
TO: Agricultural Advisory Committee **DATE:** December 7, 2018
FROM: Stephen Boogaards
Planner **FILE:** PL2018-155
SUBJECT: Request for Comment on Non-Farm Use in the Agricultural Reserve
Application No. PL2018-155
3734 Jingle Pot Road – Electoral Area C
Lot 1, Sections 18 and 19, Range 4, Mountain District, Plan 24550

SUMMARY

This is an application for a non-farm use in the Agricultural Land Reserve (ALR) to allow improvements for parking, plaza area and picnic shelter within the Anders and Dorrit's Community Park. The park is located on a 2.4 hectare parcel within Electoral Area C. 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 from Regional District of Nanaimo for the purpose of park improvements within the Anders and Dorrit's Community Park. The subject property is legally described as Lot 1, Sections 18 and 19, Range 4, Mountain District Plan 24550 and the civic address is 3734 Jingle Pot Road. The subject property is approximately 2.4 hectares in area and is located entirely within the ALR. The parcel is adjacent to other properties within the ALR and contains a portion of the Millstone River. The property is currently vacant, as the dwelling was previously demolished (see Attachments 1 and 2 for Subject Property Map and Aerial Photo).

The proposed improvements within the Anders and Dorrit's Community Park, include a plaza area, picnic shelter and parking. A copy of the Site Plan and Concept Plan are included as Attachment 3. A copy of the applicant's submission package is included as Attachment 9. Personal Information is redacted in accordance with the *Freedom of Information and Protection of Privacy Act*.

AAC members were provided an opportunity to attend the site on November 15, 2018.

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 Space designation is intended to accommodate both primary industries, such as agriculture, and land uses that provide recreation or conserve

environmentally sensitive areas (see Attachment 6). The designation encourages land uses that complement natural resource activities and recreation, provided the uses enhance the viability of primary uses and contribute to the protection of the environment. Further to this, the RGS encourages the provincial government to protect and preserve the agricultural land base through the ALR (see Attachments 7 and 8 for Regional Growth Strategy designation and Food Security goal).

OFFICIAL COMMUNITY PLAN

The subject property is currently designated as 'Rural' pursuant to the "Regional District of Nanaimo East Wellington Pleasant Valley Official Community Plan Bylaw No. 1055, 1997" (see Attachment 5). Permitted uses within the Rural designation include traditional rural activities, including normal agricultural activities and silviculture practices. Within the OCP, parkland is permitted within all land use designations.

The parcel is also designated within the Fish Habitat Protection and Hazard Lands Development Permit Areas. The proposed plaza, shelter and parking would be situated within the Hazard Lands Development Permit Area due to the Millstone River floodplain. However, works conducted by the RDN would be exempt provided appropriate measures have been undertaken to satisfy the development permit guidelines.

ZONING

The parcel is currently zoned Agriculture 1 (AG1), pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" (Bylaw 500) (see Attachments 4 for zoning regulations). The AG1 zone permits farm use, residential use and accessory uses. As park uses are permitted in each zone, under Section 3.1.7 of Bylaw 500, the proposal for park improvements for parking, picnic shelter and plaza are permitted by zoning (see Attachment 4).

BOARD POLICY AND AAC PROCEDURE

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

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

In accordance with the AAC Terms of Reference, the role of the AAC members is to provide local perspective and expertise to advise the Board (and in this case comment to the ALC) on a range of agricultural issues on an ongoing and as needed basis, as directed by the Board. In addition to members' local knowledge and input, comment on ALR applications may be guided by Board approved policies such as the RDN AAC, the Board Strategic Plan, the RGS and the applicable OCP along with the relevant land use bylaws.

Members of the AAC can also find information related to ALR land use and agriculture in BC, on the ALC and Ministry of Agriculture websites. Local and contextual information can also be found on the RDN's agricultural project's 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, Electoral Area C Director Maureen Young has provided the following comments:

The Anders and Dorrit's Community Park was a wonderful gift to the East Wellington/Pleasant Valley Community by Mr. and Mrs. Olesen.

