



**REQUEST FOR COMMENT ON INCLUSION IN THE AGRICULTURAL LAND RESERVE
APPLICATION NO. PL2025-050 – 1860 SPRING PLACE, ELECTORAL AREA F**

Please note: This item was included on the June 24, 2025, Board agenda and was on hold pending additional information from staff, which was received at the July 8, 2025, Board meeting, and has been added here as Attachment 7. Area Director Comments, updated since the June 24, 2025, Board meeting, have been added as Attachment 6, and additional public submissions have been added as Attachment 8.

RECOMMENDATION

That the Board recommend that the Agricultural Land Commission not approve Inclusion Application No. PL2025-050 (ALC File No. 102637) to permit the inclusion of the property at 1860 Spring Place into the Agriculture Land Reserve.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application for Inclusion in the Agricultural Land Reserve (ALR) from Cleaver et al. The proposal is to allow the property at 1860 Spring Place to be included into the ALR. The applicant wishes to include the subject property in the ALR so they can operate a family-owned micro-brewery utilizing sustainable farming and cultivating practices using only what they grow on the property for their micro-brewery. An Inclusion application is required under the *Agricultural Land Reserve Use Regulations* to be submitted to the Agriculture Land Commission (ALC).

The subject property, legally described as Lot 15, Block 544, Nanoose District, Plan 32293, is approximately 2.02 hectares in area and is located entirely outside the ALR. The property is bound by Englishman River Road to the North, Spring Place to the West, Englishman River to the South and surrounded by Rural 1 (R-1) properties. The property contains two dwellings and multiple accessory buildings including raised flower beds and a green house (see Attachment 1 – Subject Property Map and Attachment 2 – 2022 Aerial Photo). The property is serviced by a well and onsite sewage disposal.

Regional Growth Strategy and Official Community Plan Implications

The subject property is designated 'Rural Residential' pursuant to the "Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1874, 2023" (RGS). The RGS policies outline 'Rural Residential' as land within the rural setting primarily intended to accommodate rural residential development. This designation includes land already subdivided into relatively small parcels in a rural area.

The subject property is also designated as 'Rural' pursuant to the "Regional District of Nanaimo Electoral Area 'F' Official Community Plan Bylaw No. 1152, 1999 (OCP). The OCP describes 'Rural' land use as, in many cases, individuals purchasing these properties for the privacy, quiet and the quality of life perceived to be available in Electoral Area 'F'. The objectives of the 'Rural' land use within the OCP are to preserve the rural and residential character of these areas and to minimize conflict between residential developments and agriculture, silviculture and aggregate extraction activities.

Agricultural Area Plan Implications

The Agriculture Area Plan (AAP) outlines the role of the Agricultural Land Commission (ALC) and local governments regarding Inclusion applications. Action 1.1A of the AAP Implementation Action Plan states that the ALC invites comments and input from local governments, the RDN and Agricultural Advisory Committees regarding the potential impact of ALR exclusion, inclusion, non-farm use, and subdivision applications on the surrounding agricultural community.

Land Use Implications

The subject property is zoned Rural 1 (R-1) pursuant to “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285, 2002”. The R-1 zone permits a dwelling unit as a Primary Use and accessory buildings and structures, home based business and secondary suite as Accessory Permitted Uses. The applicant proposes to have the property included into the ALR so they can operate a micro-brewery as well as conduct other agriculture activities currently not permitted in the R-1 zone. The subject property is surrounded by other rural zoned properties, and the closest ALR property is approximately 1,100 metres away. Including the subject property in the ALR, expands the list of permitted uses beyond a brewery. These potential uses may include, agroforestry, aquaculture, silviculture, timber production and harvesting, processing of farm products, equestrian facility, farm retail sales, temporary sawmill, kennels, production and storage of Class A compost. These potential ALR activities and farm uses in this zone are not supported by the RGS or OCP and are not permitted uses in the surrounding neighborhood. Inclusion into the ALR may impact the character of the neighborhood and create unforeseen problems in the future.

