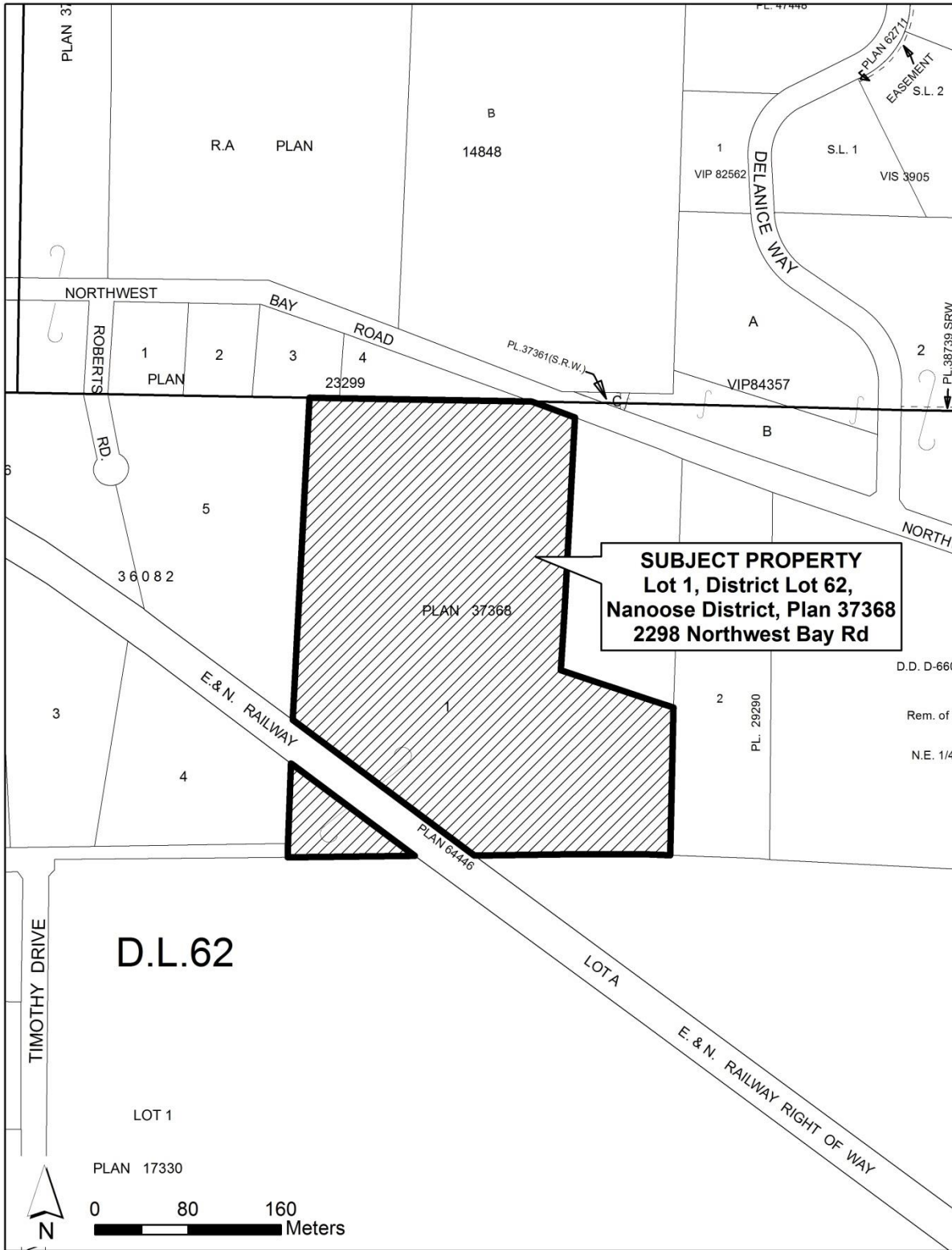
Reviewed by:

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

Attachments

1. Subject Property Map
2. 2012 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

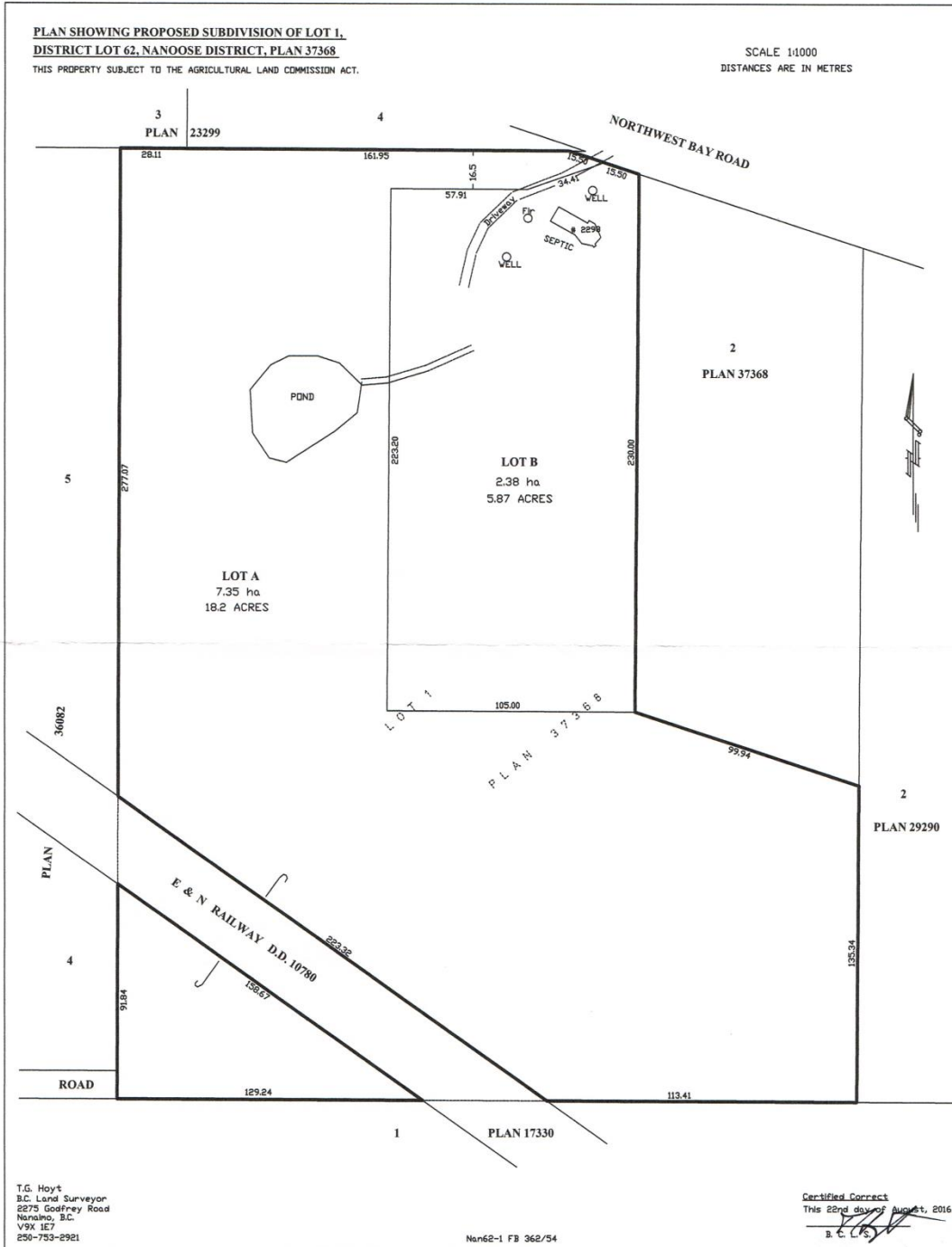
Attachment 1
Subject Property Map



Attachment 2
2012 Aerial Photo



Attachment 3 Proposed Plan of Subdivision



**Attachment 4
Existing Zoning
(Page 1 of 3)**

Section 3.4.1

AGRICULTURE 1

AG1³⁴³⁵

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

3.4.1.2 Maximum Number and Size of Buildings and Structures

- 1) Accessory residential buildings combined floor area of 400 m²
- 2) Dwelling units/parcel
 - a) on a parcel having an area of 2.0 ha or less 1
 - For Electoral Areas 'A', 'C', 'E', and 'H'**
 - b) on a parcel having an area greater than 2.0 ha 2
 - For Electoral Area 'G'**
 - c) on a parcel having an area equal to or greater than twice the minimum parcel size as established by Schedule '4B Subdivision District – Minimum Parcel Sizes' 2
 - d) Notwithstanding subsection (c), on a parcel located in this zone and created prior to February 22, 2011 and having an area greater than 2.0 ha. 2
- 3) Height (non-farm and accessory farm buildings and structures) 9.0 m

³⁴ Bylaw No. 500.383, Adopted June 25, 2013

³⁵ Bylaw No. 500.402, adopted June 28, 2016

Attachment 4
Existing Zoning
(Page 2 of 3)

AGRICULTURE 1 continued

- 4) Parcel coverage
- | | |
|---|-----|
| a) Non-farm buildings and structures | 10% |
| b) Farm or agriculture buildings and structures | 25% |
| c) Greenhouses | 75% |
- d) In no case shall the combined parcel coverage exceed 75%.
- e) Notwithstanding a), b), c) and d) above or any other regulation in this Bylaw, the following agricultural structures shall be exempt from maximum parcel coverage:
- i) Permeable detention ponds
 - ii) Support structures used for shading, frost and wind protection, netting, or trellising.
-

3.4.1.3 Minimum Setback Requirements

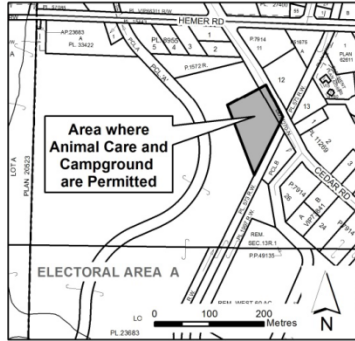
- 1) All non-farm buildings and structures – All lot lines 8.0 m
except where:
- a) the parcel is less than 4000 m² in area then the setback from lot lines may be reduced to 2.0 m from an interior side lot line and to 5.0 m from other lot lines, excluding the front lot line;
 - b) any part of a parcel 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

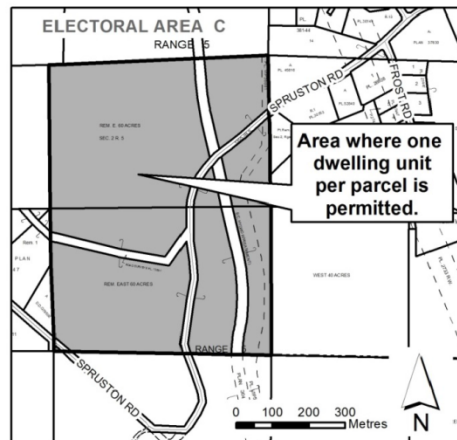
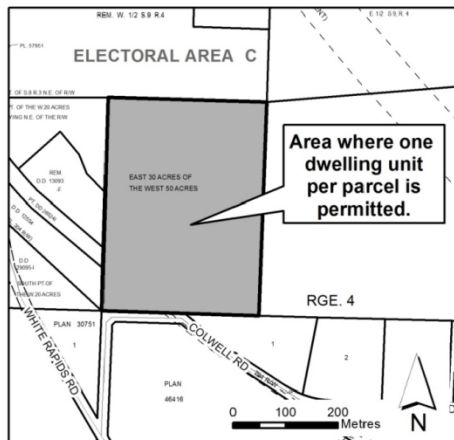
- 1) For any part of a parcel in the Agricultural Land Reserve, 'Farm Use' shall be a permitted principal use and for any part of a parcel not located in the Agricultural Land Reserve, 'Agriculture' shall be a permitted principal use.
- 2) Accessory Farm uses are only permitted on that part of a parcel 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 3)**

- 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.



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 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: ¹

Minimum Parcel Sizes				
Subdivision District	Community Water & Sewer System	Community Water System - No Community Sewer	Community Sewer System - No Community Water	All Other Subdivisions
A	20.0 ha	20.0 ha	20.0 ha	20.0 ha
B	8.0 ha	8.0 ha	8.0 ha	8.0 ha
C	5.0 ha	5.0 ha	5.0 ha	5.0 ha
CC ²	4.0 ha	4.0 ha	4.0 ha	4.0 ha
D	2.0 ha	2.0 ha	2.0 ha	2.0 ha
E	1.6 ha	1.6 ha	1.6 ha	1.6 ha
F	1.0 ha	1.0 ha	1.0 ha	1.0 ha
G	8000 m ²	1.0 ha	1.0 ha	1.0 ha
H	5000 m ²	1.0 ha	1.0 ha	1.0 ha
J ³	4000 m ²	6000 m ²	1.0 ha	1.0 ha
K	4000 m ²	4000 m ²	4000 m ²	4000 m ²
L	2000 m ²	2000 m ²	4000 m ²	4000 m ²
M	2000 m ²	2000 m ²	1.0 ha	1.0 ha
N ^{4,5}	1600 m ²	1600 m ²	1.0 ha	1.0 ha
P	1000 m ²	1600 m ²	1.0 ha	1.0 ha
Q (EA G only)	700 m ²	⁶ 1.0 ha	1.0 ha	1.0 ha
Q (other EAs)	700 m ²	2000 m ²	1.0 ha	1.0 ha
R	500 m ²	⁷ 1.0 ha	1.0 ha	1.0 ha
S ⁸	400 m ²	2000 m ²	1.0 ha	1.0 ha
T ⁹	600 m ²	No further subdivision		
V ¹⁰	50.0 ha	50.0 ha	50.0 ha	50.0 ha
Z	No further subdivision			
CD9 ¹¹	400 lots with approved pump and haul service connection			

¹ Bylaw No. 500.238, adopted February 10, 1998
² Bylaw No. 500.347, adopted September 22, 2009
³ Bylaw No. 500.27, adopted August 9, 1988
⁴ Bylaw No. 500.66, adopted December 12, 1989
⁵ Bylaw No. 500.324, adopted February 28, 2006
⁶ Bylaw No. 500.264, adopted October 10, 2000
⁷ Bylaw No. 500.264, adopted October 10, 2000
⁸ Bylaw No. 500.27, adopted August 9, 1988
⁹ Bylaw No. 500.394, adopted August 25, 2015
¹⁰ Bylaw No. 500.253, adopted January 11, 2000
¹¹ Bylaw No. 500.275, adopted October 9, 2001

Attachment 6
Official Community Plan Land Use Designation
(Page 1 of 4)

Nanoose Bay Official Community Plan Bylaw No. 1400, 2005

receiving waters, including channel stability and flow maintenance.

3.4 RESOURCE LANDS

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

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

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

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

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

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

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

Objectives:

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

Attachment 6
Official Community Plan Land Use Designation
(Page 2 of 4)

Nanoose Bay Official Community Plan Bylaw No. 1400, 2005

9. *Support* the public's use of forest lands for recreational enjoyment and education.
 10. *Protect* lands with aggregate or mineral resources from development that would render the resource unviable or inaccessible.
 11. *Seek* methods of minimizing conflicts between extraction activities and adjacent land uses.
 12. *Minimize* the impact of extraction activities on the natural environment.
 13. *Support* provincial requirements for site rehabilitation and reclamation of mined landscapes for future productive use and for environmental and aesthetic considerations.
 14. *Minimize* the impact of resource operations and activities on the natural environment and on neighbouring land uses and development.
 15. *Protect* sensitive ecosystems and features on Resource Lands.
- Policies:**
1. Resource Lands are designated on Map No. 2.
 2. Lands designated Resource Lands that are forest and/or crown lands or large recreational holdings shall have a minimum parcel size of 50.0 hectares. All other Resource Lands shall have a minimum parcel size of 8.0 hectares. However, this is not intended to prevent parcel averaging as set out in the applicable zoning bylaw.
 3. Notwithstanding Policy No. 2 (above), lands designated as Resource Lands and entirely within the provincial Agricultural Land Reserve shall have a minimum parcel size of 8.0 hectares. The provision of community water and sewer services to lands within this designation is not supported by this OCP.
 4. Permitted uses on Resource Lands shall be compatible with existing agricultural and resource uses.
 5. It is acknowledged that the Department of National Defence operates facilities within this designation that are provided with community water and sewer services.
 6. The Agricultural Land Commission's (ALC) mandate of preserving and encouraging agricultural production shall be supported.
 7. The retention of large land holdings within the ALR shall be encouraged to maintain the option and feasibility of farm use.
 8. The locations and construction of new roads, utility or communication rights-of-way shall be sited to avoid the ALR wherever possible. Where agricultural land is required, these rights-of-way should be sited in a manner that will cause minimal impact on agricultural operations. Alignments should be established in consultation with affected local landowners.
 9. In order to reduce conflicts between agricultural uses and non-agricultural uses a Farm Land Protection Development Permit Area has been established on lands adjacent to lands within the Agricultural Land Reserve.
 10. Measures which buffer new development adjacent to land within the ALR shall be encouraged to reduce the potential for land use conflicts. These measures may include restrictive covenants to protect naturally established buffers, dedication of park land where in compliance with the parks policy strategy of the Plan, or the use of landscaping and/or fencing in

Attachment 6
Official Community Plan Land Use Designation
(Page 3 of 4)

Nanose Bay Official Community Plan Bylaw No. 1400, 2005

accordance with the ALC's "Landscape Buffer Specifications" along property lines.

11. The regulation of intensive agricultural operations on non-ALR land within the Plan Area shall be supported in order to recognize the potential that these operations have to generate significant impacts on the natural environment and surrounding lands and development.
12. Where land is within the ALR and is proposed for subdivision or non-farm use, including the placement of a second dwelling, approval must first be obtained from the Agricultural Land Commission, except where additional dwellings are necessary for farm purposes subject to the *Agricultural Land Commission Act*. All subdivision and non-farm uses within the ALR shall comply with the agricultural objectives and policies within this section of the Plan.
13. Where land is removed from the ALR, the Resource Lands within the ALR designation shall remain.
14. The issuance of temporary use permits for the manufacture of asphalt products and/or gravel extraction on parcels may be considered provided that:
 - a) the asphalt is produced in a portable asphalt batch plant;
 - b) parcels are in excess of 8.0 hectares in area;
 - c) any watercourses are protected from the manufacturing or gravel extraction activity;
 - d) approval is obtained from the province for an industrial access permit and a Waste Management approval pursuant to the *Waste Management Act*;
 - e) a separation distance created by a natural vegetative buffer or berm of 100 metres in width is maintained between the asphalt batch plant operation and any dwelling unit not located on the subject property;
- f) where gravel removal and processing are required in conjunction with the manufacture of asphalt products, all requirements for the Approval of Work System and Reclamation Permit under the *Mines Act* including provisions for rehabilitation of the site after completion, are satisfied;
- g) primary processing is a permitted use on the parcel; and
- h) where land is within the Agricultural Land Reserve, notice has been given to the ALC of the intent to remove gravel or process soil in accordance with the *Agricultural Land Commission Act* and the ALC has granted approval.
15. For Resource Lands not within the ALR, the issuance of temporary use permits for soil composting operations on parcels may be considered provided that:
 - a) parcels are in excess of 8.0 hectares in area;
 - b) surface water is protected from all composting activities;
 - c) ground-water will not be negatively impacted by all composting activities;
 - d) approval is obtained from the ALC where required;
 - e) approval is obtained from the province for an industrial access permit and a Waste Management approval pursuant to the *Waste Management Act*;
 - f) a separation distance created by a natural vegetative buffer or berm of 100 metres in width is maintained between the composting operation

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

Nanoose Bay Official Community Plan Bylaw No. 1400, 2005

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

3.5 TOURIST COMMERCIAL LANDS

Land within the Tourist Commercial Lands designation is currently used for a variety of resort, condominium, commercial and industrial uses. Coastal uses are oriented toward ocean and marine related tourist activities. The inland commercial uses have historically been oriented toward the highway as opposed to the current strategy to locate commercial uses within Village and Neighbourhood Centres.

In most cases, the Tourist Commercial Lands have more intensive land uses than found on surrounding lands and therefore present the possibility of creating land use conflicts.

The Nanoose Bay Official Community Plan recognizes the importance of commercial and industrial uses and tourism to the economy consistent with the Regional Growth Strategy. Existing resort condominium developments are recognized as an important part of Nanoose Bay's economy. It is also recognized that these developments must be compatible in character with surrounding residential areas. Over the long term, it is anticipated that these resort condominium developments may be developed to the extent permitted by their current zoning and the existing level of services. The provision of an increased level of community water and sewer servicing to facilitate increased development potential for lands currently zoned for resort condominium development is not supported in this OCP.

Existing inland commercial activities away from the coast or outside the centres are intended to evolve into less intensive tourist commercial uses primarily serving the tourism market or travelling public rather than providing local convenience services. It is anticipated that, over time, these inland commercial and industrial uses will become

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*

(J. Oswald, 2009)

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).

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: 55706
Application Status: Under LG Review
Applicant: Glenn Dawson
Agent: Thomas Hoyt
Local Government: Nanaimo Regional District
Local Government Date of Receipt: 03/09/2017
ALC Date of Receipt: This application has not been submitted to ALC yet.
Proposal Type: Inclusion
Proposal: Subdivide to create one new lot within the ALC.

Agent Information

Agent: Thomas Hoyt

Parcel Information

Parcel(s) Under Application

- Ownership Type:** Fee Simple
Parcel Identifier: 001-047-981
Legal Description: L 1 DL 62 NANOOSE DISTRICT PL 37368
Parcel Area: 9.7 ha
Civic Address:
Date of Purchase: 07/20/2005
Farm Classification: Yes
Owners

- Name:** Glenn Dawson

Address:



Canada

Phone:

Email:



Current Use of Parcels Under Application

- 1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**
Tree Farm
- 2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**

Applicant: Glenn Dawson

Water storage pond for christmas tree growth.

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

Residential

Adjacent Land Uses

North

Land Use Type: Residential

Specify Activity: home

East

Land Use Type: Residential

Specify Activity: home

South

Land Use Type: Agricultural/Farm

Specify Activity: hobby farm residence

West

Land Use Type: Residential

Specify Activity: home

Proposal

1. How many hectares are you proposing to include?

9.7 ha

2. What is the purpose of the proposal?

Subdivide to create one new lot within the ALC.

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

Yes adding one house will not negatively impact agricultural potential.

4. Describe any improvements that have been made to, or are planned for the parcel proposed for inclusion.

Irrigation for christmas tree growth.