As the RDN Director, for Area C, I fully support approval of this ALC Application to establish nine gravelled parking spaces, and to improve the entrance and exit to the Park.

The Anders and Dorrit's Park access is via Jingle Pot Road, and the parking is limited to two or three vehicles depending on how they are parked. An improved entrance and exit to the Park would make for safer accessibility for the Public.

The application is supported by the East Wellington/Pleasant Valley Community and the Area Parks and Open Spaces Committee. Since the land was given to the Community, there has been extensive public input at two information meetings at the Park with the first meeting being attended by over one hundred people.

Maureen Young



Stephen Boogaards
sboogaards@rdn.bc.ca
November 23, 2018

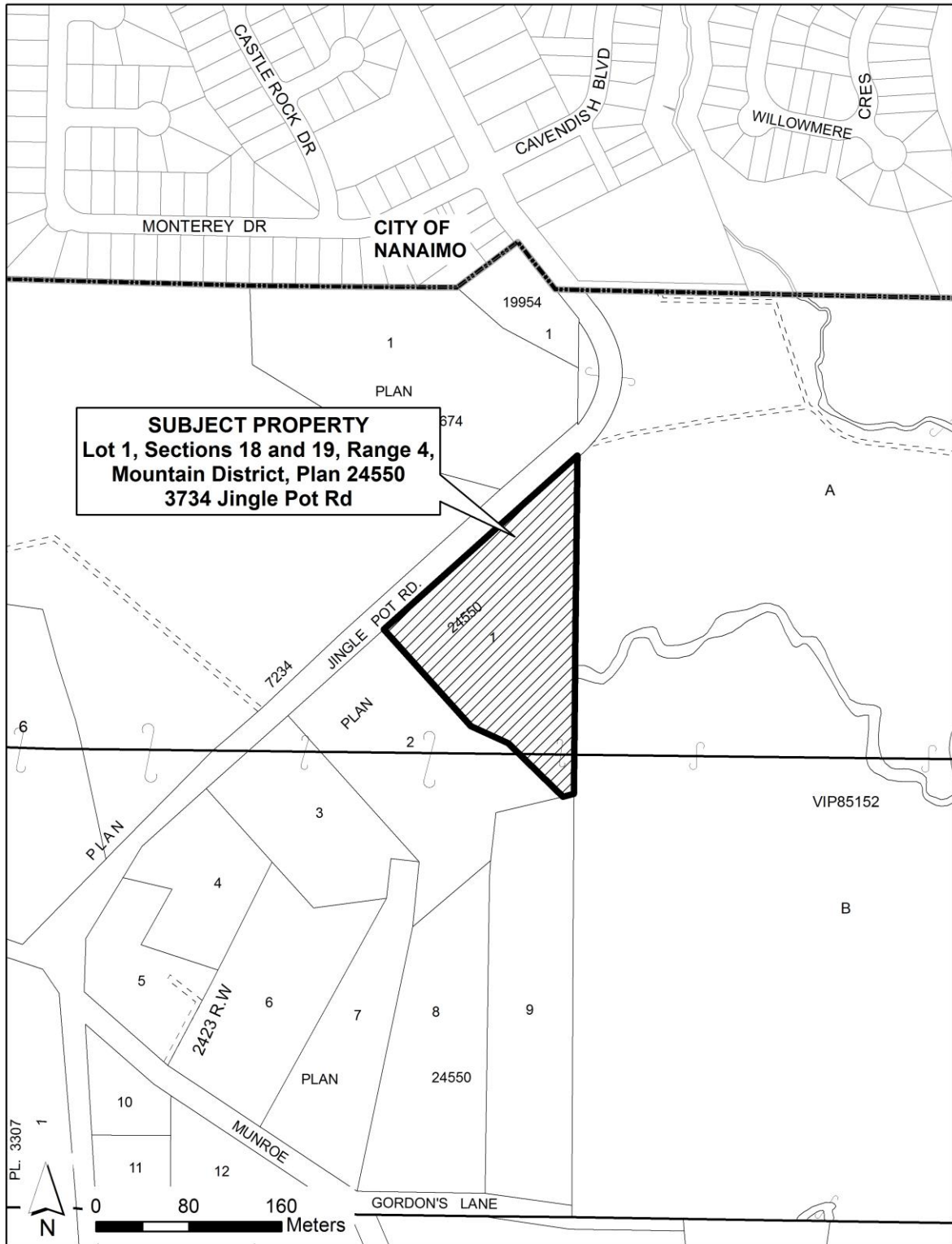
Reviewed by:

