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**TO:** Agricultural Advisory Committee      **DATE:** December 7, 2018

**FROM:** Greg Keller  
Senior Planner      **FILE:** PL2018-146

**SUBJECT:** Request for Comment on Non-Farm Use in the Agricultural Reserve  
Application No. PL2018-146  
3106 Northwest Bay Road – Electoral Area E  
Lot 2, District Lot 30-A Nanoose District Plan 3074 Except Parts shown  
outlined in Red on Plan 561R and Plan 904R and Except Part in Plan 6592.

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## SUMMARY

This is an application for non-farm use in the Agricultural Land Reserve (ALR) to permit a brewery and restaurant on a 7.2 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 non-farm use in the ALR from Jodie Lucas and Will Gemmell. The subject property is legally described as Lot 2, District Lot 30-A Nanoose District Plan 3074 Except Parts shown outlined in Red on Plan 561R and Plan 904R and Except Part in Plan 6592 and the civic address is 3106 Northwest Bay Road. The subject property is approximately 7.2 hectares in area and is located entirely within the ALR. The parcel is bound by Northwest Bay Road as well as residential properties to the east. The property currently contains the Rusted Rake restaurant and a number of agricultural improvements including grain, mixed vegetables and fruits, chickens, and beef (see Attachments 1 and 2 for Subject Property Map and Aerial Photo).

The building where the restaurant is located did not receive any permits from the RDN. RDN Building Regulations Bylaw No. 1250, 2001 exempts certain farm buildings from Building Permit requirements. This exemption is for farm buildings of “low human occupancy” as defined in the National Farm Building Code of Canada on properties that have been classed as “Farm” under the BC *Assessment Act*. As a restaurant is not considered a ‘low human occupancy’ building, it is not exempt from building permitting requirements. Pending outcome of the non-farm use application, the RDN will take the appropriate measures in relation to the required building permit.

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

Agricultural Advisory Committee members were provided an opportunity to attend the site on 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 policies of this designation indicate that it applies to land primarily intended for resource uses such as agriculture, forestry, aggregate and other resource development (see Attachment 7). Further to this, the RGS encourages the provincial government to protect and preserve the agricultural land base through the ALR (see Attachments 8 and 9).

A copy of the applicant's submission package is included in Attachment 10.

## **OFFICIAL COMMUNITY PLAN**

The subject property is currently designated as Resource Lands pursuant to the "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005" (see Attachment 6). The Resource Lands Designation applies to all lands within the ALR. The policies of this designation support uses which are compatible with existing agricultural and resource uses.

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

Amendments to "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005" are most likely required to permit the proposed restaurant unless the Agricultural Land Commission (ALC) confirms that the proposal is deemed a Farm Use pursuant to the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*.

## **ZONING**

The applicant proposes to construct a brewery as well as seek approval to continue operating the existing restaurant as shown on the Proposed Site Plan (see Attachment 3).

The parcel is currently zoned Agriculture 1 (AG1), Subdivision District 'D', pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" (Bylaw 500) (see Attachments 4 and 5 for zoning regulations and minimum parcel size). The existing restaurant is not permitted in the AG1 zone.

Regardless of the outcome of the ALC application process, a zoning amendment is required to recognize the restaurant. Should the ALC deny the non-farm use application, the RDN would be unable to support the required zoning amendment as we cannot authorize a use that is not permitted by the ALC on lands located in the ALR.

The AG1 zone permits farm use, home based business, secondary suite, temporary sawmill, agriculture research and education, agri-tourism accommodation, the production of Biological

Integrated Pest Management Products, and allows two dwelling units on parcels greater than 2.0 hectares in area.

## **BOARD POLICY AND AAC PROCEDURE**

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

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

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

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

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

## **ELECTORAL AREA DIRECTOR COMMENT**

As per Board Policy B1.8, all applications under the *Agriculture Land Commission Act* for exclusion, subdivision, or non-farm use of ALR land are to be forwarded to the applicable subject property’s electoral area director, for comment.

With respect to this application, Electoral Area E, Director Rogers has provided the following comments:

As RDN Director for Area E I do not support this current application to the ALC for a non-farm use building to support construction and operation of a brew house to subsequently support a lounge as the only means of providing financial viability for the farm, which has been built and operated as a restaurant without prior application for a building permit or

building inspection of a non-farm use building where the applicant has acknowledged pre-planning for such a use. I cannot support an application that would of necessity also require a subsequent application to the RDN to amend both the Area E OCP and the zoning for this property. Those applications should precede this application and permit full public input into the required rezoning.