Applicant Attachments

- Agent Agreement - Thomas Hoyt
- Proposal Sketch - 55706
- Certificate of Title - 001-047-981

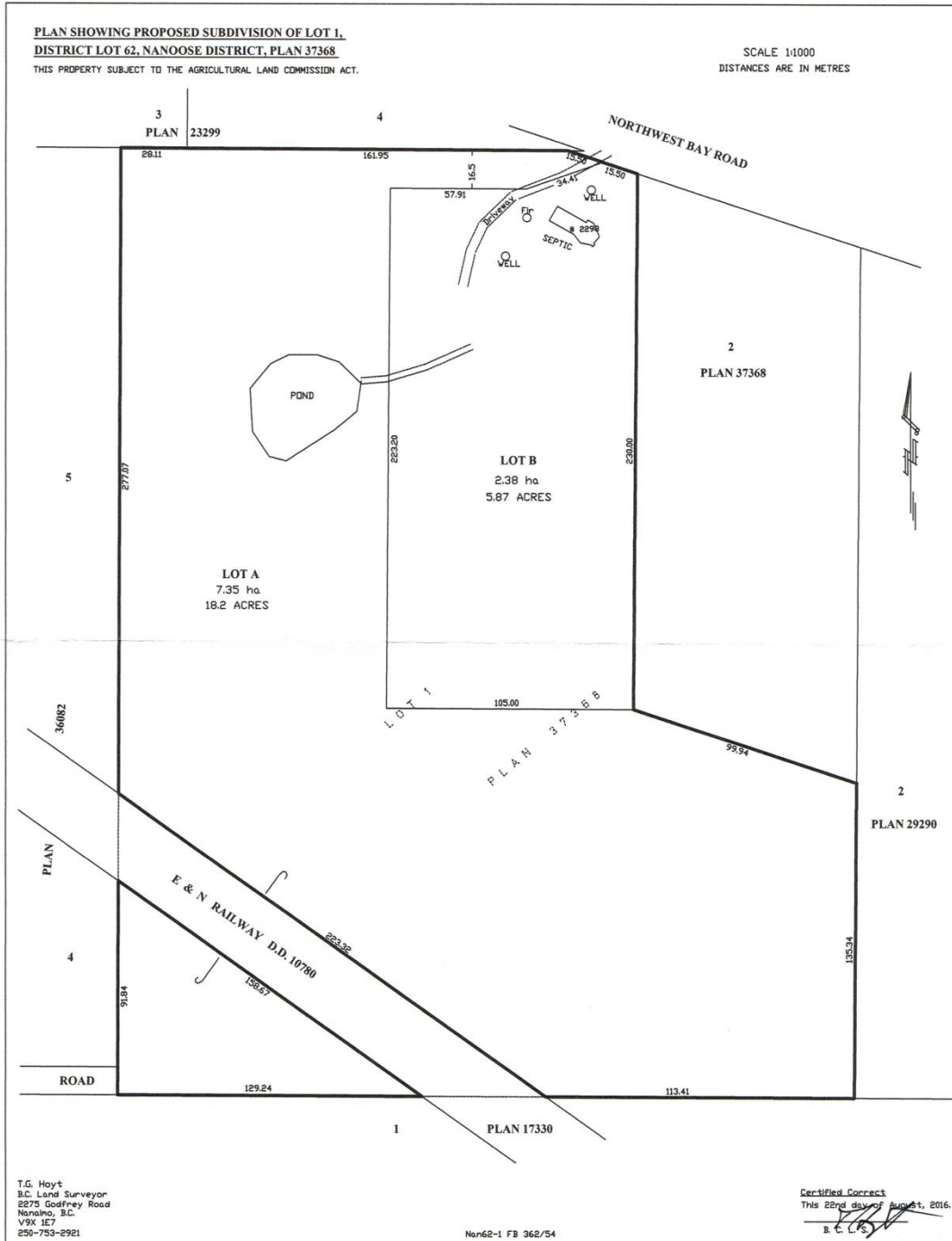
ALC Attachments

None.

Applicant: Glenn Dawson

Decisions

None.



TITLE SEARCH PRINT

File Reference: Nan62-1

Declared Value \$208428

2016-10-21, 13:19:41

Requestor: Tom Hoyt

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

Land Title District VICTORIA
Land Title Office VICTORIA

Title Number EX84437
From Title Number ET100091

Application Received 2005-07-11

Application Entered 2005-07-20

Registered Owner in Fee Simple
Registered Owner/Mailing Address:



Taxation Authority NANAIMO/COWICHAN ASSESSMENT AREA

Description of Land
Parcel Identifier: 001-047-981
Legal Description:
LOT 1, DISTRICT LOT 62, NANOOSE DISTRICT, PLAN 37368

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, R.E.HOOPER, REGISTRAR, PER: ALW

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
SECTION 172(3)
DD 12373
FOR ACTUAL DATE AND TIME OF REGISTRATION SEE ORIGINAL GRANT FROM E & N RAILWAY COMPANY

TITLE SEARCH PRINT

2016-10-21, 13:19:41

File Reference: Nan62-1

Requestor: Tom Hoyt

Declared Value \$208428

Nature: MORTGAGE
Registration Number: FB53287
Registration Date and Time: 2007-05-29 10:00
Registered Owner: SCOTIA MORTGAGE CORPORATION

Nature: MORTGAGE
Registration Number: CA1294407
Registration Date and Time: 2009-10-01 09:46
Registered Owner: COMMUNITY FUTURES DEVELOPMENT CORPORATION OF CENTRAL ISLAND
INCORPORATION NO. XS-41012

Nature: JUDGMENT
Registration Number: FB477301
Registration Date and Time: 2014-02-13 13:44
Registered Owner: THE CROWN IN RIGHT OF CANADA

Duplicate Infeasible Title NONE OUTSTANDING

Transfers NONE

Pending Applications NONE

TO: Agricultural Advisory Committee DATE: May 26, 2017

FROM: Angela Buick FILE: PL2017-048
Planner

SUBJECT: **Request for Comment on Non-Farm Use in the Agricultural Reserve
Application No. PL2017-048
Hilary Tinkling
1384 and 1430 Tyler Road – Electoral Area ‘F’
The East ½ of Block 24, District Lot 140, Nanoose District, Plan 1918 Except That Part In
Plan 22868**

SUMMARY

This is an application for non-farm use in the Agricultural Land Reserve (ALR) to permit an excavation business operation with associated marshalling of equipment, sawmill and landscape supply business on the subject property within the ALR on a 3.7 hectare lot located in Electoral Area ‘F’.

Should the Agricultural Advisory Committee (AAC) 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 non-farm use in the ALR to permit an excavation business operation with associated marshalling of equipment, sawmill and landscape supply business on the subject property within the ALR from Hilary Tinkling on behalf of Raymond Kenneth Tinkling and Hilary Susan Tinkling. The subject property is legally described as The East ½ of Block 24, District Lot 140, Nanoose District, Plan 1918 Except That Part in Plan 22868 and the civic addresses are 1384 and 1430 Tyler Road. The subject property is approximately 3.7 hectares in area, is located entirely within the ALR and is zoned A-1 (Agriculture 1) pursuant to “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285, 2002” (Bylaw 1285). The parcel is bound by Grafton Avenue to the north, smaller sized residential lots (not within the ALR) to the north, south and east and a large A-1 zoned lot (within the ALR) to the west. According to the application, the property currently contains a dwelling unit, a sawmill and a shop with loft (see Attachments 1 and 2 for Subject Property Map and Aerial Photo).

This application was initiated as a result of a bylaw compliance complaint. The complaint resulted in RDN and ALC investigations where, in July 2016, the ALC recommended that the applicant either cease the non-compliant uses or submit a non-farm use application. There was a concern that soils were being excavated from the parcel and being mixed with external soils from other properties to be sold to the public from the location as a topsoil material for landscaping purposes. The land use activity of

extracting soils originating from that lot, and being processed and stored on that location, is only permitted on a lot that is zoned to permit Primary Mineral Processing. Primary Mineral Processing is only permitted in FR-1 (Forestry/Resource 1, I-2 (Industrial 2), I-3 (Industrial 3) and MU-1 (Mixed Use Chatsworth Road 1) zones, within Bylaw 1285. The applicant's application proposal to the ALC indicates that native soils on the subject property have not been removed or altered. The complaint also included a concern that excavation, trucking and bobcat services were being conducted from the lot.

The applicant is seeking a non-farm use approval from the ALC to permit an excavation business to be conducted from the subject property. As part of this business, the applicant has multiple pieces of equipment/machinery that require on-site storage (Marshalling Yard) when they are not being used. The applicant is also seeking approval to permit the sale of soil Landscape Supply as a use to permit the acceptance of off-site soils to be processed, stored and sold from the subject property as a landscaping material to the public. The applicant has also decided to include as part of their ALC approval, the use of a permanent sawmill rather than a temporary sawmill that is currently permitted.

As these activities are not permitted as a "Farm Use" as defined within the ALC's regulations the applicant is required to first obtain a non-farm use approval from the ALC. If successful, the applicant would then need to apply to amend RDN land use regulations within the A-1 zone to permit a Commercial/Industrial use including Marshalling Yard, Sawmill and Landscape Supply. See RDN Bylaw 1285 definitions below:

Marshalling Yard means the use of land, buildings and structures to store and maintain industrial equipment and vehicles and specifically excludes a vehicle wrecking yard, and heavy equipment salvage;

Sawmill means a building, structure, or area where timber is cut, sawed or planed, either to finished lumber, or as an intermediary step and may include facilities for the kiln drying of lumber and may include the distribution of such products on a wholesale or retail basis;

Landscape Supply means the outdoor sale of landscaping materials including but not limited to soils, gravel, compost, manure and bark mulch, but specifically excludes primary mineral processing;

Agricultural Advisory Committee members were provided an opportunity to attend the site on May 4, 2017.

A copy of the applicant's submission package is included in Attachment 11. Personal information is redacted in accordance with the *Freedom of Information and Protection of Privacy Act*.

REGIONAL GROWTH STRATEGY

The subject property is designated 'Resource Land and Open Spaces' pursuant to the "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011" (RGS). The Resource Lands and Open Spaces land use designation is land that is primarily intended for resource uses such as agriculture, forestry, aggregate and other resource development and intended for long-term open space uses. This land use designation supports uses that are compatible to those that support agriculture and resource activities (see Attachment 8). Further to this, the RGS encourages the provincial government to protect and preserve the agricultural land base through the ALR (see Attachments 9 and 10). The RGS indicates

that the Board will not accept proposed amendments affecting Resource Land and Open Spaces that are proposed to be designated to other uses in the Regional Context Statement.

Amendments to “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011” would be required to allow the proposed uses.

OFFICIAL COMMUNITY PLAN

The subject property is currently designated as ‘Resource Lands Within the ALR’ pursuant to the “Regional District of Nanaimo Electoral Area ‘F’ Official Community Plan Bylaw No. 1285, 2002” (see Attachment 6 and 7).

This land use designation objectives are:

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 Policy number 5 states; Permitted uses shall be associated with those uses supported by the Agricultural Land Commission, such as agriculture, forestry, primary processing and outdoor recreation uses, including campgrounds. Based on this policy, the OCP does not support the proposed uses as presented.

Within the OCP land use designation; Resource Lands and Open Spaces, the Regional Context statement supports the protection of the rural nature of the plan area and encourages home based business activities. The nature of the proposed uses are more commercial/industrial rather than rural. The uses proposed by the applicants would not be permitted as a home based business pursuant to the Home Based Regulations within Bylaw 1285.

Amendments to “Regional District of Nanaimo Electoral Area ‘F’ Official Community Plan Bylaw No. 1285, 2002” are required to allow the proposed uses.

ZONING

The parcel is currently zoned A-1 (Agriculture 1), pursuant to “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285, 2002” (see Attachments 4 and 5 for zoning regulations). The A-1 zone permits Farm Use and two dwelling units on parcels greater than 2.0 hectares in area. The applicant proposes to permit an excavation business operation, and associated landscape supply business as shown on the Proposed Site Plan in the applicant’s submission (see Attachment 11).

Amendments to “Regional District of Nanaimo Electoral Area ‘F’ Official Community Plan Bylaw No. 1285, 2002” would be required to allow the proposed uses.

BOARD POLICY AND AAC PROCEDURE

Regional District of Nanaimo “Board Policy B1.8: Review of ALR Applications” provides an opportunity for the AAC to review and provide comments on ALR applications for exclusion, subdivision and

non-farm use, on lands within the ALR. Board Policy B1.8 also includes a standing Board resolution for non-farm use of lands within the ALR which reads as follows:

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

In accordance with the AAC Terms of Reference, the role of the AAC members is to provide local perspective and expertise to advise the Board (and in this case comment to the ALC) on a range of agricultural issues on an ongoing and as needed basis, as directed by the Board. In addition to members' local knowledge and input, comment on ALR applications may be guided by Board-approved policies such as the RDN AAC, the Board Strategic Plan, the RGS and the applicable OCP along with the relevant land use bylaws. Members of the AAC can also find information related to ALR land use and agriculture in BC, on the Agricultural Land Commission and Ministry of Agriculture websites. Local and contextual information can also be found on the RDN's agricultural projects website at 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, Director Fell has provided the following comments:

This parcel, like a large part of central Errington and Coombs, is located on a bed of glacial till with erratics dispersed through it. The till forms a hard impervious layer that prevents water exchange with the aquiferous strata below. Surface storm water accumulates in winter, causing a saturated surface humus layer, which dries out to a parched condition in summer.

Topographically this parcel lies at the western margin of a natural basin (west Morningstar) that floods seasonally. This flooding area is large, about a kilometer in diameter centered on the neighbouring

Pickard property to the east. Serious flooding occurred in November 2011 and especially in December 2014 which left several parts of Grafton Avenue under water for a week. Historical maps pre-dating land clearing have identified this area as the Clatworthy Swamp.

1384 Tyler has never been farmed, nor is it likely ever to be farmed other than for on-site domestic consumption. Neighbouring lots have not been farmed successfully due to chronic flooding. In 30 years in Errington I am not aware of any crop being obtained from this flooding area (which extends about half-way to Errington Centre.) Fields are used for horses and minor livestock, which retreat to high areas in winter.

1384 Tyler lies in a small industrial park. It has no farming history and current use and layout is not conducive to farming potential. Soil enhancement and topsoil production is consistent with current site use (excavation business) and would appear to represent a best use scenario. It is compatible with neighbouring uses and does not degrade the farming potential (assuming there is one at all) of this property. I therefore see no reason to restrict or disallow a soil enhancement operation on this site.

Julian Fell

RDN Area F Director



Angela Buick
abuick@rdn.bc.ca
May 17, 2017

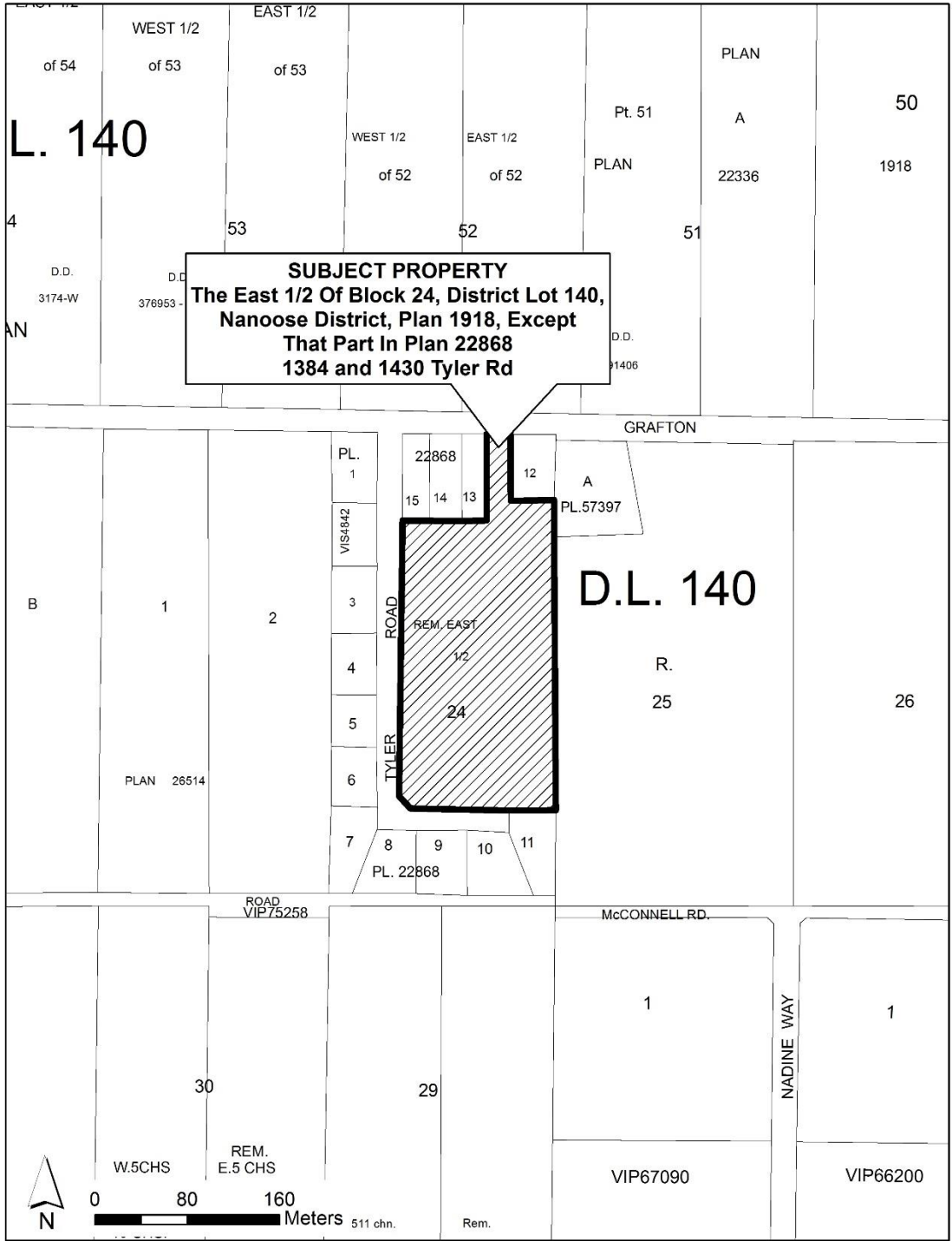
Reviewed by:

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

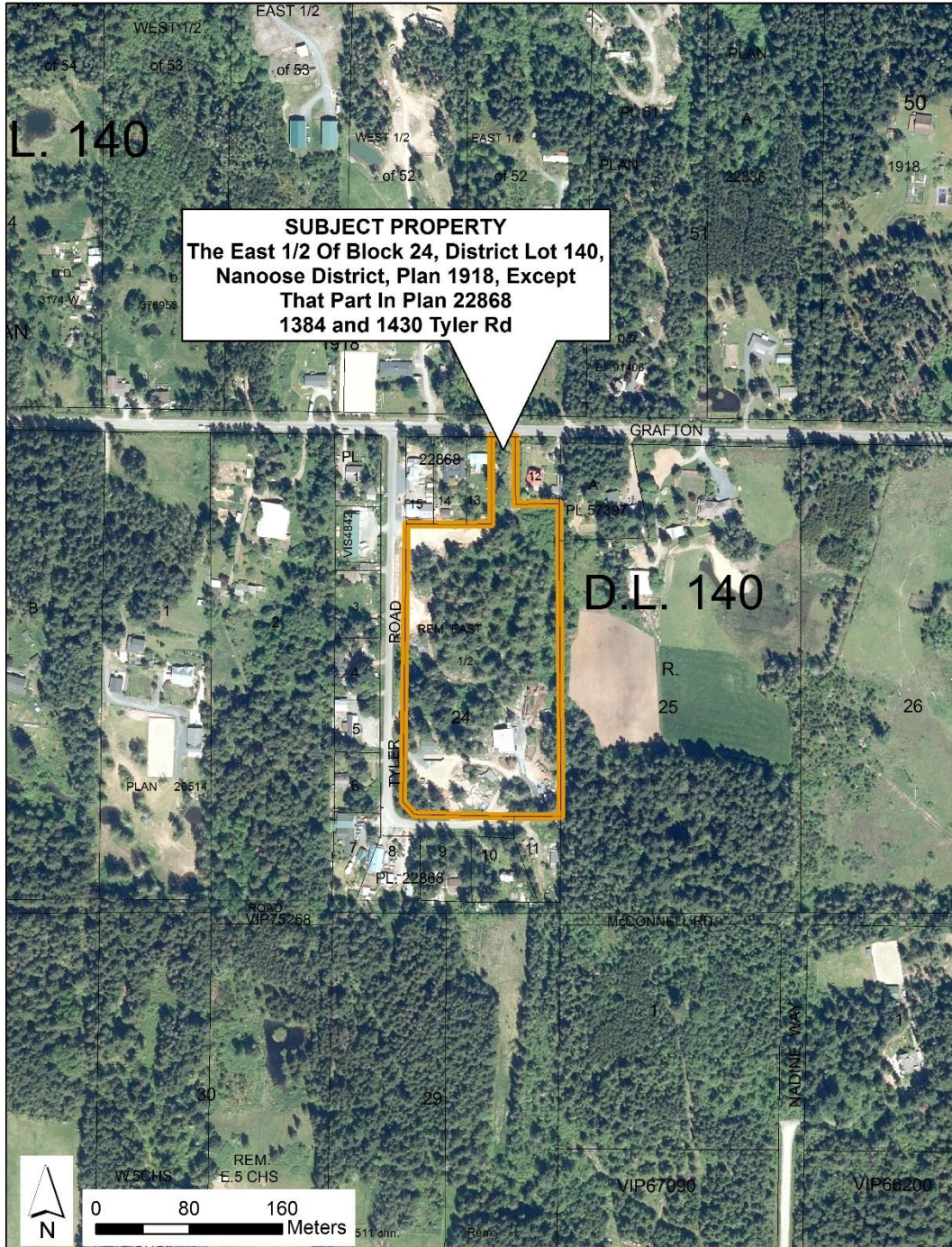
Attachments

1. Subject Property Map
2. 2016 Aerial Photo
3. Existing Zoning – Map
4. Existing Zoning
5. Official Community Plan Land Use Designation - Map
6. Official Community Plan Land Use Designation
7. Regional Growth Strategy Land Use Designation - Map
8. Regional Growth Strategy Land Use Designation
9. Regional Growth Strategy Goal 7 – Enhance Economic Resiliency - Agriculture
10. Regional Growth Strategy Goal 8 – Food Security
11. Applicant's Submission