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

Attachments:

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

Attachment 1
Subject Property Map



Attachment 2
2016 Aerial Photo



**Attachment 3
 Proposed Concept Plan
 (Page 1 of 2)**

Site Plan



Attachment 3
Proposed Concept Plan
(Page 2 of 2)

Site Views



Main Activity Area (looking west)



Picnic Shelter and Field (looking west)

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

Part 3 – Land Use Regulations

Section 3.4.1

AGRICULTURE 1

AG1⁴²⁴³

3.4.1.1 Permitted Uses and Minimum Site Area

Permitted Principal Uses

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

Permitted Accessory Residential Uses

- a) Home Based Business
- b) Secondary Suite

Permitted Accessory Farm Uses

- a) Temporary Sawmill
- b) Agricultural Education and Research
- c) Agri-tourism Accommodation
- d) Production of Biological Integrated Pest Management Products
- e) Gathering for an Event⁴⁴

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

⁴² Bylaw No.500.383, Adopted June 25, 2013

⁴³ Bylaw No. 500.402, adopted June 28, 2016

⁴⁴ Bylaw No. 500.413, adopted May 22, 2018

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

Part 3 – Land Use Regulations

AGRICULTURE 1 continued

- d) Notwithstanding subsection (c), on a parcel located in this zone and created prior to February 22, 2011 and having an area greater than 2.0 ha. 2
 - 3) Height (non-farm and accessory farm buildings and structures) 9.0 m
 - 4) Parcel coverage
 - a) Non-farm buildings and structures 10%
 - b) Farm or agriculture buildings and structures 25%
 - c) Greenhouses 75%
 - d) In no case shall the combined parcel coverage exceed 75%.
 - e) Notwithstanding a), b), c) and d) above or any other regulation in this Bylaw, the following agricultural structures shall be exempt from maximum parcel coverage:
 - i) Permeable detention ponds
 - ii) Support structures used for shading, frost and wind protection, netting, or trellising.
-

3.4.1.3 Minimum Setback Requirements

- 1) All non-farm buildings and structures – All lot lines 8.0 m
except where:
 - a) the parcel is less than 4000 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.

RDN Bylaw No. 500

Page 3 - 22

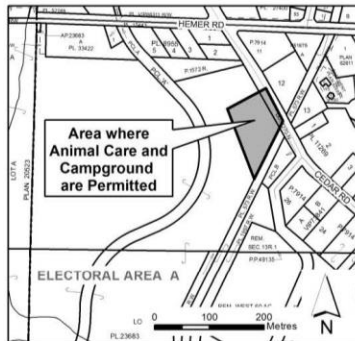
This is an excerpt only from "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" and should not be used for interpretive or legal purposes without reference to the entire Bylaw

Attachment 4 Existing Zoning (Page 3 of 4)