The property owner has indicated that a new well will need to be drilled to support the micro-brewery. This area is already known to experience water issues with the aquifer on residential use alone. The water demand for a commercial operation such as a micro-brewery will be significantly higher than that of a single-family residence. Consequently, drilling a new well to service the brewery could adversely affect water availability in the area. If approved, and a new well is drilled, the property owner will need to register the well and obtain a water license from the province for the agriculture activity on the subject property.

Should the application receive approval from the ALC for inclusion into the ALR, the property would also need to obtain farm class from BC Assessment to operate a micro-brewery as a farm use. Although the property owner could obtain farm class through BC Assessment, the current zone does not permit agriculture use and without the inclusion into the ALR, a micro-brewery brewery would not be permitted with just a farm class designation.

Approvals from the ALC and the British Columbia Liquor and Cannabis Board are required to ensure conformity with alcohol production regulations. According to ALC regulations, a primary farm product is defined as the main ingredient used in the fermentation process to produce alcohol. The applicant's goal, as discussed during conversations and included in their ALC application, is to meet the ALC regulations of growing 50% of the primary farm product on-site. They plan to achieve this by constructing a fenced garden and raised beds for hops, fruits, vegetables, and herbs. It's a challenge for the ALC and RDN to ensure these onsite production requirements are met. Moreover, it should be noted that with the proposed crops above, it is unclear how the applicant will meet the 50% primary farm product production requirement without growing a primary crop such as barley for the beer.

ALC regulations allow the applicant to outsource some of their primary farm product, provided the property is larger than 2 hectares and at least 50% of the primary farm product is harvested from the property. Additionally, the outsourced product must come from a farm operation in British Columbia under a contract with a term of three years. The applicant has expressed a preference for using BC-grown ingredients if outsourcing is necessary. However, they have not provided a detailed scope of work regarding the quantity of primary farm product grown on site or the scale of operation that might require a three-year contract with a BC farm.

If the subject property is included in the ALR and a micro-brewery is permitted, the applicant can potentially operate ancillary uses on the property. These uses include but are not limited to, operating a food and beverage service lounge indoor and outdoor and gathering for an event. There is no indication from the ALC application or applicant that ALC ancillary uses such as product purchase or onsite consumption are proposed. However, should the applicant propose these uses in the future, it could create significant impacts on the neighborhood with increased noise and traffic from cars and patrons.

Should the ALC approve the inclusion application, an OCP and zoning amendment should be considered as the current R-1 zone would be in conflict with the agriculture uses that are permitted in the ALR.

Intergovernmental Implications

This report along with the corresponding Board resolution will be forwarded to the ALC for consideration. The ALC will assess the application and existing buildings for compliance with the relevant provincial regulations and will issue a decision.

Board Policy Procedure

Regional District of Nanaimo “Board Policy B1.8: Review of Provincial Agricultural Land Reserve Applications” (Policy B1.8) provides an opportunity for the Agricultural Advisory Committee (AAC) and Electoral Area Director to provide comments on applications for non-adhering residential use, soil use, inclusion, subdivision or non-farm use on lands within the ALR. Electoral Area Director comments are provided as Attachment 5. In accordance with Policy B1.8, the Electoral Area Services Committee will consider the application and make a recommendation to the RDN Board, and upon approval to then forward the application to the ALC with a unique and separate resolution.

FINANCIAL IMPLICATIONS

The proposed development has no implications related to the Board 2025-2029 Financial Plan.

STRATEGIC PLAN ALIGNMENT

The proposed development has been reviewed and has no implications for the 2023 – 2026 Board Strategic Plan.

REVIEWED BY:

P. Thompson, Manager, Current Planning
L. Grant, General Manager, Development and Emergency Services
D. Holmes, Chief Administrative Officer

ATTACHMENTS:

1. Subject Property Map
2. 2022 Aerial Photo
3. Site Plan
4. Submitted Correspondence
5. Area Director Comments
6. Area Director Comments (updated since the June 24, 2025, Board meeting)
7. Additional Information Staff Report July 8, 2025 – Agricultural Land Reserve Application PL2025-050 Bylaw Interpretation
8. Additional Public Submissions for PL2025-050, 1850 Spring Place Redacted