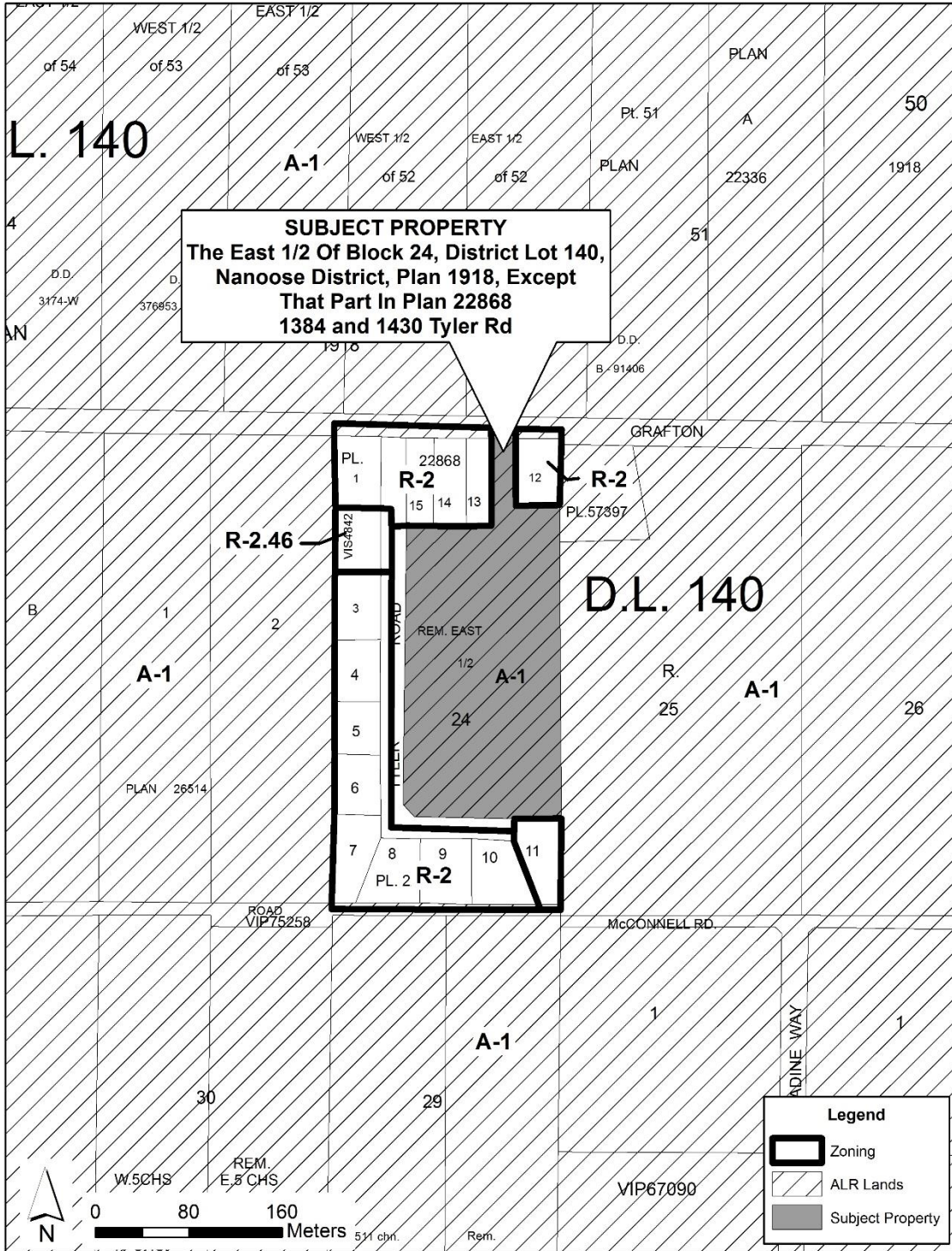
Attachment 1
Subject Property Map



Attachment 2
2016 Aerial Photo



Attachment 3
Existing Zoning - Map



**Attachment 4
 Existing Zoning**

A-1 – AGRICULTURE 1

SECTION 4.1¹

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 Suite²

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

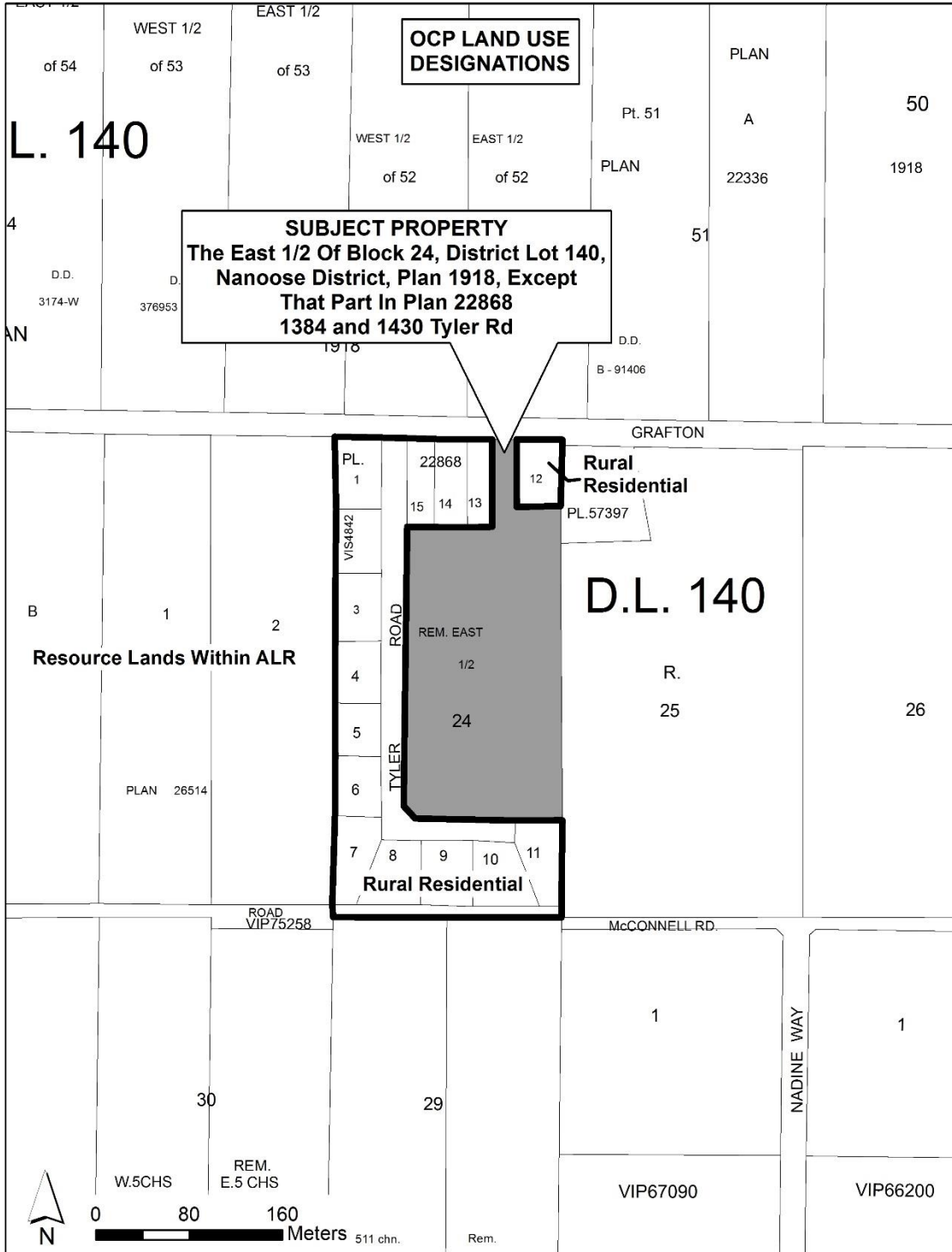
4.1.4 Regulations Table

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	

¹ Bylaw No. 1285.26, adopted June 28, 2016

² Bylaw No. 1285.19, adopted May 27, 2014

Attachment 5
Official Community Plan Land Use Designation - Map



Attachment 6 Official Community Plan Land Use Designation



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.

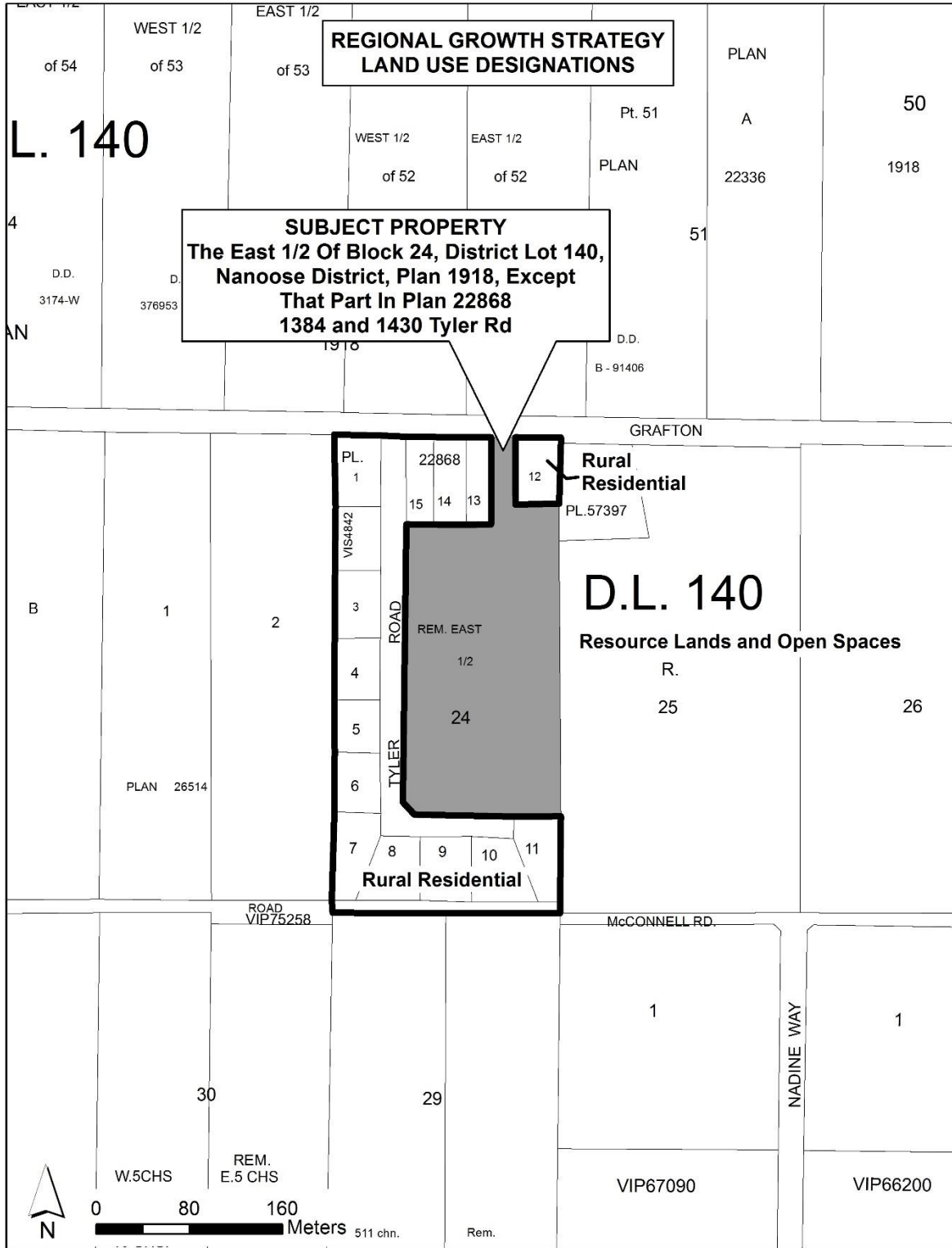
Objectives

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.

Attachment 7
Regional Growth Strategy Land Use Designation - Map



Attachment 8

Regional Growth Strategy Land Use Designation

Resource Lands and Open Space

The Resource Lands and Open Space land use designation includes:

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

This designation includes:

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

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

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

Attachment 9
Regional Growth Strategy Goal 7 – Enhance Economic Resiliency - Agriculture

Agriculture

- 7.14 Recognize the importance of agriculture to the region’s economy. To this end, the RDN and member municipalities agree to:
- Support the management of the Agriculture Land Reserve (ALR) by the provincial government;
 - Encourage the provincial government to protect the agricultural land base through the ALR;
 - Support the agricultural use of ALR lands within designated Urban Areas or Rural Village Areas except in instances where urban land uses have already been established at the time of the adoption of this RGS;
 - Recognize that all ALR lands will be subject to the regulations of the Agricultural Land Commission;
 - Support the preparation of a study of agriculture in the region for the purpose of identifying the issues and needs (both immediate and future) of the agricultural sector;
 - Encourage and support value-added agricultural industries; and
 - Enhance opportunities for agricultural activity on lands not in the ALR.

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

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

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

(J. Oswald, 2009)

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

Protecting the agricultural land base is a key requirement for enhancing food security. The Agricultural Land Reserve (ALR) established by the Province in 1973 has largely been effective in reducing the loss of agricultural lands. Since 1974 the percentage of land protected under the ALR in the RDN has decreased approximately 12%, from 10.10% of the total land base to approximately 8.85% (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 10
Regional Growth Strategy Goal 8 – Food Security
(Page 3 of 3)

- 8.7 Recognize the importance of value-added agricultural uses and complementary land use activities for the economic viability of farms. To support complementary farm uses, official community plans should consider:
- The provision of appropriately located agricultural support services and infrastructure;
 - Reducing impediments to agricultural processing and related land uses;
 - Allowing compatible complementary land use activities (e.g., agri-tourism);
 - Allowing farmers' markets and other outlets that sell local produce to locate in all parts of the community.
- 8.8 Encourage urban agriculture initiatives and support activities and programs that increase awareness of local food production within the region.
- 8.9 Support the appropriate use of water resources for irrigation of agricultural lands.
- 8.10 Support the provision of drainage infrastructure to flood-prone lands that do not lie within environmentally sensitive areas.
- 8.11 Work in collaboration with federal and provincial agencies, adjacent regional districts, and agricultural organizations to improve access to markets for agricultural products.
- 8.12 Support partnerships and collaborate with non-profit groups to enhance the economic viability of farms.
- 8.13 Support farms that produce organic agricultural products and use sustainable farming practices.
- 8.14 Support the production, processing, distribution and sale of locally grown produce (including shellfish).

Attachment 11
Applicant's Submission
(Page 1 of 5)

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 55659

Application Status: Under LG Review

Applicant: Raymond Tinkling , Hilary Tinkling

Agent: Hilary Tinkling

Local Government: Nanaimo Regional District

Local Government Date of Receipt: 04/12/2017

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

Proposal Type: Non-Farm Use

Proposal: The purpose of this proposal is to enable the owners to operate a business on the property which is not an allowed use within the Agricultural Land Reserve. This land has been rated as Class 5 soil with sub categories M(low moisture) P (stoniness) which is suitable only for growing grass and forage crops after some modification. The current vegetation covers approximately 75% of the area and is mostly 2nd growth cedar, fir, small pine, and spruce trees, which we intend to keep. We operate a home based business called RT Excavating Ltd. which usually operates off site. Many of the jobs include the removal of unwanted surface soils after a foundation excavation which have to be hauled away to a dump site. We have salvaged the unwanted topsoil, stockpiled and then screened it in a trommel screener, mixing it with organic materials such as horse manure or peat from other excavations. This screened topsoil will be for sale and is a great medium for building raised beds and topping up the existing soils in our customers gardens for landscaping and vegetable gardening. None of the native topsoil of our property has or will be removed for this purpose, so that the existing agricultural potential although poor, will be unaltered. Some of the screened topsoil has been used to create our own vegetable garden which will produce vegetables and flowers for our own use, and to sell at the local farmers' market. Our future plans include selling this topsoil for income, and also applying topsoil to certain areas for agricultural or horticultural use, so that we have some income in our retirement.

Agent Information

Agent: Hilary Tinkling

Mailing Address:



Canada

Primary Phone:

Mobile Phone:

Email: htinkling@snaw.ca

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 006-647-570

Legal Description: THE EAST 1/2 OF BLOCK 24, DISTRICT LOT 140, NANOOSE DISTRICT, PLAN 1918 EXCEPT THAT PART IN PLAN 22868 VI

Attachment 11
Applicant's Submission
(Page 2 of 5)

and roots and mixed with some organic material, like horse or cow manure. It is then stock piled and is available for sale. Auxiliary machinery and tools are kept in the building or an approximately 32 square meter storage container on the property. The resulting top soil has a good structure and is great for creating gardens and raised beds and for landscaping and lawns. It can be used by home gardeners and professional growers as well. The area that the topsoil and screening machinery, takes up approximately .16 Ha. The volume of the remaining pile of unprocessed soil is approx 1000CuM. There is a shallow low grade topsoil layer on this property which would not be extracted for this operation. There are also two sawmills, one a bandsaw, the other a circular saw used to saw lumber from trees cut from the property plus other logs retrieved from excavation jobs.

Adjacent Land Uses

North

Land Use Type: Residential

Specify Activity: Rural residential and small business

East

Land Use Type: Agricultural/Farm

Specify Activity: Agricultural and Residential

South

Land Use Type: Residential

Specify Activity: Rural Residential and small business

West

Land Use Type: Residential

Specify Activity: Rural Residential, small business and warehousing and manufacturing

Proposal

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

0.2 ha

2. What is the purpose of the proposal?

The purpose of this proposal is to enable the owners to operate a business on the property which is not an allowed use within the Agricultural Land Reserve. This land has been rated as Class 5 soil with sub categories M(low moisture) P (stoniness) which is suitable only for growing grass and forage crops after some modification. The current vegetation covers approximately 75% of the area and is mostly 2nd growth cedar, fir, small pine, and spruce trees, which we intend to keep. We operate a home based business called RT Excavating Ltd. which usually operates off site. Many of the jobs include the removal of unwanted surface soils after a foundation excavation which have to be hauled away to a dump site. We have salvaged the unwanted topsoil, stockpiled and then screened it in a trommel screener, mixing it with organic materials such as horse manure or peat from other excavations. This screened topsoil will be for sale and is a great medium for building raised beds and topping up the existing soils in our customers gardens for landscaping and vegetable gardening. None of the native topsoil of our property has or will be removed for this purpose, so that the existing agricultural potential although poor, will be unaltered. Some of the screened topsoil has been used to create our own vegetable garden which will produce vegetables and flowers for our own use, and to sell at the local farmers' market. Our future plans include selling this topsoil for income, and also applying topsoil to certain areas for agricultural or horticultural use,

Applicant: Raymond Tinkling , Hilary Tinkling

Attachment 11
Applicant's Submission
(Page 3 of 5)

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

This proposal could be accommodated on lands outside of the ALR, but the cost of leasing or buying land in a commercial zone is too high to make it a viable business

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

This proposal does support agriculture in the short and long term, by providing a good top soil to support small farms and gardeners who want to grow their own vegetables and other plants organically and sell their produce at the many local farmers markets. The topsoil has also been used to build a vegetable garden in front of the shop structure, and for landscaping around the property. It would also support any future plans to cultivate certain areas to grow certain crops.

Applicant Attachments

- Agent Agreement - Hilary Tinkling
- Proposal Sketch - 55659
- Site Photo - Photo 1
- Site Photo - Photo 3
- Site Photo - Photo 2
- Site Photo - Photo 4
- Site Photo - Photo 6
- Site Photo - Photo 7
- Site Photo - Photo 10
- Site Photo - Photo 11
- Certificate of Title - 006-647-570

ALC Attachments

None.

Decisions

None.

Attachment 11
Applicant's Submission
(Page 4 of 5)

TITLE SEARCH PRINT


2016-09-16, 14:07:07

File Reference:

Requestor: HilaryT

Declared Value \$\$145000.00

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

Land Title District Land Title Office	VICTORIA VICTORIA
Title Number From Title Number	EG36851 EG8071
Application Received	1993-03-31
Application Entered	1993-04-13
Registered Owner in Fee Simple Registered Owner/Mailing Address:	RAYMOND KENNETH HENRY TINKLING, BUSINESSPERSON HILARY SUSAN TINKLING, BUSINESSPERSON  AS JOINT TENANTS
Taxation Authority	PORT ALBERNI ASSESSMENT AREA
Description of Land Parcel Identifier: Legal Description:	006-647-570 THE EAST 1/2 OF BLOCK 24, DISTRICT LOT 140, NANOOSE DISTRICT, PLAN 1918 EXCEPT THAT PART IN PLAN 22868
Legal Notations	THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT; SEE AGRICULTURAL LAND RESERVE PLAN NO. 5, DEPOSITED JULY 26, 1974
Charges, Liens and Interests Nature: Registration Number: Registered Owner: Remarks:	EXCEPTIONS AND RESERVATIONS M76300 ESQUIMALT AND NANAIMO RAILWAY COMPANY A.F.B. 9.693.7434A 111182G; 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

Attachment 11
Applicant's Submission
(Page 5 of 5)

TITLE SEARCH PRINT

2016-09-16, 14:07:07
Requestor: HilaryT

File Reference:

Declared Value \$\$145000.00

Nature: UNDERSURFACE RIGHTS
Registration Number: M76303
Registration Date and Time: 1983-08-03 08:00
Registered Owner: THE DIRECTOR OF SOLDIER SETTLEMENT
Remarks: DD 33528N (SUBJECT TO M76300) SECTION 172(3)

Nature: MORTGAGE
Registration Number: CA4292534
Registration Date and Time: 2015-03-20 12:25
Registered Owner: FIGGARD CAPITAL CORPORATION INCORPORATION NO. C603095

Nature: ASSIGNMENT OF RENTS
Registration Number: CA4292535
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Registered Owner: FIGGARD CAPITAL CORPORATION INCORPORATION NO. C603095

Duplicate Infeasible Title NONE OUTSTANDING

Transfers NONE

Pending Applications NONE

TO: Agricultural Advisory Committee DATE: May 26, 2017

FROM: Courtney Simpson FILE: 6480-00
Senior Planner

SUBJECT: **Electoral Area 'H' Official Community Plan Review**

RECOMMENDATION(S)

1. That the Agricultural Advisory Committee (AAC) provide comment on the draft Electoral Area 'H' Official Community Plan (OCP) sections *3.1 Agriculture and Aquaculture* and *5.2 Resource*.
2. That the AAC receive the *Electoral Area 'H' Agricultural Land Reserve (ALR) Boundary Review Preliminary Analysis Final Report* for information.

SUMMARY

The AAC is requested to review draft OCP sections *3.1 Agriculture and Aquaculture* and *5.2 Resource* (Attachments 1 and 2) which have been updated from the existing OCP sections of the same numbers (Attachments 3 and 4) to reflect changes in the community, and to implement some recommendations of the *Electoral Area 'H' Agricultural Land Reserve (ALR) Boundary Review Preliminary Analysis*. The Community Working Group for the project reviewed earlier drafts of these sections and provided comments which have been incorporated.

BACKGROUND

The current OCP was adopted in 2005 and the goal of the review project is to revise identified topic areas so it continues to be a relevant and effective plan able to achieve the community vision. The project was initiated in November 2015 with endorsement of the terms of reference by the Regional District of Nanaimo (RDN) Board. Since then, through community engagement, including establishment of a Working Group, key issues have been identified and explored. Draft revisions of some of the OCP sections have been discussed by the Working Group, including those presented in this report. The *Electoral Area 'H' Agricultural Land Reserve (ALR) Boundary Review Preliminary Analysis* was presented to the public at a meeting on April 4, 2017. The *Existing Conditions* report for the Boundary Analysis project was previously presented to the AAC on November 25, 2016. The Final Report builds upon the Existing Conditions report and makes several recommendations to the RDN.