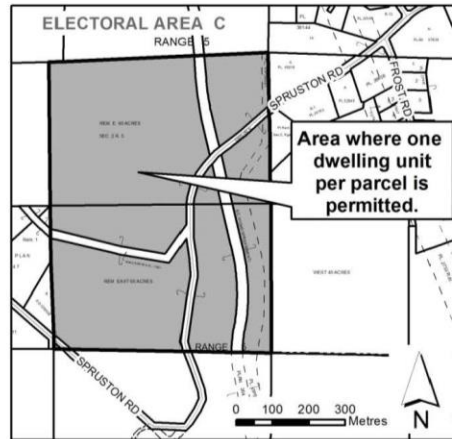
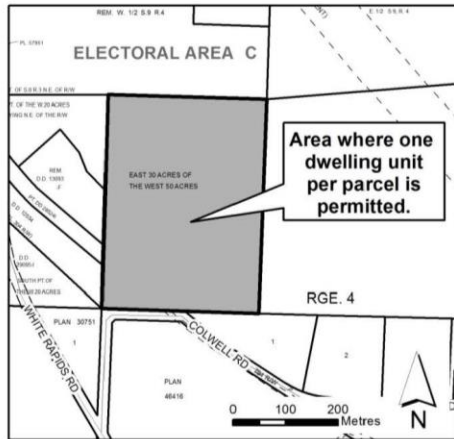
Part 3 – Land Use Regulations

AGRICULTURE 1 continued

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



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

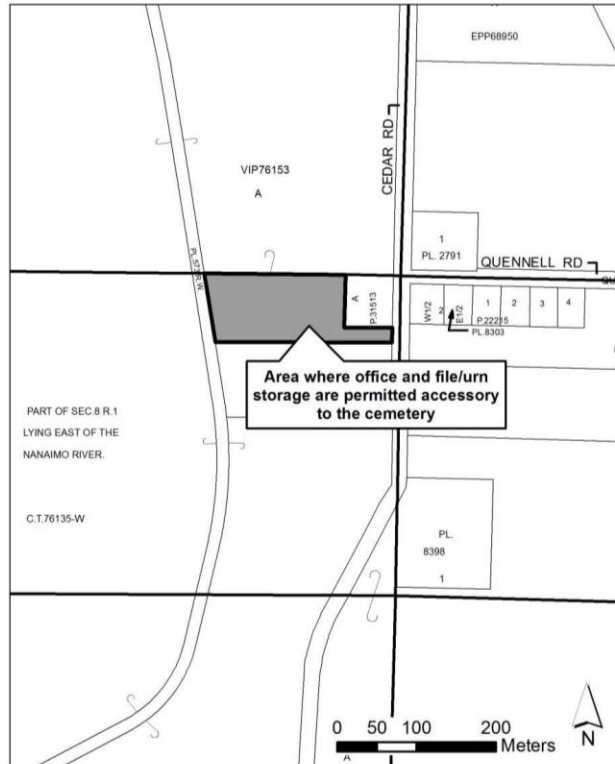


**Attachment 4
Existing Zoning
(Page 4 of 4)**

Part 3 – Land Use Regulations

AGRICULTURE 1 continued

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



⁴⁵ Bylaw 500.412, adopted March 27, 2018

Attachment 5
Official Community Plan Land Use Designation
(Page 1 of 3)

Regional District of Nanaimo

EAST WELLINGTON - PLEASANT VALLEY OFFICIAL COMMUNITY PLAN - BYLAW NO. 1055

Objectives: Resource

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

Policies: Resource

Action:

1. Land within the *Resource* designation as shown on Map No. 3 attached to and forming part of this Plan, shall have a minimum parcel size of 50.0 hectares.¹
2. On land in the *Resource* designation, residential development shall be limited to one (1) dwelling unit per four (4) hectares, to a maximum of two (2) dwelling units per parcel.
3. Permitted uses within the *Resource* designation shall generally be associated with those activities involving natural resource harvesting or extraction, primary processing and passive recreational uses, including campgrounds. This shall not preclude the Regional District Board from amending the Land Use and Subdivision Bylaw to either include or exclude other uses, which are deemed to be compatible or incompatible with the *Resource* designation.
4. The Regional District may consider the issuance of temporary use permits for the manufacture of asphalt products or soil composting operations on land within the *Resource* designation of this Plan provided that such operations are to be located on parcels greater than 8.0 hectares in area and associated impacts will not adversely impact neighbouring land or development or the natural environment. In the case of soil composting, such activities shall be solely for the purpose of reclaiming mined land.