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Greg Keller  
gkeller@rdn.bc.ca  
November 26, 2018

Reviewed by:

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

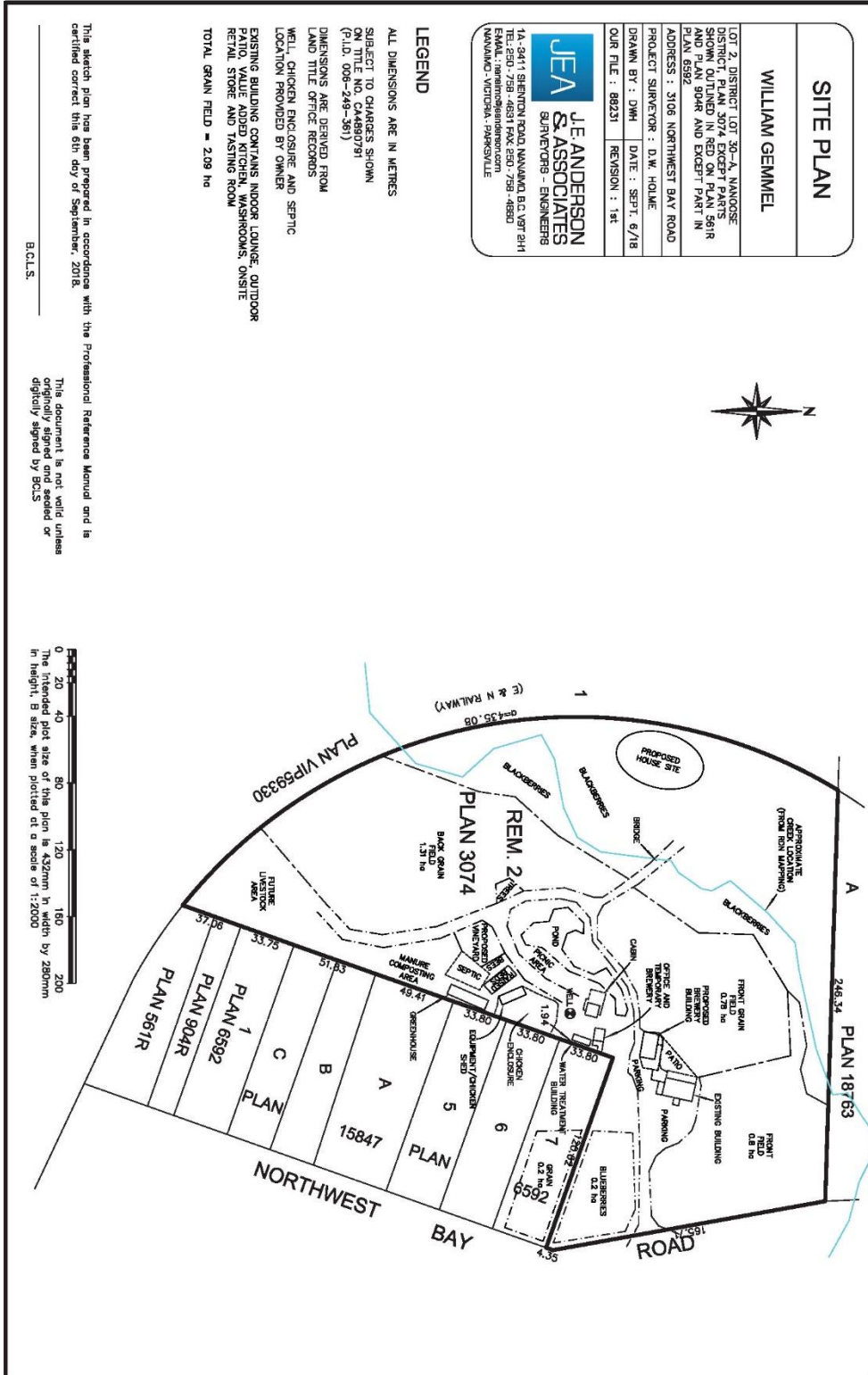
Attachments

1. Subject Property Map
2. 2016 Aerial Photo
3. Proposed Site Plan
4. Existing Zoning
5. Bylaw 500, Schedule '4B' Subdivision Districts – Minimum Parcel Size
6. Official Community Plan Land Use Designation
7. Regional Growth Strategy - Land Use Designation
8. Regional Growth Strategy - Goal 7 - Enhance Economic Resiliency – Agriculture
9. Regional Growth Strategy - Goal 8 – Food Security
10. Applicant's Submission