The draft OCP creates a new designation for lands in the ALR called "Resource – Agricultural", and creates a new development permit area for protection of farming that applies to subdivision of lands adjacent to the ALR. Other proposed changes reflect increased support for aquaculture and local food production. A public open house is planned for June, 2017 where feedback will be sought on a further version of the draft, prior to presentation to the RDN Board.

ALTERNATIVES

1. That the AAC provide comment on the draft OCP sections
2. That the AAC not provide comment on the draft OCP sections

LAND USE IMPLICATIONS

The objectives of sections *3.1 Agriculture and Aquaculture* and *5.2 Resource* include some changes to strengthen support for aquaculture including land-based components, and to emphasize the importance of local food production. The new land use designation for lands in the ALR create clarity but have no direct implications for land use. Otherwise, overall the objectives and policies remain consistent with the current OCP. At the more detailed policy level and for overall organization of the OCP there are a number of updates and changes which are described below:

Section 3.1 Agriculture and Aquaculture:

- Changed title from “Agriculture” to “Agriculture and Aquaculture” to indicate increased recognition and support for aquaculture.
- Added reference to local food system in introduction.
- Added information about and support for aquaculture in the introduction.
- Revised Objective 2 to improve support for aquaculture industry.
- New Objective 3 to recognize the potential conflict between residential and agriculture/aquaculture uses at the interface between the two.
- New Policy 4 to support applications for non-farm use or exclusion of land from the ALR where an essential community service is provided that outweighs the loss to agriculture.
- New Policy 5 to support land-based components of aquaculture.
- New Policy 7 to introduce a development permit area for subdivision on lands adjacent to the ALR (not on the ALR lands themselves) to reduce future conflicts between agricultural uses and other adjacent uses. *This development permit area is not yet available for distribution but will be posted to the RDN website in the next several weeks for public review and comment.*
- New Policy 8 for agrology reports submitted in support of subdivision within or exclusion of land from the ALR to fully consider non-soil based farming activities. As the Agricultural Land Commission considers this a significant factor in their decisions, requiring that agrology reports include this consideration is hoped to assist owners of ALR land in considering other options, and assist the AAC in making their recommendations.
- New “Advocacy Policy” sub-heading to group policies that are outside the ability of the RDN to directly implement.

Section 5.2 Resource

- Minor changes to clarity of introduction
- New Objective 5 to encourage farm activities on productive agricultural lands
- New Objective 6 to protect agricultural lands for present and future food production.
- In Policy 2, creation of new land use designation for ALR lands called “Resource – Agricultural”.
- New “Advocacy Policy” sub-heading to group policies that are outside the ability of the RDN to directly implement
- Working Group feedback included suggestion of setting a maximum house size in the ALR to reduce likelihood of estate development instead of farming. This question will be put to further

public consultation along with the question noted in the draft of section 5.2: if Policy 3 should be removed that supports subdivision into lots smaller than 8 ha if supported by the current zoning bylaw.

STRATEGIC PLAN IMPLICATIONS

This project is consistent with the RDN Strategic Plan 2016-2020. In particular, this OCP review helps to implement goals related to the focus on services, economic health and the environment.



Courtney Simpson
csimpson@rdn.bc.ca
May 18 2017

Reviewed by:

- G. Garbutt, General Manager, Strategic and Community Development
- P. Carlyle, Chief Administrative Officer

Attachments

1. Draft (2017) Section 3.1 Agriculture and Aquaculture
2. Draft (2017) Section 5.2 Resource
3. Current (2005) OCP Section 3.1 Agriculture
4. Current (2005) OCP Section 5.2 Resource Lands
5. Electoral Area 'H' Agricultural Land Reserve (ALR) Boundary Review Preliminary Analysis

3.1 Agriculture and Aquaculture

INTRODUCTION

Agriculture and aquaculture are important activities as economic drivers and as part of a local food system. They rely on land and water that is designated for these purposes and on the health of the ecosystems of which they are a part.

A local food system allows farmers, food producers, and their customers to interact either face-to-face at the point of sale or through community partnerships or initiatives which encourage local products. It also supports a “farm to plate” relationship by encouraging farm products to be grown, stored, processed, sold and handled locally.

The Province designated an Agricultural Land Reserve (ALR) in the early 1970’s based on maps of agricultural land capability. In 1987 the boundary was reviewed in the Plan Area and elsewhere on Vancouver Island based on new mapping at a larger scale and other local considerations, resulting in some lands being added to the ALR and some removed. Currently, 24% of the Plan Area is designated as ALR.

The mandate of the Agricultural Land Commission is to ensure the future productivity of lands within the ALR. Non-agricultural development, including subdivision or non-farm use of these lands is not permitted without Agricultural Land Commission approval.

Shellfish aquaculture is a significant industry for the province of BC, and much of the production is within Baynes Sound. The main species farmed are clams, mussels, oysters and scallops. The Plan Area includes the southern part of Baynes Sound as well as Deep Bay Harbour which is an important port for the industry. The rest of Baynes Sound is within the Comox Valley Regional District and the Islands Trust.

The community is supportive of the aquaculture industry in recognition of its contribution to the local economy, and also for increased availability of local shellfish at stores and restaurants.

AGRICULTURE AND AQUACULTURE POLICIES

1. The Regional District supports the Agricultural Land Commission's mandate of preserving and encouraging the use of land for agriculture.
2. The Regional District encourages the retention of large land holdings within the ALR to maintain future opportunities for farm use.
3. The Regional District discourages encroachment and fragmentation of farmland by non-farm related uses.

OBJECTIVES

1. *Protect* the agricultural land resources of the Plan Area for present and future food production.
2. *Support* the aquaculture industry by protecting marine water quality and supporting associated land-based activities in suitable locations.
3. *Recognize* and protect the needs and activities of agricultural and aquaculture operations when considering residential uses on adjacent lands and vice versa.
4. *Advocate* comprehensive resource management decisions where agricultural land is competing with forestry, or environmental protection objectives.
5. *Encourage* sustainable farming methods in order to protect fresh and marine water resources and adjacent properties.
6. *Ensure* that the quantity and quality of the water supply is protected and seek ways and means of improving water availability for irrigation purposes.

4. The Regional District may support an application for non-farm use or exclusion of land from the ALR if the proposed non-farm use or exclusion provides for an essential community service or amenity which cannot reasonably be located on land outside of the ALR and for which the community need clearly outweighs the loss to agriculture.
5. Land-based components of aquaculture such as rearing, processing, storing and distributing shellfish or aquatic plants are supported:
 - a) in the ALR where considered a farm use; and
 - b) in the Resource Lands and Rural Lands designations in a location that is not expected to negatively impact the natural environment or the use and enjoyment of nearby properties; and for land in the Rural designation, also pursuant to Rural Lands Policy 4 which supports rezoning for service commercial uses subject to a list of criteria.
6. The location and construction of new roads, utility or communication rights-of-way should be sited to avoid ALR lands wherever possible. Where unavoidable, these rights-of-way should be sited in a manner that will cause minimal impact on agricultural operations. Alignments should be established in consultation with affected landowners and the Agricultural Land Commission.
7. Subdivision of land adjacent to the ALR is regulated by development permit to prevent future conflicts between agricultural uses and other adjacent uses.
8. Agrology reports submitted in support of applications for subdivision within or exclusion from the ALR should fully consider non-soil based farming activities and environmental best practices.

ADVOCACY POLICIES

9. The owners of land adjacent to ALR lands are encouraged to provide a vegetative buffer between their lands and the ALR lands and follow all Ministry of Agriculture policies and best management practices.
10. The Ministry of Agriculture and local farm organizations are encouraged to assist and support owners of agricultural land with options and opportunities related to all aspects of farming, including business development and other land tenure options if they are unable to or uninterested in farming.

5.2 Resource

INTRODUCTION

This land use designation applies to lands that are used and valued for agriculture, land-based components of aquaculture, forestry, natural resource extraction, or environmental conservation. All lands within the Agricultural Land Reserve are in this land use designation. Lands that are classified as Private Managed Forest Lands and large parcel Crown lands (other than those designated as Park Lands) are also within this land use designation.

Where land is in the Agricultural Land Reserve and is proposed for subdivision or a non-farm use, approval must first be obtained from the Agricultural Land Commission.

It is recognized that certain matters considered in this section are beyond the jurisdiction of the Regional District. The objectives and policies relating to these matters are intended to serve as indicators of community preference and assist senior levels of government in planning and decision-making.

RESOURCE POLICIES

1. Lands within this designation shall have a minimum permitted parcel size of 50.0 hectares, except for lands within the Agricultural Land Reserve.
2. Lands within the Agricultural Land Reserve are designated “Resource – Agricultural”, and an 8.0-hectare minimum permitted parcel size shall be supported by this Plan.
3. Notwithstanding Resource Policy 2 above, any lands within the Agricultural Land Reserve having a minimum permitted parcel size of less than 8.0 hectares pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 at the date of adoption of this Official Community Plan shall retain that minimum parcel size.

ADVOCACY POLICIES

4. Areas with environmentally sensitive or significant ecological resources within the Resource Lands designation are identified on Map No. 3. Protection of these areas shall be encouraged through federal, provincial, Regional District or private initiatives and incentives. The Regional District may consider proposals for increased development on a portion of a property to facilitate conservation of the environmentally sensitive areas elsewhere on the property, where the proposal meets the values, criteria, objectives and policies of this Plan.
5. All development in the Resource designation is encouraged to follow FireSmart recommendations to reduce the susceptibility of buildings and property to fire.

NOTE FOR DRAFT: Consider removing Resource Policy 3 that allows subdivision to less than 8 ha when in the zoning bylaw.

OBJECTIVES

1. ***Maintain*** the renewable natural resource land base and protect it from activities that may diminish resource value and potential.
2. ***Encourage*** more comprehensive management of the resource land base.
3. ***Protect*** the environment.
4. ***Encourage*** and protect outdoor recreational opportunities.
5. ***Encourage*** farm activities on productive agricultural lands.
6. ***Protect*** agricultural lands for present and future food production.



SECTION 3 – NATURAL RESOURCE MANAGEMENT

3.1 AGRICULTURE

Existing productive farming areas and most of the undeveloped lands with some agricultural capability within Area 'H' are designated Agricultural Land Reserve (ALR). Lands within the ALR are subject to the **Agricultural Land Commission Act**. The mandate of the Land Commission is to ensure the future productivity of lands within the ALR. Non-agricultural development, including subdivision or non-farm use of these lands are not permitted without Land Commission approval. Therefore, lands designated in the ALR should be retained for resource management purposes.

While regulations governing the ALR largely ensure that the land base is protected, problems may still develop at the interface between urbanizing areas and agricultural communities. **The Farm Practices Protection (Right to Farm) Act** ensures that bona fide agricultural operations, operating under normal farm practices, cannot be limited through zoning bylaws. This OCP supports agriculture and provides buffer lands (designated Rural Lands) to enhance land use compatibility in the Plan Area.

OBJECTIVES

1. *Protect* the agricultural land resources of the Plan Area for present and future food production.
2. *Recognize* and protect the needs and activities of agricultural operations when considering residential uses on adjacent lands and vice versa.
3. *Advocate* comprehensive resource management decisions where agricultural land is competing with forestry or environmental protection objectives.
4. *Encourage* sustainable farming methods in order to protect water resources and adjacent properties.
5. *Ensure* that the quantity and quality of the water supply is protected and seek ways and means of improving water availability for irrigation purposes.
6. *Direct* development that is compatible with the Community Values and Development Guideline Criteria Statements.

POLICIES

1. The Regional District supports the BC Agricultural Land Commission's mandate of preserving and encouraging the use of land for agriculture. The Regional District Board may consider support of the use of agricultural land for non-farm purposes provided that the BC Agricultural Land Commission approves the non-farm use and the use is compatible with surrounding land use patterns and the environment.
2. The Regional District will encourage the retention of large land holdings within the ALR to maintain future opportunities for farm use.
3. The Regional District shall discourage encroachment and fragmentation of farmland by non-farm related uses.
4. The location and construction of new roads, utility or communication rights-of-way should be sited to avoid ALR lands wherever possible. Where unavoidable, these rights-



of-way should be sited in a manner that will cause minimal impact on agricultural operations. Alignments should be established in consultation with affected landowners and the BC Agricultural Land Commission.

5. The owners of land adjacent to ALR lands will be encouraged to provide a vegetative buffer between their lands and the ALR lands.

3.2 FORESTRY

Forestry is the most dominant land use in the Plan Area. Forestry resources cover approximately 75% of the land base. Although most of the forest land within the Plan Area is private holdings, there are also large areas of Provincial Forest owned by the Crown. Most of these lands are concentrated between Qualicum Bay and Deep Bay and in the lowland areas of the Plan Area.

The Provincial Forest includes an active seed orchard in District Lot 86, Newcastle Land District, which contributes to the management of the Crown Forest land base. There are also a significant number of Crown parcels, which were originally part of the Vancouver Island Fruit Lands that may have both forestry and agricultural potential.

Although most of the first growth forests in the Plan Area have long since been harvested, second growth forests are now in various stages of maturity. This Plan supports the protection of forest lands for silviculture in the same manner as agricultural lands are protected for agriculture. Where policies in this section relate to matters beyond the jurisdiction of the Regional District of Nanaimo, they serve only as broad objectives to help guide senior governments and private forest landowners in decisions for the management of forest lands.

OBJECTIVES

1. *Ensure* the Area's forest lands are managed on a sustained yield basis and are protected against activities that may disrupt their renewable resource potential.
2. *Support* sustainable forestry practices.
3. *Support* the Area's forest lands availability for recreational enjoyment and education.
4. *Encourage* best practice interface forest fire mitigation techniques for building and landscaping to protect life, property and the environment.
5. *Direct* development that is compatible with the Community Values and Development Guideline Criteria Statements.

POLICIES

1. This Plan supports the use of Resource Lands for forestry related uses where appropriately zoned. In addition, the Plan supports the use of Resource Lands for recreational activities (such as hiking trails), where such uses do not contribute to the degradation of the local environment (land and water quantity and quality) and are permitted by the landowner.
2. The Province and private forest land owners shall be encouraged to manage their forest lands so that they do not:
 - a) Pose a threat to the quantity and quality of fresh water within the drainage system of watercourses, streams, lakes or wetlands;



5.2 RESOURCE LANDS

This land use designation applies to lands that are used and valued for agriculture, forestry, natural resource extraction, or environmental conservation opportunities. All lands within the Agricultural Land Reserve are in this land use designation. Lands that were formerly in the Forest Land Reserve (major forestry holdings) and large parcel Crown land holdings (other than those designated as Park Lands) are also within this land use designation.

It is recognized that certain matters considered in this section are beyond the jurisdiction of the RDN. The objectives and policies relating to these matters are intended to serve as indicators of community preference and assist senior levels of government in planning and decision-making.

OBJECTIVES

1. *Maintain* the renewable natural resource land base and protect it from activities that may diminish resource value and potential.
2. *Encourage* more comprehensive management of the resource land base.
3. *Protect* the environment.
4. *Encourage* and protect outdoor recreational opportunities.
5. *Direct* development that is compatible with the Community Values and Development Guideline Criteria Statements.

POLICIES

1. Land within the Resource Management designation is shown on Map No. 5.
2. Lands within this designation shall have a minimum permitted parcel size of 50.0 hectares, except for lands within the Agricultural Land Reserve.
3. For lands within the ALR, an 8.0-hectare minimum permitted parcel size shall be supported by this Plan.
4. Notwithstanding Policy 5.2.2 above, any lands within the ALR having a minimum permitted parcel size of less than 8.0 hectares pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 at the date of adoption of this Official Community Plan shall retain that minimum permitted parcel size (these parcels are illustrated on Map No. 5).
5. For lands within the Agricultural Land Reserve, the regulations and policies of the **Agricultural Land Commission** apply.
6. Where land is in the ALR and is proposed for subdivision, a second dwelling unit, or a non-farm use, approval must first be obtained from the ALC.
7. Areas with environmentally sensitive or significant ecological resources within the Resource Management designation are identified on Map No. 3. Protection of these areas shall be encouraged through federal, provincial, Regional District or private initiatives and incentives.
8. All development on Resource Lands will be encouraged to use best practice interface forest fire mitigation techniques for building and landscaping.

Regional District of Nanaimo

Electoral Area 'H' ALR Boundary Review: Preliminary Analysis Final Report



January 2017

Prepared by:



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1.0 Executive Summary

The Regional District of Nanaimo commissioned the services of Upland Agricultural Consulting Ltd. to investigate whether or not the boundary of the Agricultural Land Reserve (ALR) warrants some adjustment within Electoral Area 'H'. This report presents a set of criteria through which agricultural land within Electoral Area 'H' was analyzed, on a subarea basis, to answer questions regarding the integrity of the boundary of the ALR. In particular, the investigation served to identify knowledge gaps, explore the possibility for the Regional District to pursue a block exclusion application, and to provide other recommendations regarding ALR decision-making in Electoral Area 'H'.

The investigation included a review of background information, a historical analysis of ALR applications within Electoral Area 'H', mapping of topography and natural hazards, and a targeted ground-truthing exercise. The results of this background research is presented in the companion report *Existing Conditions Report*, submitted separately.

The criteria used to examine the ALR boundary has been developed based on the Agricultural Land Commission (ALC) process along with additional criteria applicable to Electoral Area 'H' subareas. Additional information that was readily available at the Electoral Area geographic level was also included in the analysis. These criteria included:

- Discrepancies in digital mapping information;
- ALR application history;
- Data and information obtained during the concurrent Official Community Plan (OCP) review;
- Zoning, parcel size, and land use;
- Topography and slopes;
- Soil types and agricultural capability ratings;
- Water availability and climate change;
- Agricultural suitability; and
- Input received from stakeholders.

Whenever possible, the investigation drilled down to the subarea level in order to acknowledge and accommodate nuances within the Electoral Area. The following subareas were delineated (Figure 1):

1. Deep Bay;
2. Bowser and Qualicum Bay (including ALR northeast of the Inland Island Highway);
3. Dunsmuir (including Grovehill Road, Boorman Road, Bayliss Road, and Oakdowne Road); and
4. Spider Lake (including surrounding ALR south of the Inland Island Highway).

Highlights of this investigation include the following results:

- About a third (1,213 ha or 38%) of the ALR in Electoral Area 'H' is conferred with Farm Class and is being actively farmed.
- The proportion of ALR properties with primarily residential usage is greatest within parcels that are less than 8 ha, and the proportion of ALR properties that are primarily treed and/or contain logging activity is greatest within the largest parcels (greater than 20 ha).
- Topographic information was available at a coarse resolution of 20 m contours. While there were no ALC applications for exclusion in Electoral Area 'H' based on adverse topography, site-specific topographical challenges may exist that were unable to be characterized with 20 m contours.

- The agricultural capability maps indicate a wide range of improved agricultural capability ratings in Electoral Area ‘H’, with the majority falling between Class 2, Class 3, and Class 4.
- The most common agricultural limitations associated with these ratings are stoniness, moisture (excessive wetness), droughtiness (need for irrigation), and smaller pockets of problems associated with soil structure.
- Future trends in climate change and agriculture suggest that more Class 4 and 5 soils, which are uniquely suited to specialty crops such as fruit trees, nut trees, and berries, will become viable over time.
- Climate change modeling indicates that shifting hydrology patterns together with warmer and drier summer conditions will create the potential for increased productivity as long as there are adequate water supplies, drainage, and irrigation infrastructure available for farming.
- Agricultural uses that may be suitable for farmland in Electoral Area ‘H’ include soil-based and non-soil based activities, such as forage production and pasture, greenhouses, poultry production, sheep and/or goats, tree fruits, and berry production. Non-soil based farming opportunities, such as greenhouses, mushroom farming, and land-based aquaculture, must be considered before a parcel of farmland is deemed unproductive.

This investigation determined that the criteria for meeting the requirements for a block exclusion application to the ALC have not been met. Furthermore, greater consistency in agricultural land use designations, zoning, and minimum parcel sizes are to be encouraged within the Regional District. Support for landowners struggling to succeed in the business of farming must not be overlooked, and existing resources should be disseminated to those who seek them. In parallel, non-soil based farming opportunities should be given particular attention.

Based on this analysis, nine recommendations are put forward:

Number	Recommendation
1	Do not pursue a block exclusion application for ALR in Area ‘H’.
2	Continue to assess ALR applications on a case-by-case basis.
3	Consider including parcels of Crown Land in Deep Bay, Bowser, and Qualicum Bay into the ALR in order to improve the contiguousness of ALR in the region.
4	Use a consistent Agricultural Land Use designation in both the Regional Growth Strategy and Official Community Plan for all ALR in Electoral Area ‘H’.
5	Create a consistent minimum lot size of 8 ha for ALR throughout Electoral Area ‘H’. In parallel, support subdivision of lots greater than 20 ha when a net benefit to farming is demonstrated.
6	Partner with other levels of government and local farm organizations to disseminate information regarding existing resources and opportunities for business planning to proponents who are struggling with the business aspects of farming.
7	Require that non-soil based farming opportunities and environmental best practices be fully considered in Agrologist reports that accompany all future ALR applications being submitted to the Regional District.
8	Provide landowners who are unable or unwilling to farm with information regarding existing land tenure options (e.g. selling or leasing the farmland to potential farmers).
9	Cease forwarding ALR applications to the ALC that are based on claims of poor agricultural suitability or on challenges associated with the business aspects of agriculture.

2.0 Introduction

The objective of the preliminary analysis of the ALR Boundary Review for Electoral Area 'H' (hereafter referred to as Area 'H') is to provide increased confidence for decision-makers and landowners when determining whether certain areas should be included or excluded from the Agricultural Land Reserve (ALR). This preliminary analysis builds on the fine-tuning completed by the Agricultural Land Commission (ALC) in 1987. The purpose of this final report is to summarize the project's findings, (including identifying any 'gaps'), to determine the possibility and/or need for the Regional District of Nanaimo (hereafter referred to as the Regional District) to pursue a block application to the ALC, and to provide any other recommendations regarding ALR decision-making in Area 'H'. While this report is based on the most recent data and future scenario modeling, it is worth noting at the outset that agriculture is increasingly an innovative sector. Land that may not be considered as suitable for one agricultural purpose today may become suitable for another purpose in the near future.