Development Activated:

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

4.2 RURAL

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

¹ Bylaw No. 1055.02 adopted January 24, 2006

Attachment 5
Official Community Plan Land Use Designation
(Page 2 of 3)

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

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

Objectives: Rural

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

Policies: Rural

Action:

1. Land within the *Rural* designation, as shown on Map No. 3 attached to and forming part of this Plan, shall have a minimum parcel size of 2.0 hectares except those lands that as of the date of this amendment are designated as **Crown Lands** (forest) or where for taxation purposes are designated as **Managed Forest Class** shall have a minimum parcel size of 50.0 hectares.²
2. On land in the *Rural* designation, residential development shall be limited to one (1) dwelling unit per one (1) hectare, to a maximum of two (2) dwelling units per parcel.
3. On land in the *Rural* designation, the creation of parcels having an area less than two (2) hectares by way of subdivision pursuant to the *Condominium Act* (British Columbia), with the exception of subdivision pursuant to the *Bareland Strata Regulations* (British Columbia), shall not be supported.
4. Permitted uses within the *Rural* designation shall generally be limited to traditional rural activities, including those associated with normal agriculture and silviculture practices. Intensive forestry processing uses shall not be supported on lands designated as *Rural* in this Plan.
5. Where land is removed from the Agricultural Land Reserve or the Forest Land Reserve the *Rural* designation shall remain unless redesignated by amendment to this Plan and permitted uses shall be generally be limited to traditional rural activities.

Development Activated:

6. Where land is within the Agricultural Land Reserve and is proposed for subdivision or non-farm use, including the placement of a second dwelling, approval must first be obtained from the Agricultural Land Commission, except where additional dwellings are necessary for farm purposes subject to the

² Bylaw No. 1055.02 adopted January 24, 2006

Attachment 5
Official Community Plan Land Use Designation
(Page 3 of 3)

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

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

4.3 RURAL RESIDENTIAL

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

Objectives: Rural Residential

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

Policies: Rural Residential

Action:

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

Attachment 6 Regional Growth Strategy - Land Use Designation

Resource Lands and Open Space

The Resource Lands and Open Space land use designation includes:

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

This designation includes:

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

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

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

Attachment 7

Regional Growth Strategy Goal 7 – Enhance Economic Resiliency - Agriculture

Agriculture

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

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

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

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

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

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

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

The '5 A's' of food security:

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

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

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

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

- Supporting improved access to sustainable water supplies for irrigation;
- Encouraging best water management practices in agriculture;
- Providing drainage infrastructure for flood-prone lands that do not include environmentally sensitive areas;
- Improving infrastructure to provide agricultural services and processing; and improving access to markets.

Policies

The RDN and member municipalities agree to:

- 8.1 Encourage and support the Agricultural Land Commission in retaining lands within the ALR for agricultural purposes.
- 8.2 Discourage the subdivision of agricultural lands.
- 8.3 Include provisions in their official community plans and zoning bylaws to allow for complementary land uses and activities that support the on-going viability of farming operations.
- 8.4 Establish agriculture as the priority use on land in the ALR.
- 8.5 Minimize the potential impact non-farm land uses may have on farming operations and include policies in their official community plans and zoning bylaws that reduce the opportunity for land use conflicts to occur.
- 8.6 Encourage and support agricultural activity on lands that are not within the ALR. This may include small-scale home-based agricultural businesses.

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

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

**Attachment 9
Applicant's Submission**



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 58070

Application Status: Under LG Review

Applicant: Regional District of Nanaimo

Local Government: Nanaimo Regional District

Local Government Date of Receipt: 09/20/2018

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

Proposal Type: Non-Farm Use

Proposal: To enable the RDN to enhance this Community Park by configuring a new gravel parking lot on the property (see attached concept plan), along with other park amenities in/around the area of the former residence. The parking lot is conceptually sized for approximately 9 vehicles, with room to expand in the long-term if the need arises. The picnic shelter is envisioned on the footprint of the former garage and the plaza area with seat-walls intends to make use of the old house foundation. Both with the goal of limiting park development impacts on the property.