3.0 Criteria for Boundary Analysis

The criteria set forth by the ALC for determining ALR review areas is used in this assessment alongside additional criteria that allow for the analysis to be conducted on a subarea basis for Area 'H'. The ALC's set of criteria include:

- Discrepancies identified through digital mapping: In order to examine possible discrepancies, the Agricultural Capability map for Area 'H' was digitized into GIS at a resolution of 1:20,000. This map was overlain with the ALR zoning, parcels with Farm Class status, and roads. Parcel-based determination of Agricultural Capability classification was out of the scope of this preliminary boundary analysis, but any obvious discrepancies in the alignment with property boundaries, water bodies, and transportation routes were noted.
- High application volume and decision history: While some neighbourhoods within Area 'H' have high numbers of ALC applications, the decision-making by the ALC has been overwhelmingly consistent. As detailed in the *Existing Conditions Report*, since 2000, most applications for exclusion or subdivision have been denied unless they can demonstrate an overall benefit to agriculture. In particular, there have been high numbers of applications arising from the Boorman Road, Whistler Road, and Fowler Road area.
- Official Community Plan Review (OCP) and other Planning Studies: As the OCP is currently under review for Area 'H', the timing for this preliminary analysis of the ALR boundary was ideal. The Agricultural Area Plan for the Regional District (2012), Agricultural Land Use Inventory (2011), and Agricultural Water Demand Model (2012) also provide important data and context for the analysis.
- Parcel size and land use: It is worthwhile to examine applications for subdivision and non-farm use that have been approved to determine if there are issues within any of the subareas related to parcel size and land use that may warrant amendments to the ALR boundary.
- Input from Agricultural Stakeholders: Stakeholders have been involved from the conception of this project through targeted mail-outs to property owners in the ALR and advertising through the OCP working group, email list, and posters. As a component of this preliminary analysis, a presentation

of the *Existing Conditions Report* was also provided to the Regional District's Agricultural Advisory Committee for discussion and feedback.

In addition to these criteria set forth by the ALC, the following five characteristics were considered in this final report as a part of the preliminary analysis in order to answer specific questions regarding agricultural suitability:

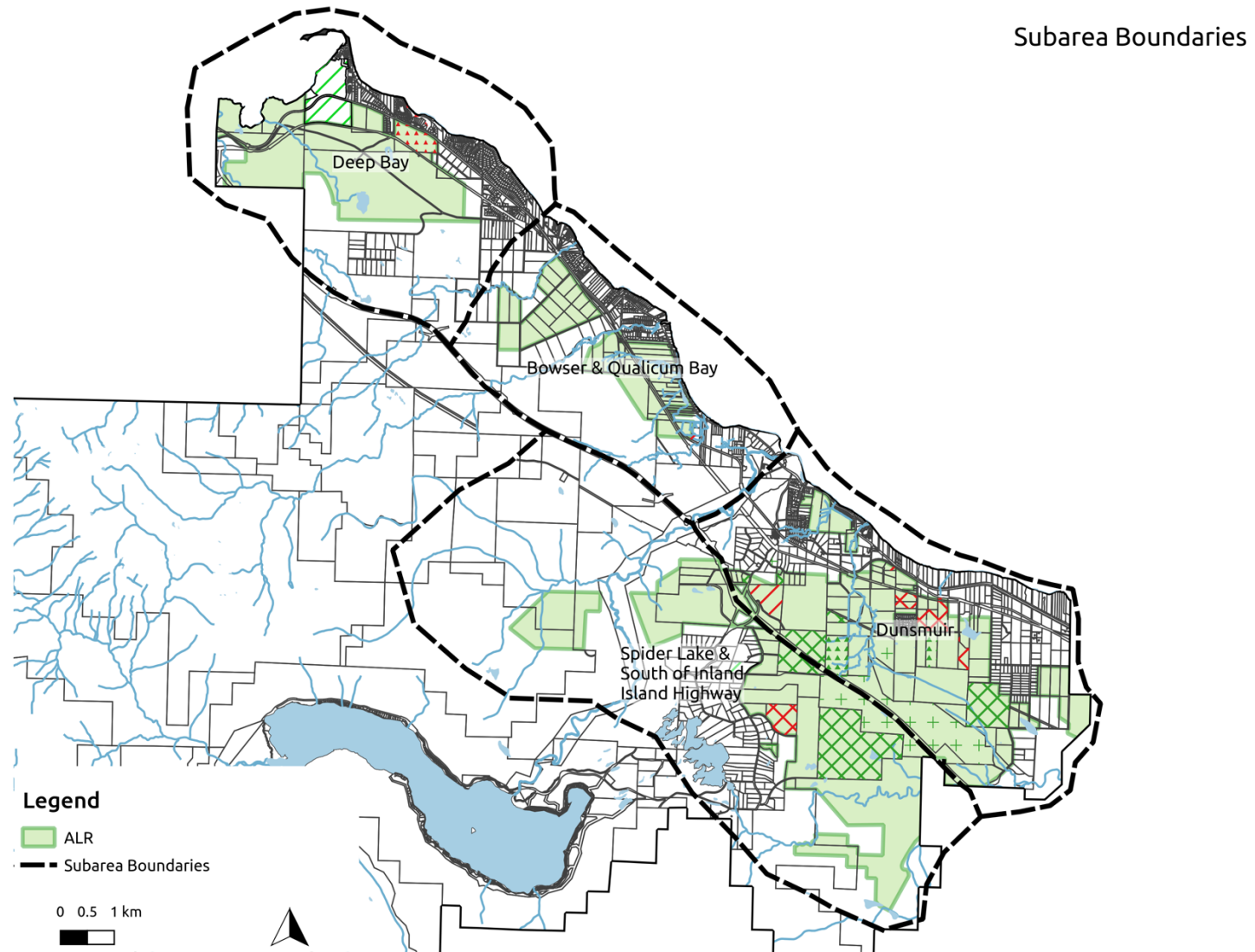
1. Zoning, Farm Class and Parcel Size: How is land designated at the provincial, regional, and local level? What is the minimum parcel size? Is there consistency for ALR landowners? How many parcels are Farm Class? Are they located within or outside of the ALR? What size are these parcels?
2. Topography: Where do steep slopes overlap with ALR? Are there areas of farmland that are unduly limited by topography?
3. Soil Types and Agricultural Capability Ratings: What are the most common soil types found in Area 'H'? What types of agricultural activities are commonly associated with these soils? What agricultural constraints or challenges may exist? What are the ratings for Agricultural Capability within Area 'H'? What are some limitations associated with the rating system? What opportunities may be missed?
4. Water Availability and Climate Change: Are there any areas that are restricted by irrigation water sources? Are there areas where drainage would be beneficial? What are some expected challenges and opportunities for climate change adaptation and mitigation? What could climate change mean for agricultural viability and feasibility?
5. Agricultural Suitability: What are some soil based and non-soil based farming options for underutilized or underused farmland in Area 'H'? What activities are occurring on or near to farmland in Area 'H'?

In order to reach recommendations, these characteristics were considered in assessing the ALR boundary within Area 'H' on a sub-area (or neighbourhood) basis. The four subareas are as follows (Figure 1):

- a. Deep Bay;
- b. Bowser and Qualicum Bay (including ALR north of the Inland Island Highway);
- c. Dunsmuir (including Grovehill Road, Boorman Road, Bayliss Road, and Oakdowne Road); and
- d. Spider Lake (including surrounding ALR south of the Inland Island Highway).

Each of these subareas are considered in turn and comments that are specific to each subarea are provided whenever appropriate. Recommendations are summarized at the end of the report.

Figure 1. Area 'H' subareas considered in this assessment.



4.0 Zoning and Parcel Size

There are 3,220 ha¹ of land within the ALR that is either farmed or is available for farming in Area 'H' (Table 1). Most of the ALR parcels within Area 'H' fall within the 2 – 5 ha and 5 – 10 ha categories. This preliminary analysis found that 12% of ALR parcels were smaller than 2 ha (5 acres) in size and 39% are under 5 ha. However, the combined area of ALR parcels less than 5 ha is only 5% of the ALR.

Table 1. Parcel size distribution of land within the ALR in Area 'H' that is either farmed or available for farming.

Parcel Size	# of Parcels	% of Total Parcels	Total Area (Ha)	% of Total Area
< 2ha	21	12%	14	0.4%
2 - 5ha	48	27%	148	4.6%
5 -10ha	50	28%	387	12.0%
10-20ha	29	16%	397	12.3%
>20ha	32	18%	2274	70.6%
Total	180	100%	3220	100.0%

For a range of reasons, across much of Vancouver Island, quality agricultural land is not being farmed. This ratio is also present within Area 'H', where only about a third (1,213 ha or 38%) of the ALR is within Farm Class² properties (Table 2). As noted in the Agricultural Land Use Inventory (ALUI) conducted in 2012, and through a ground-truthing exercise in 2016, most of the very large ALR parcels in Area 'H' are forested. According to data provided by BC Assessment, only 37 properties claimed Farm Class status in 2015, of which 299 ha (25% of the total land covered by Farm Class) were Crown Land, most of which is located in Deep Bay³. Farm Class status is conferred to agricultural operations that are able to provide evidence that a minimum threshold of farm income has been generated annually. In exchange, the landowner benefits from reduced property tax rates. Nine Farm Class parcels were entirely outside of the ALR with a total area of 33.6 ha, and all of these were on parcels less than 10 ha (the average size of non-ALR Farm Class parcels is 3.7 ha). The remaining 28 properties were within the ALR (one parcel straddled the ALR boundary) and have an average size of 43.3 ha. The agricultural use associated with the large lot in Deep Bay was tree plantations.

Table 2. Size distribution of Farm Class parcels inside and outside the ALR.

Parcel Size	# of Parcels in the ALR	Amount of Ha in ALR	# of Parcels outside the ALR	Amount of Ha outside of ALR
< 2ha	0	0.0	1	0.2
2 - 5ha	10	28.1	5	12.1
5 -10ha	4	32.4	3	21.4
10-20ha	4	61.0	0	0.0
>20ha	10	1091.0	0	0.0
Total	28	1212.6	9	33.6

(Source: BC Assessment 2015)

¹ This total of 3,220 ha includes approximately 32 ha of water bodies but excludes about 187 ha of roadways.

² Agricultural Land Use Inventory, Ministry of Agriculture, 2012 and BC Assessment 2015 and RDN GIS data analysis.

³ Agricultural Land Use Inventory, Ministry of Agriculture, 2012 and BC Assessment 2015 and RDN GIS data analysis.

As noted by the Agricultural Area Plan⁴ and a data summary conducted by the Regional District for Area 'H'⁵, as the ALR parcel size increases, the proportion of properties that are farmed increases up to a certain point (about 20 ha) and then the number of farms in production decreases. The proportion of ALR properties with primarily residential usage is greatest within parcels that are less than 8 ha, and the proportion of ALR properties that are primarily treed and/or contain logging activity is greatest within the largest parcels (greater than 20 ha).

Most ALR lands in the Regional District are included within the Regional Growth Strategy (RGS) land use designation of Resource Lands & Open Space⁶. This 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. In Area 'H', 108 ha of ALR is designated as "Rural Residential" within the RGS.

ALR in Area 'H' has additional agriculture zoning, as conferred by the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987. Within this bylaw, agricultural zoning is primarily Agriculture 1 (AG-1) and Agriculture 2 (AG-2). While there are some nuances between the two zones the main difference is that primary processing is permitted in AG-2. In addition to the zoning there are Subdivision Districts associated with the zones, which indicate the minimum parcel sizes. Most parcels have 8 ha or 20 ha minimum parcel size requirements for subdivision allocated to them, with pockets of larger lots (50 ha) in Deep Bay and eastern Area 'H'. Some pockets of smaller lots (2 ha) exist in Deep Bay, Qualicum Bay, Dunsmuir, and Boorman Road areas.

Very large parcels can be prohibitive for farmers to purchase or lease, due to their high real estate value, while smaller parcels (less than 4 ha) can limit the type and viability of agricultural activities for a property. Farm parcel sizes between 8 ha and 20 ha (20 to 50 acres) are therefore ideal for both the diversity of productivity that can occur and the affordability of purchasing or leasing the land for new and emerging farmers. In Area 'H', almost half of the lands remaining with subdivision potential are located within the ALR⁷. However, the review of recent ALC applications (since 2000) conducted for the *Existing Conditions Report* indicated a lack of support for subdivision at the provincial level, regardless of smaller minimum lot sizes conferred by local Subdivision Districts within the zoning bylaw. The ALC has noted in several decisions that subdividing farmland into parcels in the 2 – 5 ha range essentially reduces the viability of the land for farming. This is supported by the Regional District's data, which shows that smaller parcels are less likely to be farmed than larger parcels.

4.1 Deep Bay

This subarea (see Figure 1) has fairly large parcels of ALR. Farm Class status is conferred to parcels both within and outside of the ALR (see subarea Farm Class status maps in the Appendix). Most of the ALR has large minimum lot sizes (50 ha or 20 ha) in Deep Bay, although some parcels along the Old Island Highway have small minimum lot sizes (2 ha). These lots are larger than 2 ha currently. Very little active agriculture is occurring, with most of the ALR held in Crown land and forested.

⁴ Growing our Future, Regional Agricultural Area Plan, 2012. Regional District of Nanaimo.

⁵ Electoral Area 'H' Agricultural Bylaw and Policy Update Project. Draft Property Data Summary. Regional District of Nanaimo.

⁶ Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011

⁷ Electoral Area 'H' Agricultural Bylaw and Policy Update Project. Draft Property Data Summary. Regional District of Nanaimo.

4.2 Bowser & Qualicum Bay

The majority of ALR on the west/south side of the Old Island Highway in this subarea is Crown land (Figure 1). There are a number of ALR lots with small (2 ha) minimum lot sizes along the coastal side of the Old Island Highway, although the majority of these parcels are currently larger than this minimum and some have Farm Class status. The remaining ALR parcels in this subarea have minimum lot sizes of either 20 ha or 8 ha. At the northern end of this subarea, part of the ALR is located within a community park.

4.3 Dunsmuir

While much of this subarea has minimum lot sizes of 20 ha (and some as large as 50 ha), there are significant areas where the minimum lot size is reduced to 2 ha, particularly along Whistler Road. This may be leading to expectations of subdivision, as noted by the high levels of ALC applications arising from this subarea (refer to the *Existing Conditions Report* for a more detailed overview). Since 2000, the ALC has supported only one subdivision application in this subarea, in order to accommodate an infrastructure right-of-way. The 67-acre Arrowsmith Golf Course is located on ALR land within this subarea and is zoned Recreational. The majority of Area 'H' land with Farm Class status is located in this subarea as well, including 6 of the 9 parcels within Area 'H' that are located fully outside of the ALR.

4.4 Spider Lake & South of Inland Island Highway

This subarea contains ALR land with minimum lots sizes of 20 ha and 8 ha. Most of the ALR lots are currently quite large (larger than 20 ha), and few have Farm Class status.

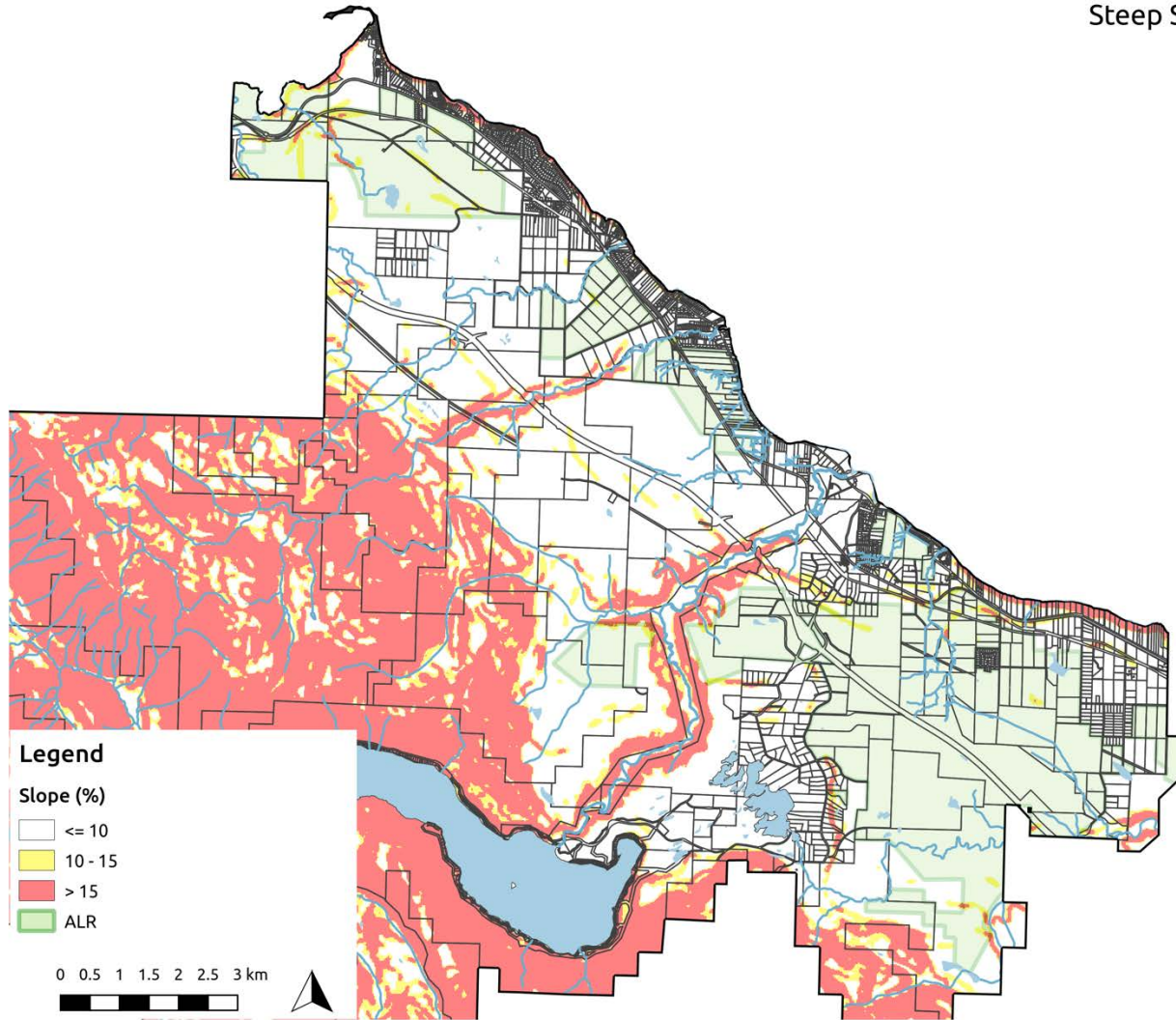
5.0 Topography

While flat or gently undulating land is ideal for soil-based farming, steep slopes are common in agricultural areas throughout Vancouver Island, and the Area 'H' is no exception. Many crops can withstand mild to moderately sloping land, and it can often benefit water drainage. However, extreme slopes can limit the ability for equipment to access land without fairly intensive modifications to the landscape, such as terracing. As noted in the *Existing Conditions Report*, the level of resolution of contour data available for this preliminary analysis was 20 m. While this provides a high-level determination of slope impact on a sub-area basis it does not account for site-specific topographical variations at the parcel level.

With these limitations in mind, the contour data was combined with ALR and parcel data to create a map that overlays the ALR with slopes of < 10%, 10-15%, and > 15% (Figure 2). Any slope greater than 15% is considered severely challenged for most agricultural operations. Results indicate that there are no slopes greater than 15% that overlap with ALR and very few areas where moderate (10-15%) slopes occur within the ALR in Area 'H'. These moderate slopes can most likely be attributed to waterways and other landscape features that occupy minor amounts of each parcel. While there were no ALC applications for exclusion in Area 'H' based on adverse topography noted since 2000, site-specific topographical challenges may exist that were unable to be characterized with 20 m contours.

Figure 2. Steep slopes and ALR in Area 'H'.

Steep Slopes - Area H



6.0 Soil Types and Agricultural Capability Ratings

Area 'H' is located in the Nanaimo Lowlands, which are characterized by northwest trending bedrock ridges, with narrow intervening valleys created by differential erosion of softer rock types. The principle waterways are the Qualicum River, Little Qualicum River, Nile Creek, and Thames Creek, all of which have floodplains, deltas, and estuaries. Gravelly fluvial, fluvio-glacial, and marine deposits are common along rivers and streams. The most common soil types⁸ and their locations and characteristics are summarized in Table 3.

Table 3. Soil types, description, and location.

Soil Type	Description	Sub-Area	Agricultural Needs
Arrowsmith (AR)	Organic (peat) soil. Poorly drained, high water table.	Bowser & Qualicum Bay, Dunsmuir	Desirable peat for agricultural use as they have good tilth and permeability. Allow for good crop growth for vegetables, forage crops, and pasture.
Bowser (B)	Humo-Ferric Podzol. Gently undulating landscapes below 130 m elevation. Imperfectly to moderately poorly drained. Seasonally perched watertables. Stone-free, sandy loam or sandy soil.	Deep Bay, Bowser & Qualicum Bay, Dunsmuir, Spider Lake	Requires adequate drainage, irrigation, and fertilizers for a good production of a wide range of crops.
Cassidy (CA)	Regosol soil on coarse textured soils on level to gently sloping terraces and floodplains along river and creek valleys. Rapidly drained with a deep water table.	Spider Lake	Require stone-picking, irrigation, and fertilizers. Limited value for agriculture.
Dashwood (D)	Dystric Brunisol on sloping soils. Highly permeable upper soil horizons over till.	Deep Bay, Bowser & Qualicum Bay, Dunsmuir, Spider Lake	Limited use to soil-based agriculture due to coarse textures and low moisture holding capacity. Requires stone picking and irrigation.
Fairbridge (F)	Dystric Brunisol found below elevations of 100 m. Level to moderate slopes, imperfectly to moderately drained.	Dunsmuir	Prime agricultural land with dairy and hay being the predominant uses. Irrigation and fertilization required. Drainage will assist perennial crops.
Kaptara (KP)	Humic Gleysol on coarse-textured deposits. Minor in extent and occur in small areas associated with Qualicum soils. Poorly drained, located in seepage areas where drainage is restricted.	Bowser & Qualicum Bay, Dunsmuir, Spider Lake	Marginal for agricultural uses due to drainage and water table concerns.
Kye (KY)	Humo-Ferric Podzol on sandy deposits. Well to rapidly drained on level to moderate slopes. Stone-free and can be compacted or weakly cemented at depths.	Bowser & Qualicum Bay, Dunsmuir, Spider Lake	These soils can support a wide range of soil-based crops if irrigation is available.
Qualicum (Q)	Dystric Brunisols are developed on deep coarse-textured deposits. Rapidly drained with deep water table.	Bowser & Qualicum Bay, Dunsmuir	Marginal to unsuitable for soil-based agriculture. Limitations are sand, stones, and fertility.
Quinsam (QN)	Humo-Ferric Podzol are on sloping land above 100 m elevation. Moderately well drained.	Bowser & Qualicum Bay, Dunsmuir, Spider Lake	Most of these soils are under forest cover though some have been converted for pasture and hay production.

⁸ Jungen, JR, Christie, PJ, and Philp, JP. 1989. Soils of Southeast Vancouver island: Parksville, Qualicum Beach, Courtenay, and Port Alberni Areas. BC Soil Survey Report No. 57. Ministry of Environment and Ministry of Agriculture and Fisheries. MOE Technical Report 30.

The 1:20,000 scale Canada Land Inventory (CLI) Agricultural Capability maps were assessed as part of this preliminary analysis for Area 'H'. The CLI rating system provides a classification of agricultural land using a scale of 1-7. Agricultural land with Classes 1-3 are considered prime and are able to support a diversity of soil-based agriculture. Classes 4-6 are marginal lands and are able to support specialized crops or non-soil based farming. Class 7 is generally unable to support farming and may include lakes, ponds, rocky outcrops, and other adverse topography. The CLI maps indicate a wide range of improved agricultural capability ratings in Area 'H', with the majority falling with the range of improved Class 2 to Class 4. The most common limitations associated with these ratings are stoniness, moisture (excessive wetness), droughtiness (need for irrigation), and smaller pockets of problems associated with soil structure. Within Area 'H', the most common improved agricultural capability ratings and limitations as associated with specific Agricultural Soil Management Groups⁹ can be summarized as follows (Table 4):

Table 4. Agricultural soil management group, limitations, and subareas.

Subarea	Limitations	Agricultural Capability Ratings
Deep Bay	Droughtiness Low nutrient retention Coarse texture Temporary fluctuating perched watertables. Stoniness	Class 2 and Class 3
Bowser & Qualicum Bay	Droughtiness Low nutrient retention Coarse texture Temporary fluctuating perched watertables. Stoniness High watertables Organic subsidence, acidity, Low perviousness	Class 2, Class 3, Class 4
Dunsmuir	Droughtiness Low nutrient retention Coarse texture Temporary fluctuating perched watertables. Stoniness High perched watertables Susceptibility to compaction Organic subsidence, acidity, Low perviousness	Class 2, Class 3, Class 4, Class 5
Spider Lake and areas south of Inland Island Highway	Structure deterioration Cemented subsurface Adverse topography Droughtiness Low nutrient retention Coarse texture Stoniness High watertables Susceptibility to compaction Organic subsidence, acidity, Low perviousness	Class 1, Class 2, Class 3

⁹ Agricultural Soil Management Groups. Thematic Mapping Unit. Surveys and Resource Mapping Branch, BC Ministry of Environment and Parks, 1986.

In the ALC's Boundary Review Procedure Manual (2013), lands with CLI Class 1-4 and lands with CLI Class 5-6 that are located in conjunction with Class 1-4 lands are deemed suitable for inclusion. Therefore, small areas of land with less favourable agricultural capability classification can still be deemed suitable for ALR inclusion if they are associated with lands that have higher classification ratings, in order to create cohesive agricultural landscapes. The ALC does not recommend or support the exclusion (removal) of these small amounts of Class 5-6 lands. Furthermore, Class 5-6 lands are suitable for perennial forage, seasonal grazing, ranching, nursery crops, or non-soil based agriculture such as greenhouse operations, land-based aquaculture, or indoor farming (e.g. medium to high intensity poultry farming and mushroom farming). Some Class 5 and 6 lands may also warrant inclusions into the ALR if they have unique characteristics, such as bogs for cranberry production.

The agricultural capability rating system does have its own limitations. It is not comprehensive enough to classify land for specialty crops. For instance, the East Coast of Vancouver Island has a Class 1 climate when soils are irrigated, but soils are often rated as Class 3, 4, or 5¹⁰. Therefore, the suitability of soils for particular crops needs to be considered. In addition, the need to consider opportunities for non-soil based farming must also be considered before a parcel of farmland is deemed unproductive. Farming is necessarily a business enterprise and viable farms may require land for expansion over time. Lands designated as Class 4, 5, or 6 may be improved over time and added to the productive base of the farm business operation.

7.0 Water Availability and Climate Change

The climate of the eastern coastal plain of Vancouver Island is characterized by cool wet winters and mild dry summers. The Pacific Ocean and Georgia Strait play a dominant role in moderating temperature, while Vancouver Island mountains control precipitation distribution. Peak precipitation occurs in November, December, and January and therefore soils are usually saturated, or at field capacity, at the start of the growing season in April/May. The months of July and August tend to be dominated by sunny, high pressure systems with low precipitation and mild to warm daily temperatures. In an average growing season, drought conditions are experienced on most moderately well to rapidly drained soils. This speaks to the need of many producers to require both drainage and irrigation installed in soil-based farming operations. As noted in the *Existing Conditions Report*, while many parcels within the ALR have groundwater wells registered through the BC Ministry of Environment, this registration is voluntary. Therefore, the number of existing wells is likely higher than the amount currently registered. As part of the ALUI conducted in 2012, irrigation was recorded throughout the entire Regional District and a water demand model was generated. In Area 'H', much of the irrigation activity was located around the Spider Lake subarea.

The 2012 ALUI was further used to develop an Agricultural Water Demand Model (AWDM) by the Ministry of Agriculture to understand current agricultural water use throughout the Province and help determine future demand. The model was used to calculate water use over the entire Regional District on a parcel-by-parcel basis to obtain a total water demand for the entire basin or sub-basin¹¹. Crop, irrigation system type, soil texture, and climate data are then used to calculate the demand. Based on the AWDM, there were 4,441 ha of cultivated field crops across the entire Regional District (3,777 ha in the ALR and 663 ha outside the ALR). In 2012, the outdoor irrigated acreage in the ALR for the entire Regional District was 1,018

¹⁰ Agricultural Land Commission, 2013. ALR Boundary Review Procedure Manual.

¹¹ BC Ministry of Agriculture. 2013. Agriculture Water Demand Model. Report for Regional District of Nanaimo. http://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/agriculture-and-seafood/agricultural-land-and-environment/water/agriculture-water-demand-model/500300-9_agriculture_water_demand_model-nanaimo_report.pdf

ha or 23% of cultivated land. The amount of irrigated land was considered minimal due to in part to high water tables and crop types. The predominantly irrigated crop in the Regional District is forage (corn, grass, legume) and pasture via sprinkler and traveling gun. The AWDM calculated the amount of groundwater extracted in the Regional District to be an estimated 3.4 million m³ per year. Based on water demand calculations, the annual irrigation for the Regional District can be expected to range from 3.1 million m³ to 6.9 million m³, depending on whether the year is particularly wet or dry.

To explore future trends, the AWDM considered a scenario if all the ALR in the entire Regional District were to be fully farmed. This additional irrigated land would be 3,111 ha, bringing the total irrigated area to 4,129 ha. Total water demand during a dry year would nearly quadruple to 26 million m³, assuming efficient irrigation and good management. This scenario is only possible if ALR with agricultural capability Classes 4-6 were to come into production. Future trends in climate change and agriculture suggest that more Class 4 and 5 soils, which are uniquely suited to specialty crops such as fruit trees, nut trees, and berries, will become viable.

A report¹² published by the BC Agriculture and Food Climate Action Initiative in 2012 explored the possible impacts of climate change on livestock and horticulture crops on Vancouver Island. The report concluded that a relatively long growing season is possible for central and southern Vancouver Island because of the increasing number of frost free days. Precipitation is projected to increase in the spring, fall, and winter months, while decreasing in summer¹³. Warming temperatures in fall, winter and spring will mean that an increasing amount of the precipitation will fall as rain, while less falls as snow. Projections for Vancouver Island also suggest a relative sea level rise of 10–90 cm by 2100. Changes to precipitation patterns together with rising sea levels will shift the location of the fresh-saltwater interface further inland, potentially affecting groundwater in some areas.

Shifting hydrology patterns together with warmer and drier summer conditions will create the potential for increased productivity up to a point, depending on the adequacy of water supplies, drainage, and irrigation infrastructure. The AWDM calculates that, with these climate change scenarios in mind, demand could be greater than 29.5 million m³. Given increasing precipitation in other seasons, this may be characterized as a need for water storage and access as opposed to an inadequate supply. Cost and coordination are limiting factors on the ability of individual producers to manage these conditions, however improved growing conditions may attract more producers to the region, making joint investment in infrastructure feasible.

¹² Crawford, E. and E. MacNair, 2012. Snapshot report: livestock and horticulture crops on Vancouver Island. BC Food and Agriculture Climate Action Initiative. <http://www.bcagclimateaction.ca/wp/wp-content/media/AdaptROseries-VancouverIsland.pdf>

¹³ Ibid.

8.0 Agricultural Suitability

The ALUI conducted in 2012 provides information on the type and extent of existing agricultural activities in Area 'H'. This 2012 data was used in conjunction with a 2016 ground-truthing visit to determine the updated capacity for agricultural expansion, as well as to quantify the amount of land within the ALR that is unavailable for agriculture and the types of activities that are suitable to farmland in the region.

Based on the ALUI, there were 4,441 ha of cultivated field crops in the entire Regional District (3,777 ha in the ALR and 663 ha outside the ALR). On a per area basis, forage and pasture were the most common (4,087 ha, or 92% of all cultivated crops). The next highest crops per area were berries with 103 ha (100 ha in the ALR and 3 ha outside), tree plantations with 82 ha (24 ha in the ALR and 58 ha outside), and vegetables with 45 ha (31 ha in the ALR and 15 ha outside). It is interesting that only tree plantations had more acreage outside of the ALR than within the ALR.

When the parcels with crop cultivation were examined in more detail, several findings regarding the footprint of the crop on the parcels were made through the ALUI. In general, a fairly small amount of each parcel was actually being used for crop production. For instance, while there are 44 individual berry fields in the Regional District's inventory area they each have an average individual field crop area of only 2 ha and a median crop area of 0.4 ha. Fifty-nine individual vegetable fields were also recorded over the entire Regional District. These fields have an average crop area of 1 ha and a median crop area of 0.3 ha. This points to the ability for relatively small proportions of ALR parcels to be brought into production.

Further insight into production within Area 'H' is provided by the Census of Agriculture through Statistics Canada, which provides a breakdown of agricultural production and farm type for Area 'H' (most recently in 2011). The total number of self-reporting farms in Area 'H' in 2011 was 25 and nearly two-thirds (16 or 64%) were under 4 ha in size. While the amount of land covered by forage and pasture was highest, as noted in the ALUI, there were more operators focusing on poultry, berries, and vegetables than on forage production (Table 5) on a parcel by parcel basis.

Table 5. Number of farms by crop and livestock type in Electoral Area 'H'.

Crop/Livestock Type	Number of Farms
Poultry	15 (9 layers, 4 broilers, 2 turkeys)
Berries	10
Vegetables	8
Greenhouses	7
Goats or Sheep	6
Nursery	5
Forage, Grains, Oilseeds	4
Horses	4
Fruit trees	4
Cattle and calves	3
Sweet cherries	1
Christmas trees	1
Llamas and alpacas	1

Source: Statistics Canada, 2011.

To further get a sense of agricultural production and land cover in each subarea, Area 'H' was ground-truthed and results were compared to the 2012 ALUI maps for Area 'H'. The following observations on a sub-area basis are provided.

8.1 Deep Bay

Deep Bay is suitable for a range of soil-based and non-soil-based farming. Examples include nursery crops, tree plantations, small to medium scale cattle, sheep, goats, poultry, forage and pasture. In this subarea there are five lots with cultivated field crops consisting of forage and pasture, one tree farm, one nursery, and one lot growing grape vines, flowers, and rhubarb. There are a number of shellfish aquaculture tenures in and around Deep Bay, particularly in the foreshore areas to the northwest. Although no land-based aquaculture was noted, there is a shellfish processing facility within the ALR on the Island Highway. Approximately 10 ALR lots in Deep Bay appear to be available for agriculture, but are not currently being used for farming. These lots were mainly treed and very large but potentially could be cleared and be brought into production, as was the case for most existing farms in the area. Small pockets of land were unavailable for agriculture due to land cover (watercourses, paved surfaces, etc.). Only one ALR parcel in this area was under 2 ha in size.

8.2 Bowser and Qualicum Bay

In the Bowser and Qualicum Bay subarea, 52 lots are in the ALR, but are not currently used for farming. Four lots have cultivated field crops and all of these are used for forage and pasture. There is a potential in this subarea for an increase in both soil-based and non-soil-based agricultural production. Examples could include sheep, small to medium scale poultry, horse and hay, and other forage crops. Greenhouse operations, indoor farming, and land-based aquaculture are also suitable for this area. A total of ten lots were under 2 ha in size, six of which were less than 1 ha. However, three of these contain waterbodies. The small lots are all located on the coastal side of the Old Island Highway.

8.3 Dunsmuir

In the Dunsmuir subarea (which includes Grovehill Road, Boorman Road, Bayliss Road, and Oakdowne Road), approximately 89 lots are in the ALR, but are not being used for farming. These are a mix of large and small parcels with the large parcels mainly treed. At least 35 ALR lots contain cultivated field crops (30 lots are being used for forage and pasture, while three are producing vegetables). A total of seven lots are under 2 ha in size but five of these were part of a utility right-of-way and none are less than 1 ha. This area has potential for both soil-based and non-soil-based agriculture such as livestock grazing, poultry, forage crops, vegetables and berries, and greenhouses. It is expected that minimum to moderate amounts of improvements to soil (through amendments, drainage) and irrigation would be required to bring some of the land in this area into production.

8.4 Spider Lake

This subarea, which includes ALR land south of the Inland Island Highway has only a few parcels of Farm Class status, most of which are abutting the highway. Approximately 28 lots are in the ALR, but not being used for farming. A total of seven lots have limited potential for agriculture. Overall, the areas that are available for agriculture are large parcels that are further inland from the coast. Twelve lots are growing

forage and pasture, while three lots contain vegetable production. There are no lots under 2 ha in size. This subarea has potential for both soil-based and non-soil-based agriculture such as livestock grazing, poultry, forage crops, vegetables and berries, indoor farming, land-based aquaculture, and greenhouses. It is expected that moderate amounts of improvements to soil and irrigation would be required to bring this area into production and that larger lots will contain some pockets of unfarmable soil due to topography and/or stoniness. Soil drainage and non-soil based opportunities should be explored.

9.0 Summary of Findings

This report provides a comprehensive analysis to inform the ALR preliminary boundary review for Electoral Area 'H' within the Regional District of Nanaimo. The objective of the review is to provide increased confidence for decision-makers when determining whether certain areas should be included or excluded from the ALR. This analysis builds on the fine-tuning completed by the ALC in 1987, references the criteria used by the ALC during their boundary review exercises, and includes an examination of zoning, parcel size, topography, soil types and agricultural capability, water availability, and climate change.

Key findings include:

- While there are over 3,000 ha of land in the ALR within Electoral Area 'H', only about a third is under production and even less is irrigated.
- In terms of area, forage and pasture is the most common crop being cultivated followed by berries and fruit trees.
- Poultry, goats, sheep, horses, and alpacas are the livestock most often found on Area 'H' farms.
- Farmland parcel sizes are spread over all size categories, but there is a sizeable proportion that are under 5 ha (39%) although it represents only 5% of the total ALR by area.
- There are 37 parcels with BC Farm Class status conferred, 9 of which fall outside of the ALR. Of the parcels with Farm Class status, 16 (43%) are 5 ha or less in size.
- In terms of topography, there are no slopes greater than 15% that overlap with ALR and very few areas where moderate (10-15%) slopes occur within the ALR (these are mainly attributed to waterways and other landscape features that occupy minor amounts of each parcel).
- Soils are mainly Humo-Ferric Podzols and Dystric Brunisols over fluvial deposits.
- Improved agricultural capability ratings range from Class 1, 2, 3 (prime) to Class 4 and 5 (moderate) indicating that a range of crops can be produced if improvements such as drainage, irrigation, and fertilization are provided.
- The most common soil-based agricultural limitations include droughtiness, wetness, and stoniness.
- Access to water for irrigation is not a concern for the vast majority of ALR landowners.
- Climate change may lead to an increased need to store precipitation that falls during winter months to be used as irrigation during the growing season.
- An increase in frost free days may result in additional crop suitability on land that is currently classified as having moderate (Class 4 and 5) agricultural capability.
- Agricultural uses that may be suitable for farmland include soil-based and non-soil based activities, such as:
 - Forage production and pasture
 - Greenhouses
 - Poultry production
 - Mushroom farming

- Land-based aquaculture
- Sheep and/or goats
- Tree fruits
- Berry production

These findings, in addition to work completed for the *Existing Conditions Report*, are used to inform recommendations regarding the ALR Boundary Analysis for Electoral Area 'H'.

10.0 Recommendations

10.1 Potential Boundary Modifications

This preliminary analysis did not identify any portions of ALR that would meet the criteria for a block exclusion application to the ALC by the Regional District. The ability for a local government to submit a block exclusion application is conferred within the *Agricultural Land Commission Act* as per section 29(1). The recent decision¹⁴ by the ALC regarding 43 parcels of land that were part of a block exclusion application by the City of Langford is worth examining to further provide context for the recommendation for the Regional District of Nanaimo not to pursue a block exclusion application.

The City of Langford's block exclusion application for 43 parcels within the ALR totalled 40 ha and included 29 parcels that were less than 1 ha (2 acres), and all parcels were less than 5 ha. The ALC's decision supported the exclusion of just 10.6 ha of the 40 ha request. Those 10.6 ha included parcels that were all either very small (less than 1 ha at the time of the ALR's inception in 1972) or were rights-of-way for roads that would allow for increased connection and transportation options for existing farms. In addition to parcel size and agricultural capability, the Panel considered the agricultural suitability of the properties which may take into account existing land use and surrounding land uses. Where a property under application was of a suitable size, or currently in agricultural use (commercial or hobby), or had no external factors impeding its use for agriculture now or in the future, the Panel found that the property was suitable for agriculture and should be retained within the ALR. This decision has implications for Area 'H', where 21 small (< 2 ha) ALR parcels exist, but only six are < 1 ha and three of these are waterbodies. The remaining three very small ALR lots are located within an area of Qualicum Bay that is surrounded by other ALR parcels with Farm Class status along the Old Island Highway, one of which is < 2 ha and has Farm Class status. Therefore, any exclusion or non-farm use application arising from these parcels should continue to be considered on a case-by-case basis.

Regarding inclusions, the ALR within Area 'H' could be made more contiguous if parcels were added into the ALR to connect existing ALR blocks between Deep Bay, Bowser, and Qualicum Bay. While existing water courses and other natural features may impede farming in some areas, an effort to connect isolated islands of ALR may help to reinforce long term planning while creating an additional level of support for existing farming operations. There are no differences in agricultural capability ratings between land in and outside of the ALR in these 'bridge' areas. Indeed, at least one large parcel outside of the ALR in this subarea has Farm Class status. A block inclusion application may be made by a local government as per section 17(1) of

¹⁴ Agricultural Land Commission decision regarding the City of Langford block exclusion application, 2016.
<http://www.alc.gov.bc.ca/assets/alc/assets/applications-and-decisions/search-for-applications-and-decisions/2016-decision-minutes/54467d1.pdf>

the *ALC Act* but would require the consent of all landowners in addition to a public hearing. All of the land identified as containing potential for inclusion are Crown land parcels.

Recommendation 1: Do not pursue a block exclusion application for ALR in Area 'H'.

Recommendation 2: Continue to assess ALR applications on a case-by-case basis.

Recommendation 3: Consider including parcels of Crown land in Deep Bay, Bowser, and Qualicum Bay to improve the contiguousness of ALR in the region.

10.2 Consistency in Minimum Lot Sizes

To further reduce the potential for conversion of viable ALR lands to non-farm uses, and to limit the amount of subdivisions occurring in the ALR, it is recommended that greater consistency between ALR, RGS and OCP land use designations is achieved and that an Agricultural Land Use designation is considered at both the RGS and OCP levels, similar to the Agriculture designation found in the OCP for Electoral Area 'A'. This recommendation is also included as action item 7.2D in the 2012 Agricultural Area Plan.

Similarly, the Regional District could strive for more consistency for agricultural lands within the Zoning Bylaw. The fact that very few parcels under 5 ha are being farmed should point to the discouragement of subdivision into ALR parcels less than 8 ha throughout Area 'H'. At the same time, very large parcels may discourage farming as well. Much of the ALR in parcels greater than 20 ha (both privately held and Crown land) is forested rather than farmed. It is recommended that a more consistent minimum subdivision of 8 ha (20 acres) be allotted for ALR throughout Area 'H'. A minimum lot size larger than 5 ha would also align with the history of subdivision decision-making by the ALC, which has not supported the parcelization of ALR except in special circumstances. It should be noted that the ALC has the final decision-making authority regarding subdivision applications regardless as to whether or not the application meets local minimum lot size requirements.

Recommendation 4: Use a consistent Agricultural Land Use designation in both the Regional Growth Strategy and Official Community Plan for all ALR in Electoral Area 'H'.

Recommendation 5: Create a consistent minimum lot size of 8 ha for ALR throughout Electoral Area 'H'. In parallel, support subdivision of lots greater than 20 ha when a net benefit to farming is demonstrated.

10.3 Support for Farmland Owners

Where constraints to soil-based agriculture are overly taxing within Electoral Area 'H', non-soil based agricultural activities remain an option. Many of the exclusion, non-farm use, and subdivision applications that were reviewed as part of the application history argued that soil capability was too challenging for farming. To be sure, there are landowners who have made efforts to farm their land and are struggling. These challenges should not be overlooked. It is therefore recommended that the Regional District partner with other levels of government and local farm organizations to disseminate information regarding farm business planning, farmland leasing, and other resources and opportunities for those who are struggling with the financial and/or business aspects of farming.

However, the lack of non-soil based farming activities is notable given the opportunities presented within Area 'H'. It is recommended that evidence of consideration of non-soil based farming opportunities be provided with all future applications submitted to the Regional District and/or forwarded to the ALC. The Regional District should encourage applicants who are unable or unwilling to farm their parcel to consider the options of selling or leasing farmland to individuals who are interested in undertaking agricultural production. Not only should a report from a Professional Agrologist continue to be included with future applications but these reports should consider and document opportunities for non-soil based agricultural endeavours including poultry, livestock, nursery, greenhouses/ polyhouses, mushrooms, land-based aquaculture, agroforestry, and other innovative approaches. The report should also specify how the proposed activities can employ best management practices (such as those published through the Ministry of Agriculture's Environmental Farm Plan) to minimize impacts on the surrounding environment.

It is therefore recommended that the Regional District cease forwarding exclusion, non-farm use, and/or subdivision applications to the ALC that are based on an agricultural suitability claim. In this same vein, repeat applications should no longer be forwarded by the Regional District to the ALC without this detailed level of assessment provided.

Recommendation 6: Partner with other levels of government and local farm organizations to disseminate information regarding existing resources and opportunities for business planning to proponents who are struggling with the business aspects of farming.

Recommendation 7: Require that non-soil based farming opportunities and environmental best practices be fully considered in Agrologist reports that accompany all future ALR applications being submitted to the Regional District.