Mailing Address:

Regional District of Nanaimo, 6300 Hammond Bay Rd
Nanaimo, BC
V9T 6N2
Canada

Primary Phone: (250) 248-4744

Email: kcramer@rdn.bc.ca

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 003-025-594

Legal Description: L 1 SECS 18 & 19 R 4 MOUNTAIN DISTRICT PL 24550

Parcel Area: 2.4 ha

Civic Address: 3734 JINGLE POT RD

Date of Purchase: 11/30/2017

Farm Classification: No

Owners

1. **Name:** Regional District of Nanaimo

Address:

6300 Hammond Bay Road

Nanaimo, BC

V9T 6N2

Canada

Phone: (250) 248-4744

Cell: (250) 248-3252

Email: rdnparks@rdn.bc.ca

Ownership or Interest in Other Lands Within This Community

1. **Ownership Type:** Fee Simple
Parcel Identifier: 026-522-454
Owner with Parcel Interest: Regional District of Nanaimo
Parcel Area: 2 ha
Land Use Type: Recreational
Interest Type: Full Ownership

2. **Ownership Type:** Fee Simple
Parcel Identifier: 026-526-476
Owner with Parcel Interest: Regional District of Nanaimo
Parcel Area: 4.7 ha
Land Use Type: Other
Interest Type: Full Ownership

Current Use of Parcels Under Application

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

Approximately 0.8 hectare is harvested for hay by a neighbour.

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

A drainage culvert, installed by the previous owners, runs under the field from Jingle Pot Road to the Millstone River. The property is fenced on three sides (not fenced along the river).

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

The property was gifted to the RDN in 2011 as a Community Park in the wills of Anders and Dorrit Olesen. A planning process is underway for the Park, including concept plans that look to see a picnic shelter, open plaza/seating area, expanded parking area, and nature trails including a mown trail around the field. The concept is based on the wishes of the previous owners and public input received. The concept concentrates park amenities in the footprint of the former house site. One goal is to maintain the majority of original plantings/specimen trees around the house site, including an old grape vine with a new support structure.

Adjacent Land Uses

North

Land Use Type: Transportation/Utilities
Specify Activity: Jingle Pot Road

East

Land Use Type: Agricultural/Farm
Specify Activity: Millstone River, Forest, Hay field beyond

South

Land Use Type: Agricultural/Farm
Specify Activity: Millstone River, Forest, Horses

West

Land Use Type: Agricultural/Farm
Specify Activity: Estate home, hay field

Proposal

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

1.7 ha

2. What is the purpose of the proposal?

To enable the RDN to enhance this Community Park by configuring a new gravel parking lot on the property (see attached concept plan), along with other park amenities in/around the area of the former residence. The parking lot is conceptually sized for approximately 9 vehicles, with room to expand in the long-term if the need arises. The picnic shelter is envisioned on the footprint of the former garage and the plaza area with seat-walls intends to make use of the old house foundation. Both with the goal of limiting park development impacts on the property.

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.

The property is now a public park and there is a need to provide for parking and other amenities for the public use and enjoyment of the park.

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

The field is harvested for hay currently and this will continue to occur with the willingness of the neighbour to undertake this task.

Applicant Attachments

- Other correspondence or file information - Project Overview
- Proposal Sketch - 58070
- Other correspondence or file information - 2010 Existing Conditions
- Other correspondence or file information - Concept Views
- Certificate of Title - 003-025-594

ALC Attachments

None.

Decisions

None.



Project Timeline & Overview

HOW WE GOT HERE

May 2010 Parks staff met with Anders Olesen to discuss his wishes for the property once it becomes a park.
 Recap: → *Keep it mostly as is*
 → *Provide a covered community space*
 → *Use the field for informal play in summer*

February 2012 The 6.34 acre property was gifted to the RDN following the passing of the Olesens, creating Anders & Dorrit's Community Park.