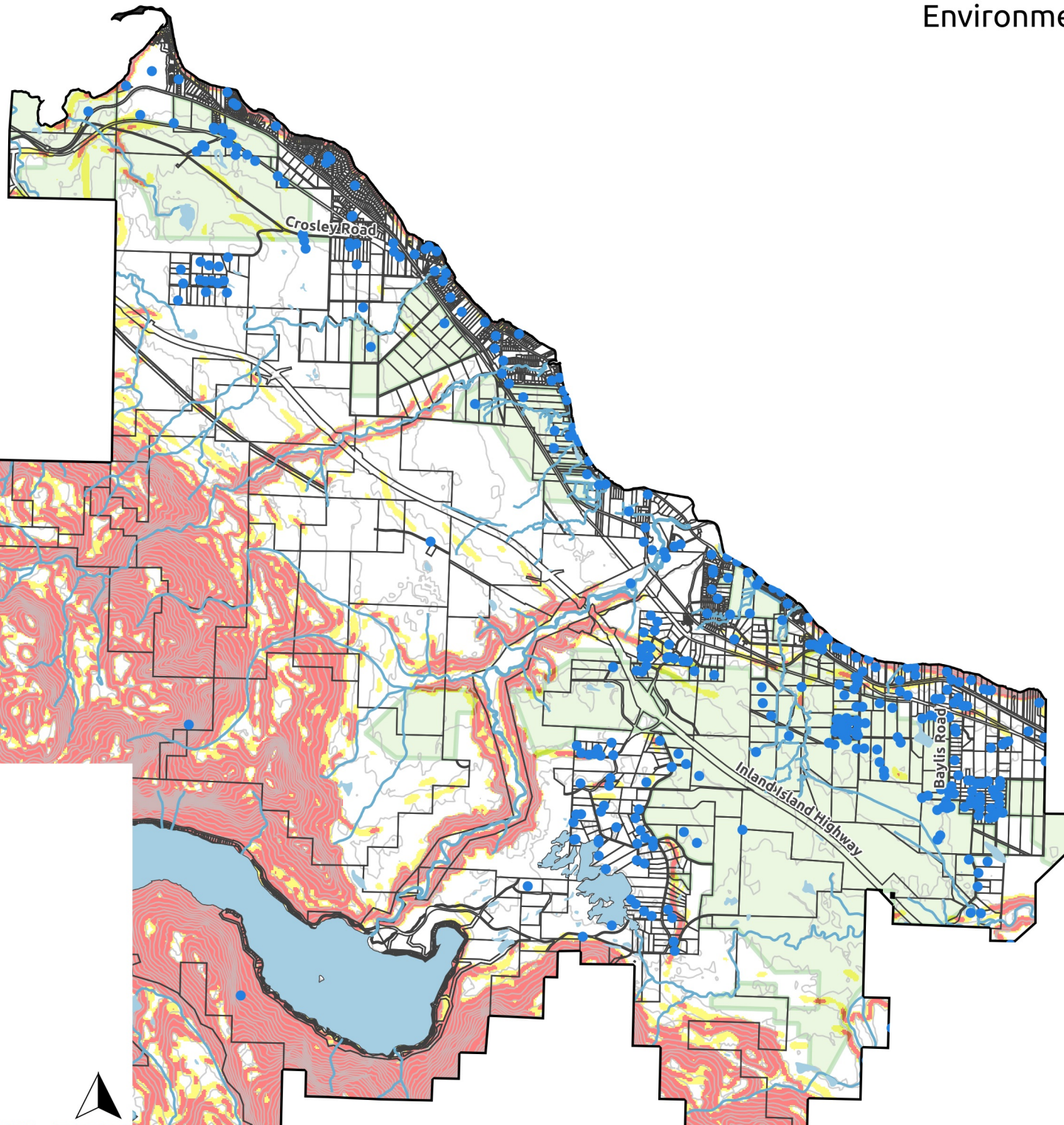
Recommendation 8: Provide landowners who are unable or unwilling to farm with information regarding existing land tenure options (e.g. selling or leasing the farmland to potential farmers).

Recommendation 9: Cease forwarding ALR applications to the ALC that are based on claims of poor agricultural suitability or on challenges associated with the business aspects of agriculture.

Appendix

Maps:

- 1) ALR and environmental features for Area 'H'
- 2) Subarea delineations
- 3) Farm Class status in Deep Bay subarea
- 4) Farm Class status in Bowser & Qualicum Bay subarea
- 5) Farm Class status in Dunsmuir subarea
- 6) Farm Class status in Spider Lake subarea
- 7) Application history in Deep Bay subarea
- 8) Application history in Bowser & Qualicum Bay subarea
- 9) Application history in Dunsmuir subarea
- 10) Application history in Spider Lake subarea



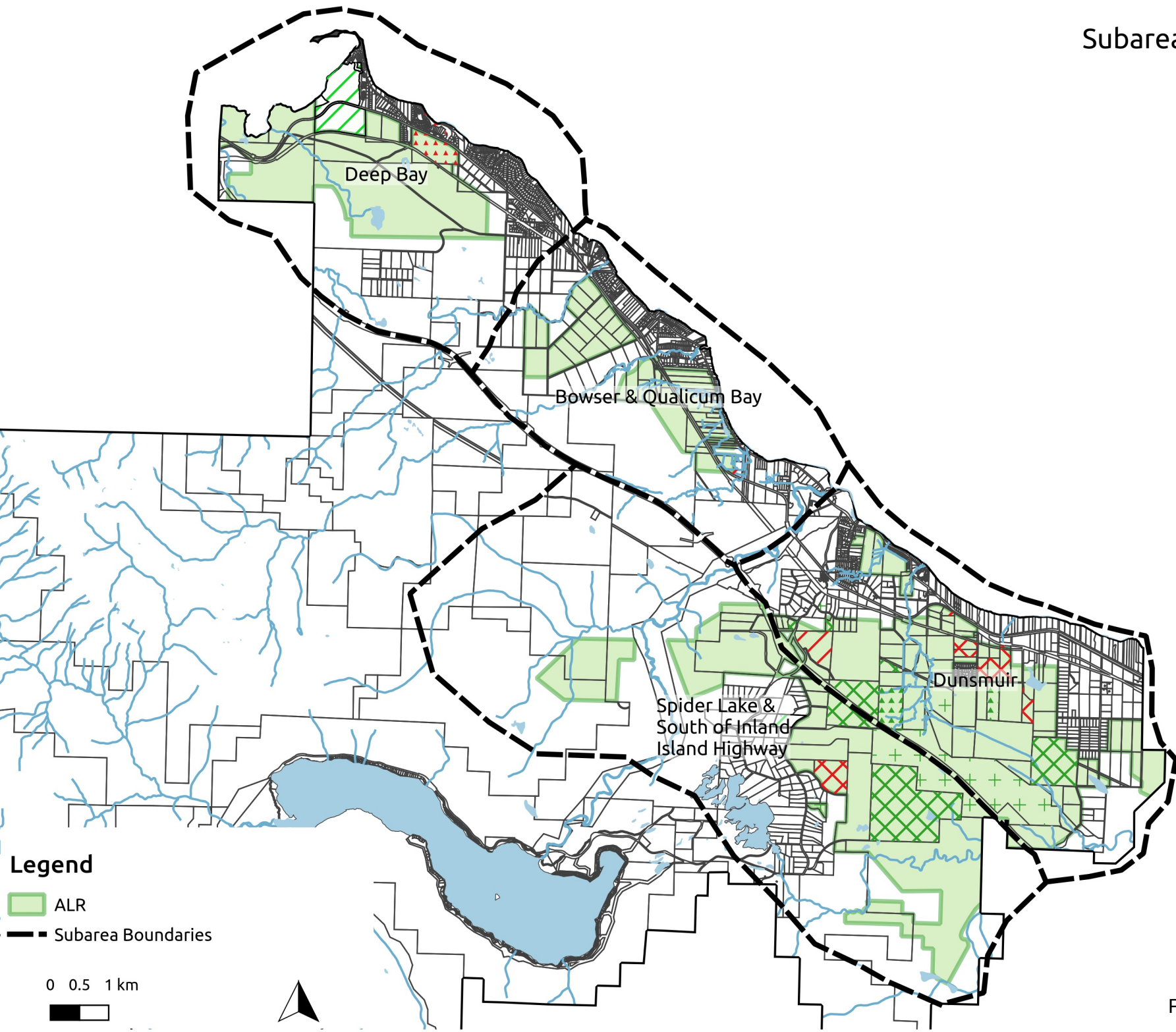
Legend

- ALR
- Existing Wells
- 20m Contours



Slope (%)

- <= 10
- 10 - 15
- > 15

0 0.5 1 km



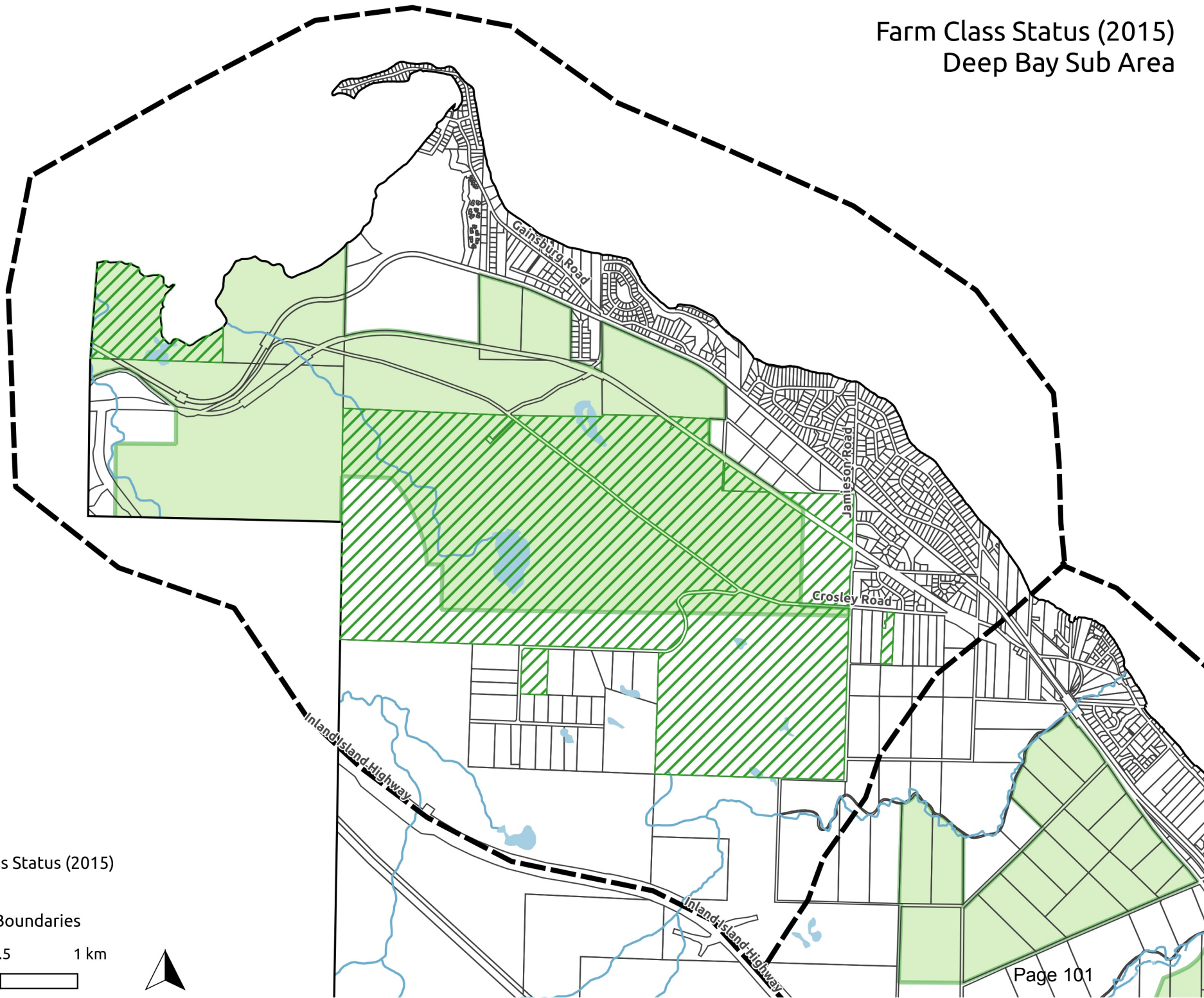
Legend

-  ALR
-  Subarea Boundaries


0 0.5 1 km



Farm Class Status (2015) Deep Bay Sub Area



Legend

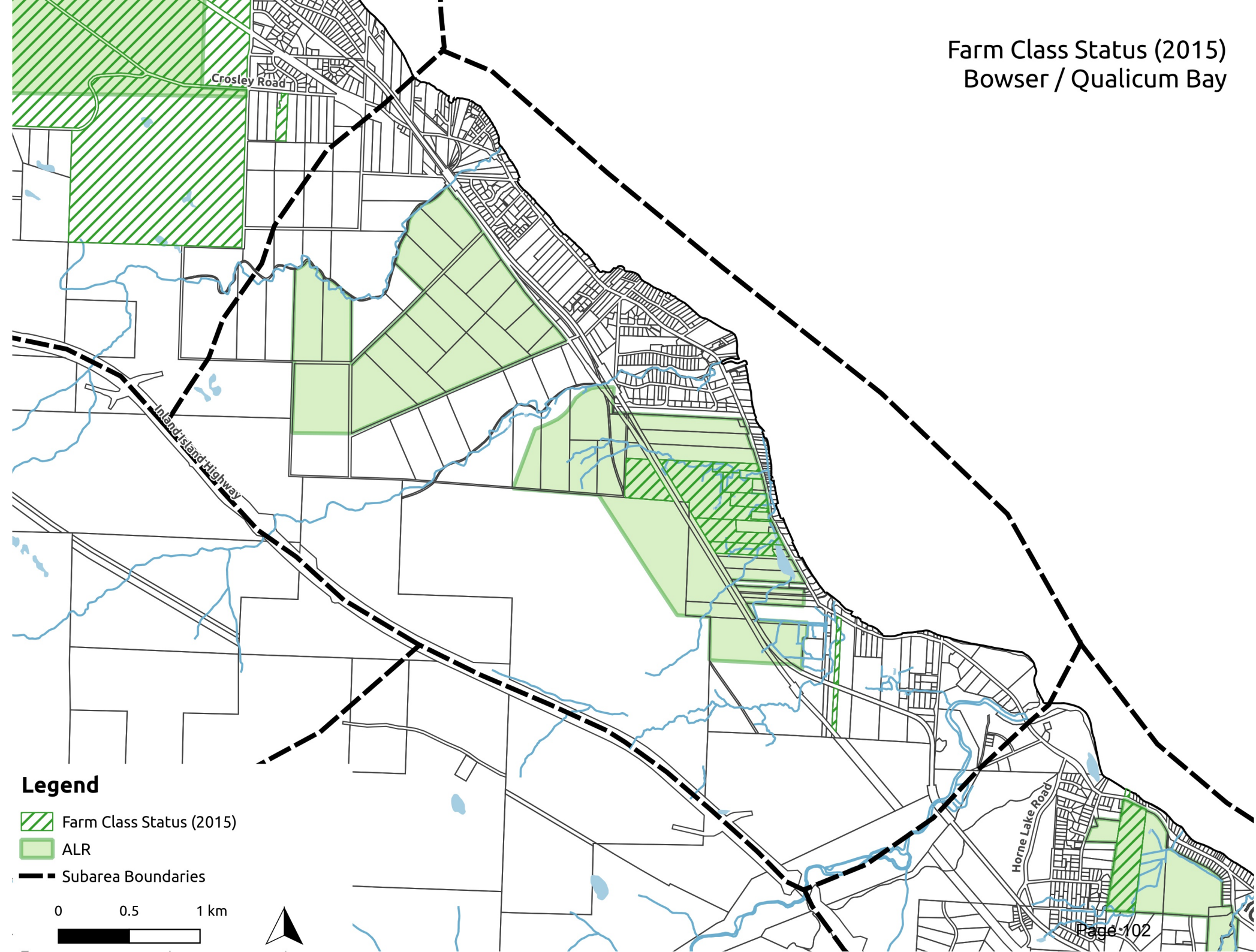
 Farm Class Status (2015)

 ALR


 Subarea Boundaries

0 0.5 1 km





Legend

 Farm Class Status (2015)

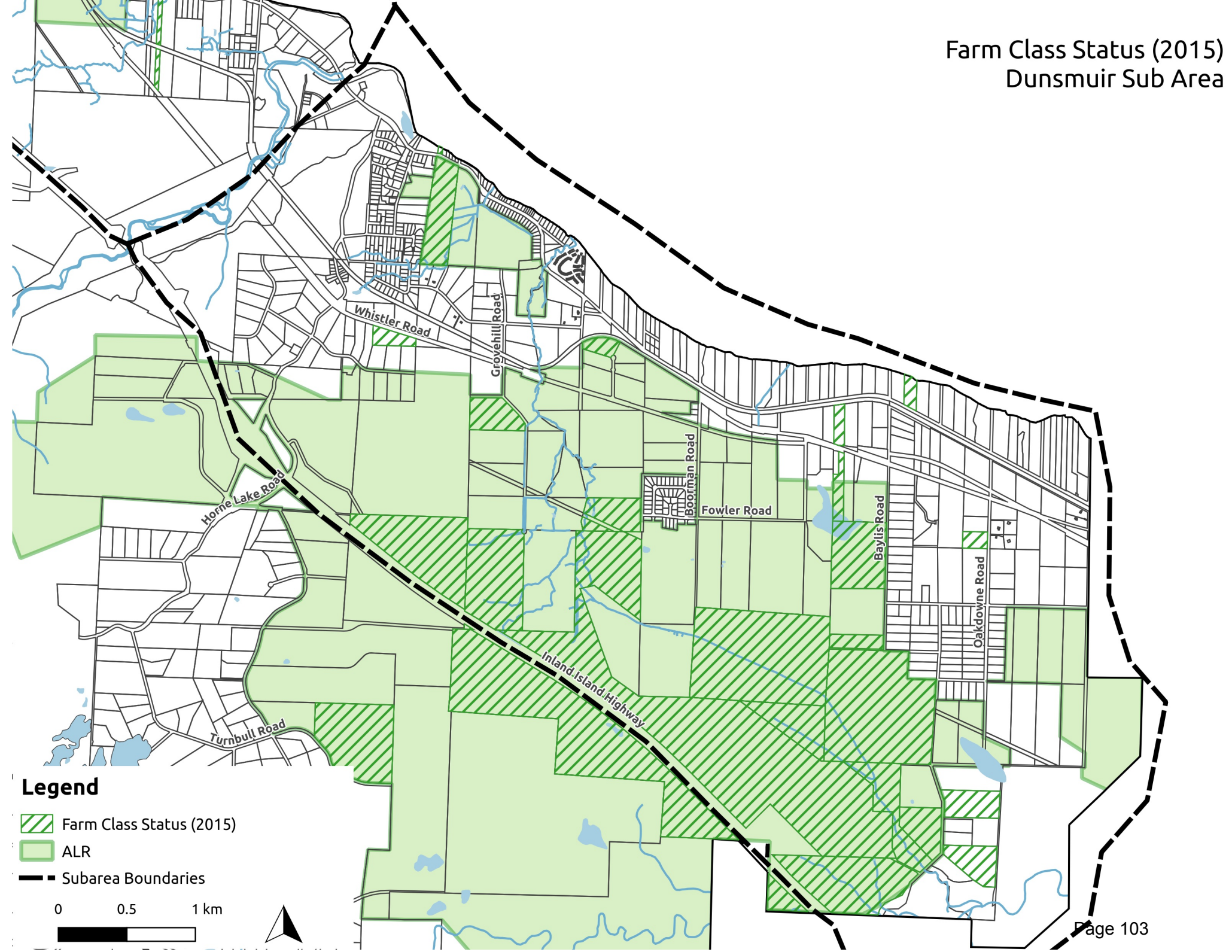
 ALR

 Subarea Boundaries

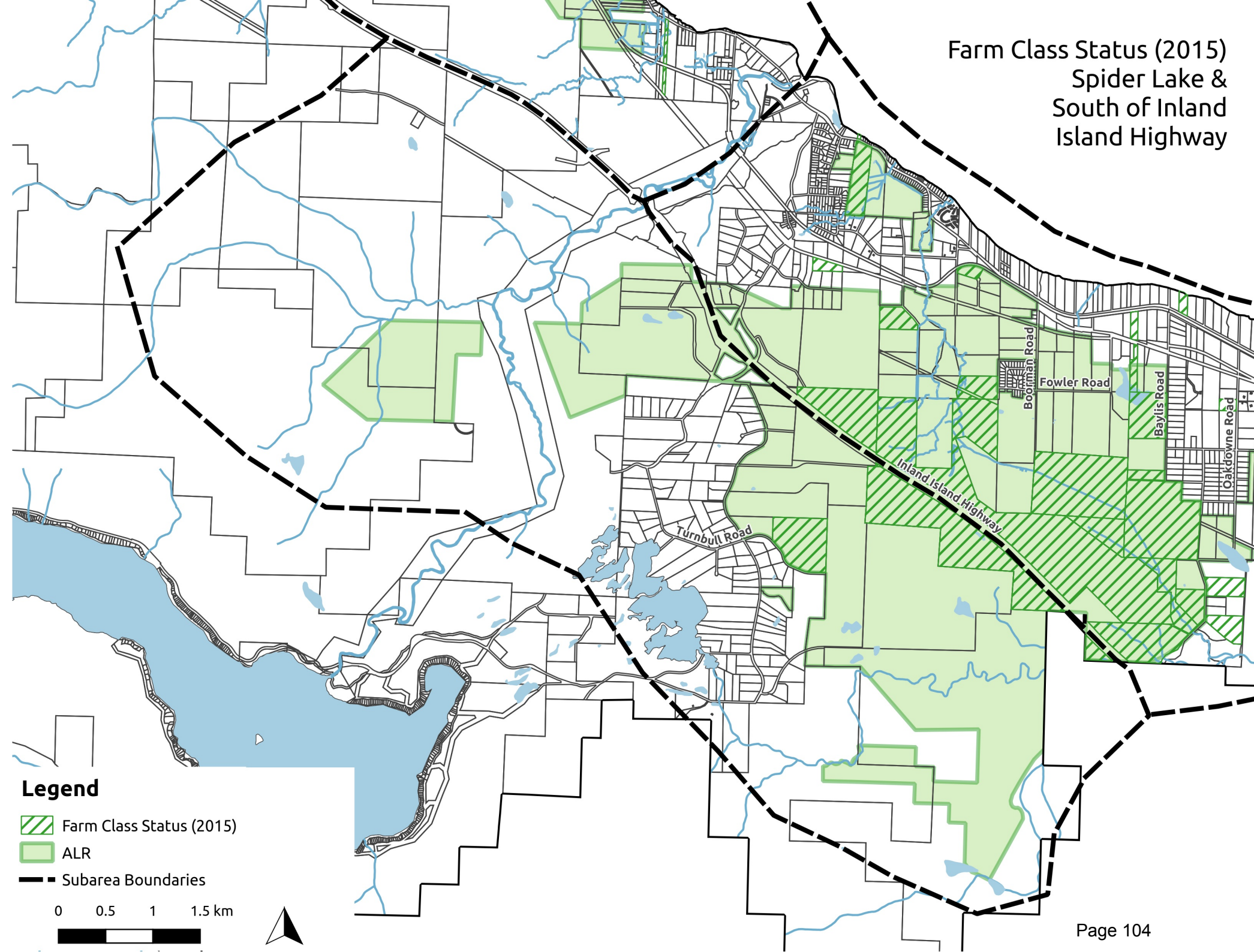
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Farm Class Status (2015) Dunsmuir Sub Area