September 2013 Park Opening and Open House were held to introduce the Park and to seek feedback on the future of the Olesen house:
 ↳ *majority of support was for its removal*

Fall 2017/ Winter 2018 The East Wellington/Pleasant Valley Parks and Open Spaces Advisory Committee and RDN Park staff reviewed and refined the concept ideas for community input before moving to detailed design.

NOW

April 2018 Community Open House to present the Concept Plan and gauge acceptance prior to moving to detailed design and construction.

NEXT STEPS

Summer 2018 Parks staff to apply to the Agricultural Land Commission (ALC) for approval of proposed changes in the Park. (Property is located within the Agricultural Land Reserve).

Fall/Winter 2018 Complete detailed design and expected cost estimate for the project. RDN Board to approve budget for project construction.

Spring 2019 Seek funding to support the construction budget (if opportunities available).

Fall 2019 Once all approvals in place (ALC, RDN, other), initiate project construction phase.



Share your thoughts!
 Please complete a questionnaire.



What's Different?

- picnic shelter location
- parking lot orientation
- gravel trail proposed parallel to Jingle Pot Rd
- year-round "river walk" proposed (with culvert and foot bridge)

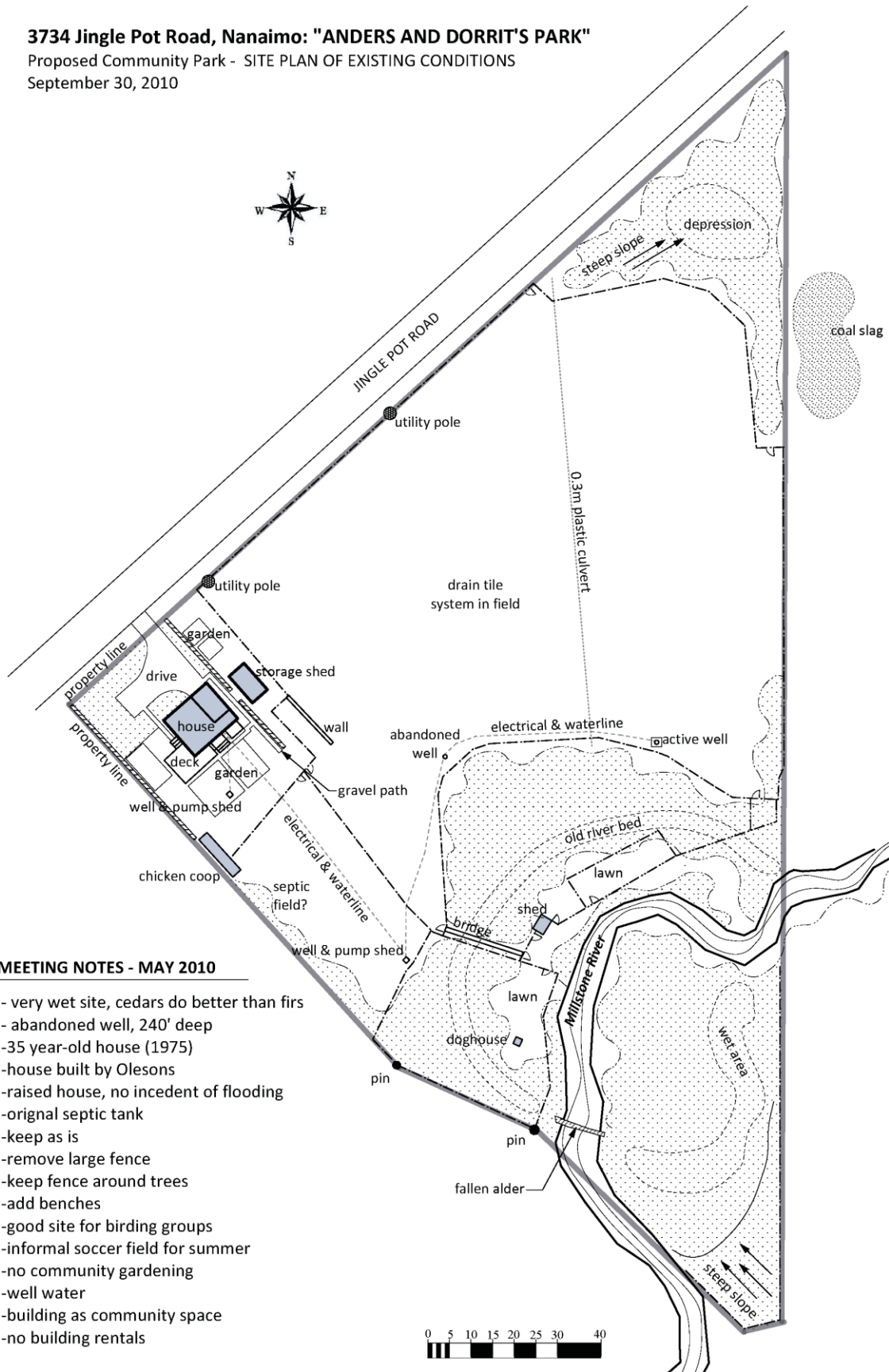


Look for Project Updates at:
rdn.bc.ca/anders-and-dorrits-community-park

3734 Jingle Pot Road, Nanaimo: "ANDERS AND DORRIT'S PARK"

Proposed Community Park - SITE PLAN OF EXISTING CONDITIONS

September 30, 2010



MEETING NOTES - MAY 2010

- very wet site, cedars do better than firs
- abandoned well, 240' deep
- 35 year-old house (1975)
- house built by Olesons
- raised house, no incident of flooding
- original septic tank
- keep as is
- remove large fence
- keep fence around trees
- add benches
- good site for birding groups