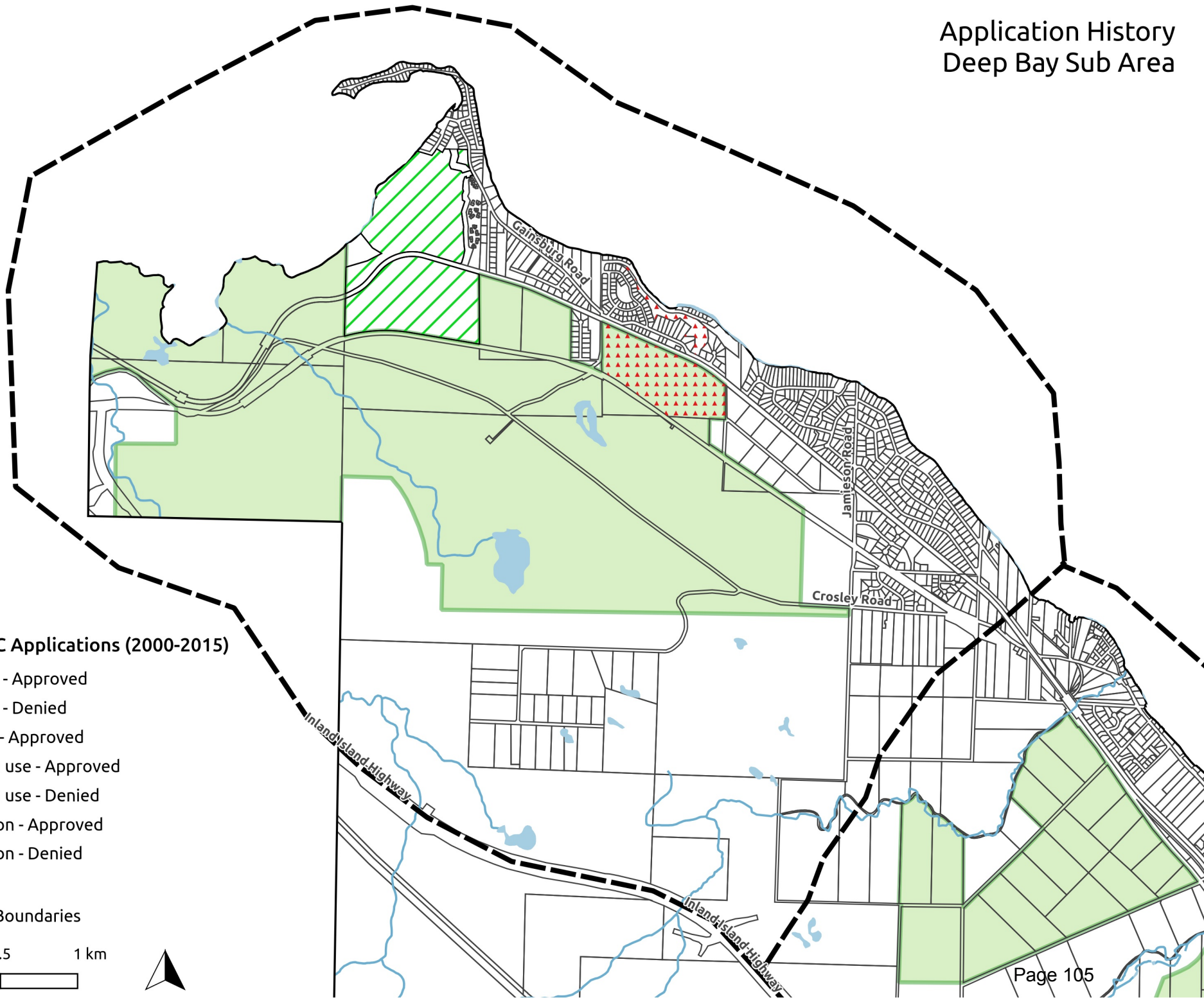
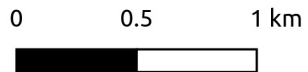


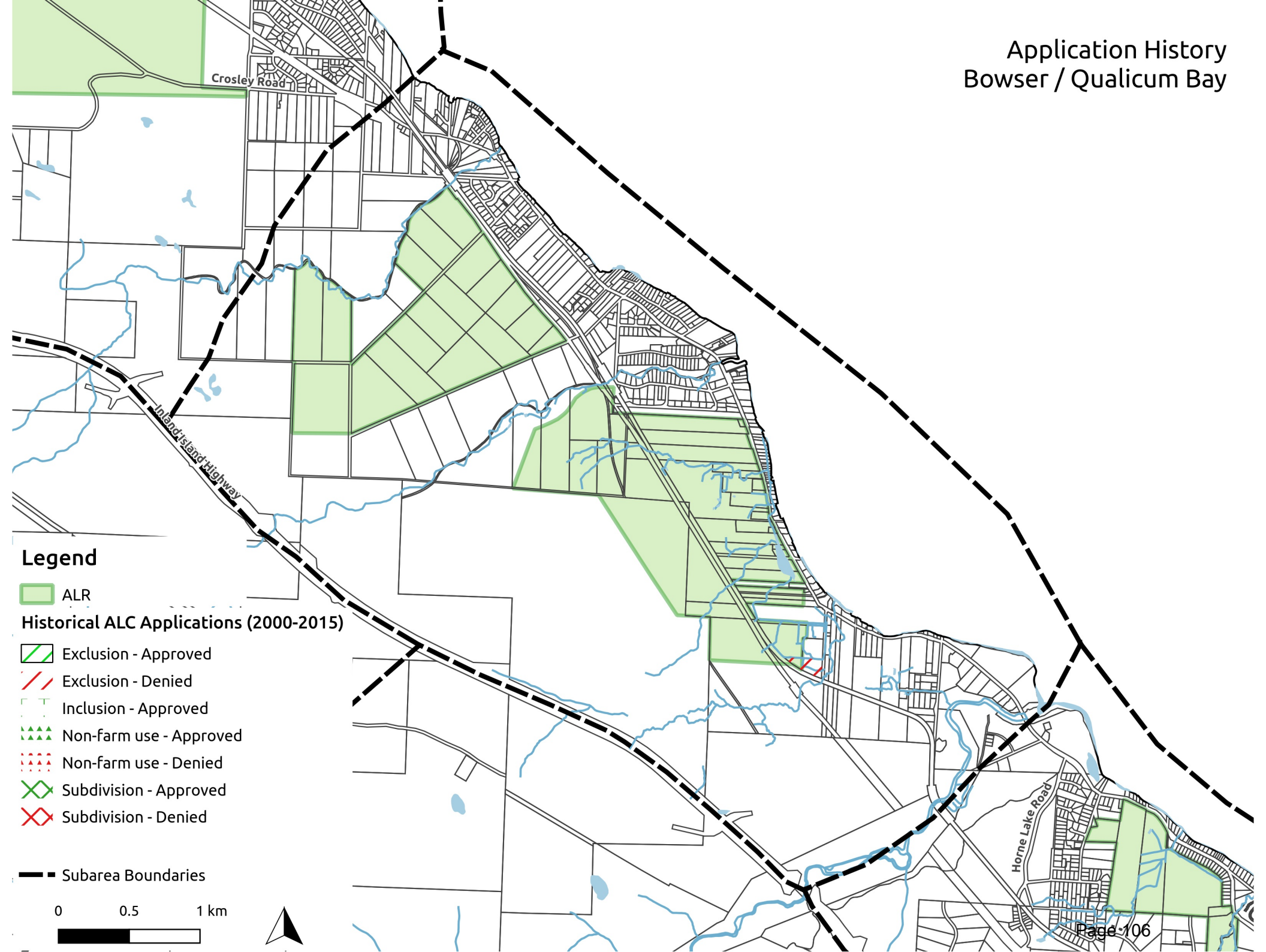
Farm Class Status (2015) Spider Lake & South of Inland Island Highway

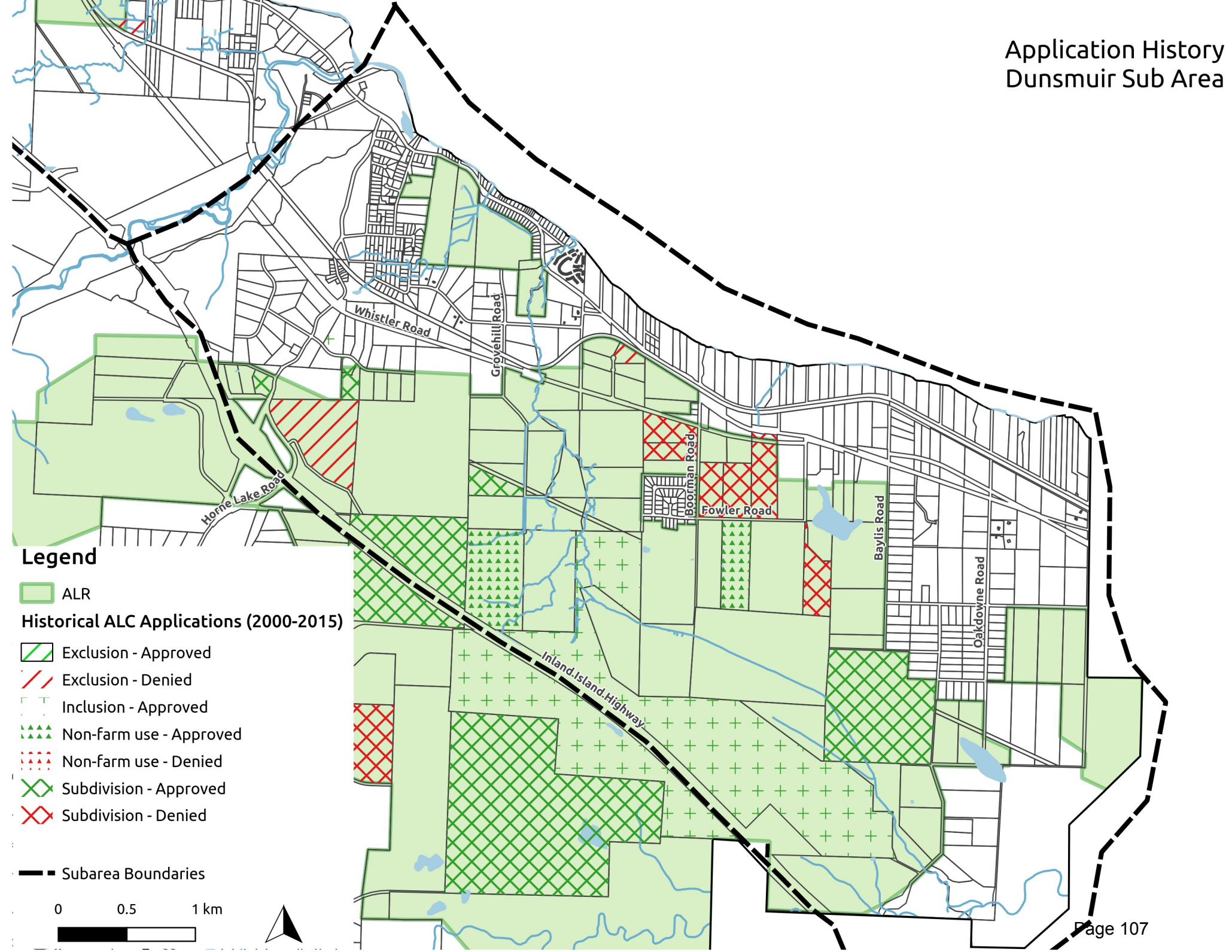


Legend

-  ALR
- Historical ALC Applications (2000-2015)**
-  Exclusion - Approved
-  Exclusion - Denied
-  Inclusion - Approved
-  Non-farm use - Approved
-  Non-farm use - Denied
-  Subdivision - Approved
-  Subdivision - Denied
-  Subarea Boundaries

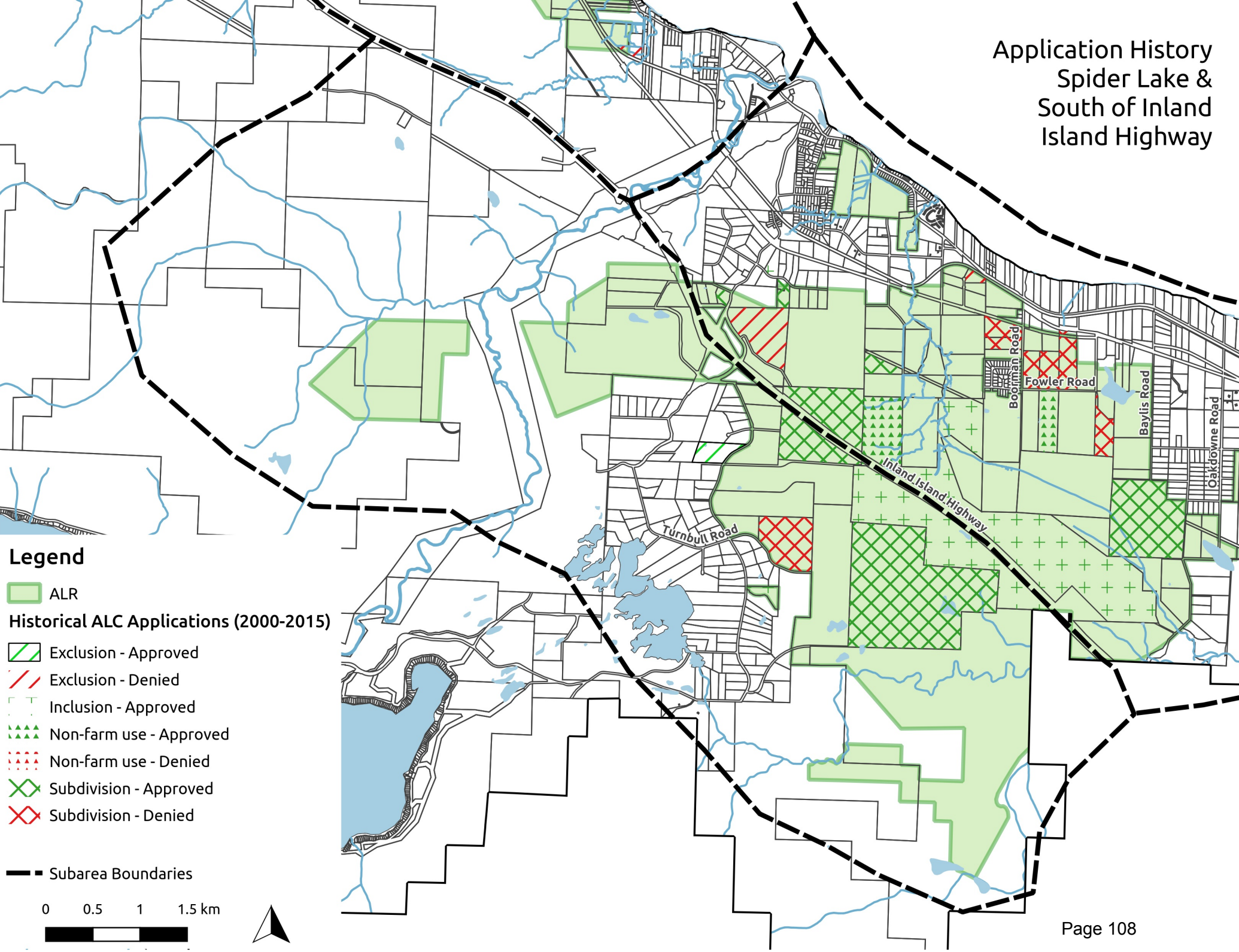






- Legend**
- ALR
 - Historical ALC Applications (2000-2015)**
 - Exclusion - Approved
 - Exclusion - Denied
 - Inclusion - Approved
 - Non-farm use - Denied
 - Subdivision - Approved
 - Subdivision - Denied
- Subarea Boundaries

Application History Spider Lake & South of Inland Island Highway



AAC Comment and ALC Decisions – February 2014 to May 26, 2017

AAC has been providing comment on applications to the Provincial ALC in accordance with RDN Board Policy B1-08 *Review of Provincial Agricultural Land Reserve Applications* since February 2014. In that time the AAC has provided comment on 20 applications to the ALC. For information on recent and archived ALC applications and decisions, visit the ALC webpage at <http://www.alc.gov.bc.ca/alc/content/applications-and-decisions/search-for-applications-and-decisions>. The applications, AAC comment and ALC decisions are summarized in the following table:

Application No	Application Type	Agent, Owner	Civic Address , Property Legal	EA	AAC Recommendation	ALC File No	ALC Decision
PL2014-005	Inclusion	C & F Land Resource Consultants Ltd; 0848214 BC LTD	Island Highway, Lot A District Lot 90 and of Block 359 Newcastle District Plan VIP67156	H	None provided	53673	Approved 06/06/2014
PL2014-010	Subdivision	Ken and Shannon Carifelle, and Shirley Daines	2455 Holden Corso Road & 1617 Rugg Road, East 40 Acres Of Section 16, Range 2, Cedar District, Except Part In Plan 29623 And 42171	A	Approval	53680	Refused 04/28/2015
PL2014-013	Subdivision	Donna and Walter Paravicini	531, 533, 539 Parker Road West, Lot 10, District Lot 78, Newcastle District, Plan 2047	G	None provided	53681	Refused 08/31/2015
PL2014-017	Subdivision	Turner Land Surveying; Dennis Paugh	2670 McLean's Road, The East 20 Chains Of Section 7, Range 3, Cranberry District, Except That Part In Plan 36845	C	Approval	54215	Refused 06/03/2016
PL2014-027	Subdivision	Fern Road Consulting Ltd; Maz-Can Investments Ltd.	2729 Parker Road, Lot 3, District Lot 67, Nanoose District, Plan 29941, Except Part In Plan Epp51762	E	Approval	53723	Approved 05/13/2015
PL2014-051	Subdivision	J. E. Anderson & Associates; Steve Vogel	2560 Grafton Ave. & 2555 Tintern Road, Lot 51, District Lot 8, Cameron District, Plan 1981 Except The Westerly 4.96 Chains	F	Approval	53789	Refused 05/07/2015
PL2015-057	Nonfarm Use	John, Allan and Joan Wild	640 Grovehill Road, LOT 9 (DD 51005N), District lot 90, Newcastle District, Plan 1874, Except Part in Plan VIP52920 AND Plan VIP73941	H	Approval	54288	Approved 11/05/2015

PL2015-160	Subdivision	Wendy Hutbatch	2116 Alberni Highway, Lot 12, Salvation Army Lots, Nanoose District, Plan 1115, Except Part In Plan 734 RW	F	None provided	55109	Refused 08/25/2016
PL2015-177	Subdivision	Elizabeth Puckering; Howard Fowler	Virginia Road, That Part of Lot 1, District Lot 141, Nanoose and Newcastle Districts, Plan 2273	F	None provided	54599	Refused 09/09/2016
PL2016-034	Subdivision	RDN; Eric and Betty Hodgson, Sucha Ollek	2070 Akenhead Road, Section 12, Range 8, Cranberry District, Except Parcel A	A	Approval	54876	Refused 11/21/2016
PL2016-035	Nonfarm Use	Sims and Associates/Fern Road Consulting; Earthbank Resource Systems Ltd.	1330 Hodge's Road, Lot 1, Plan EPP16024 & Lot C, Plan VIP80909	G	Approval	54982	Refused 08/24/2016
PL2016-042	Nonfarm Use	Corinna Kral, Victor Lassam, Doreen Lassam, Tammy Raynor, Shane Lassam	2602 Holden Corso Road, That Part Of Section 17, Range 3, Cedar District, Lying To The West Of The Westerly Boundary of The West 5 Chains of The East 60 Acres of Said Section, Except The South 10 Chains of The West 12 Chains of Said Section, And Except Part In Plans 16643, 18872	A	Approval	55086	Refused 08/08/2016
PL2016-064	Nonfarm Use	Arbor Memorial Inc.	2347 & 2419 Cedar Road, Lot A Sections 8, 9 And 10 Range 1 Cedar District Plan Vip76153	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	6617 Doumont Road, That Part of Lot 1, District Lot 35, Wellington District, Plan 3225	C	Non Approval	55410	Refused 01/30/2017
PL2016-097	Nonfarm Use	Culverden Holdings Ltd. / Seven Springs Camp and Retreat Centre	1888 Kaye Rd, Lot 1, District Lot 171 and Block 564, Nanoose District, Plan VIP71158	E	Approval	55354	Refused 12/21/2016
PL2016-151	Exclusion	Mazzoni & Associates Planning; Ezra Cook Holdings Ltd. Inc. No. 458302	7955 Island Highway West, District Lot 14, Newcastle District, Except The Esquimalt And Nanaimo Railway Company Right Of Way As Said Right Of Way Is Shown Coloured Red On DD 4433n	H	Approval	55717	Pending

*PL2016-155	Non-Farm Use (Placement of Fill)	Dean Kauwell, Erica Rudischer	2642 Maxey Road, Lot 2, Sections 17, And 18, Range 5, Mountain District, Plan 40319	C	Approval	55804	Approved 05/15/2017
PL2016-158	Non-Farm Use	Clarke Gourlay, Morningstar Springs Farm Ltd.	403 Lowry's Road, Lot 2, District Lots 19 & 83, Nanoose District, Plan EPP16024	G	Approval	55827	Approved 02/28/2017
PL2016-189	Exclusion	Cox Taylor; Gene and Gloria Martini	1155 and 1169 Leffler Road, Lot 1, District Lot 139, Nanoose District, Plan 18583	F	Approval	55899	Pending
PL2017-013	Non-Farm Use	Discover Montessori Society / 565832 BC Ltd., Inc. No.BC0565832	3452 Jingle Pot Road, The easterly 60 acres of section 16, range 3, mountain district, except that part in plan 29404, VIP68415, VIP68636 and VIP 72060	C	Approval	55883	Pending

**New decision (one) since last AAC meeting of March 17, 2017.*