- informal soccer field for summer
- no community gardening
- well water
- building as community space
- no building rentals

TITLE SEARCH PRINT

2017-11-30, 10:52:38

File Reference:

Requestor: Parks Dept

Declared Value \$ 575000

CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN

Land Title District	VICTORIA
Land Title Office	VICTORIA
Title Number	CA2422993
From Title Number	CA2422992
Application Received	2012-03-05
Application Entered	2012-03-19
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	REGIONAL DISTRICT OF NANAIMO OCEANSIDE PLACE 830 WEST ISLAND HIGHWAY PARKSVILLE, BC V9P 2X4
Taxation Authority	Nanaimo/Cowichan Assessment Area
Description of Land	
Parcel Identifier:	003-025-594
Legal Description:	LOT 1, SECTIONS 18 AND 19, RANGE 4, MOUNTAIN DISTRICT, PLAN 24550

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 L.LEADER, ACTING REGISTRAR, PER PD

Charges, Liens and Interests

Nature:	UNDERSURFACE RIGHTS
Registration Number:	M76301
Registered Owner:	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
Remarks:	A.F.B. 38.87.D32020 DD 34642I SECTION 172(3) INTER ALIA

TITLE SEARCH PRINT

2017-11-30, 10:52:38

File Reference:

Requestor: Parks Dept

Declared Value \$ 575000

Nature: STATUTORY BUILDING SCHEME
Registration Number: 429948G
Registration Date and Time: 1971-10-26 10:46
Remarks: INTER ALIA

Nature: UNDERSURFACE RIGHTS
Registration Number: M76303
Registration Date and Time: 1983-08-03 08:00
Registered Owner: THE DIRECTOR OF SOLDIER SETTLEMENT
Remarks: INTER ALIA
DD 49242N
SECTION 172(3)

Nature: RIGHT OF ENTRY
Registration Number: CA2422994
Registration Date and Time: 2012-03-05 15:54
Registered Owner: PAUL CHRISTENSEN
DAVID WILLIAM JOHNS
EXECUTORS OF THE WILL OF ANDERS OLESEN, DECEASED
CA2422992

Duplicate Infeasible Title NONE OUTSTANDING

Transfers NONE

Pending Applications NONE