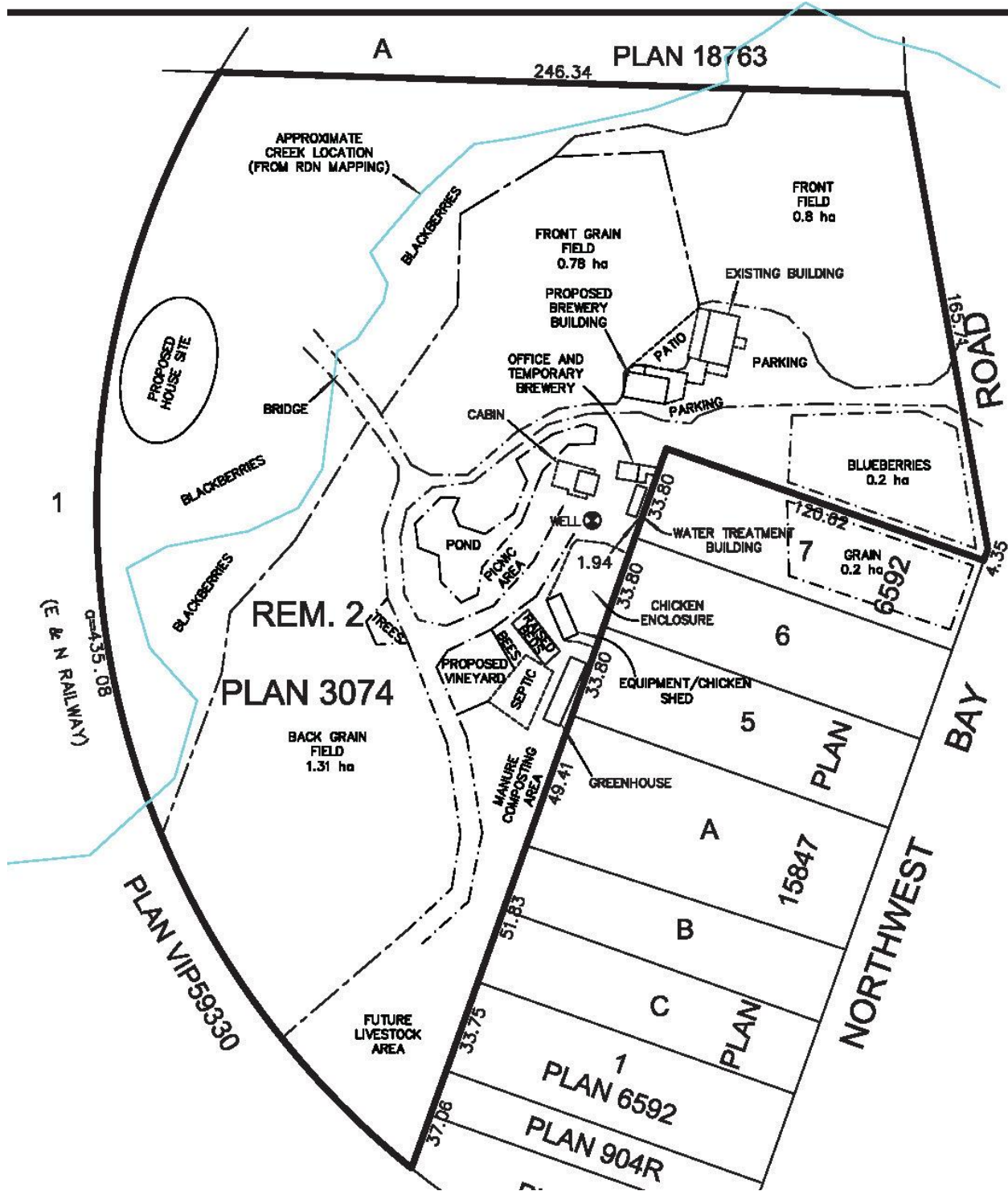




**Attachment 3 (Page 1 of 2)**  
**Proposed Site Plan**



Attachment 3 (Page 2 of 2)  
Proposed Site Plan – Enlarged for Convenience





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

Section 3.4.1

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**AGRICULTURE 1**

**AG1<sup>3435</sup>**

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**3.4.1.1 Permitted Uses and Minimum Site Area**

**Permitted Principal Uses**

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

**Permitted Accessory Residential Uses**

- a) Home Based Business
- b) Secondary Suite

**Permitted Accessory Farm Uses**

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

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**3.4.1.2 Maximum Number and Size of Buildings and Structures**

- 1) Accessory residential buildings combined floor area of 400 m<sup>2</sup>
- 2) Dwelling units/parcel
  - a) on a parcel having an area of 2.0 ha or less 1
  - For Electoral Areas 'A', 'C', 'E', and 'H'**
  - b) on a parcel having an area greater than 2.0 ha 2
  - For Electoral Area 'G'**
  - c) on a parcel having an area equal to or greater than twice the minimum parcel size as established by Schedule '4B Subdivision District – Minimum Parcel Sizes' 2
  - 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

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<sup>34</sup> Bylaw No.500.383, Adopted June 25, 2013

<sup>35</sup> Bylaw No. 500.402, adopted June 28, 2016

**Attachment 4**  
**Existing Zoning (page 2 of 3)**

**AGRICULTURE 1 continued**

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

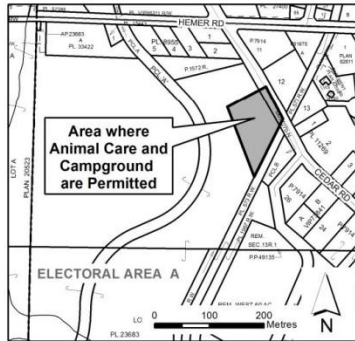
- 1) All non-farm buildings and structures – All lot lines 8.0 m  
except where:
- a) the parcel is less than 4000 m<sup>2</sup> in area then the setback from lot lines may be reduced to 2.0 m from an interior side lot line and to 5.0 m from other lot lines, excluding the front lot line;
  - b) any part of a parcel is adjacent to or contains a watercourse or the sea then the regulations in Sections 3.3.8 and 3.3.9 shall apply.
- 2) All agriculture or farm buildings, structures and uses – in accordance with Section 3.3.10.
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**3.4.1.4 Other Regulations**

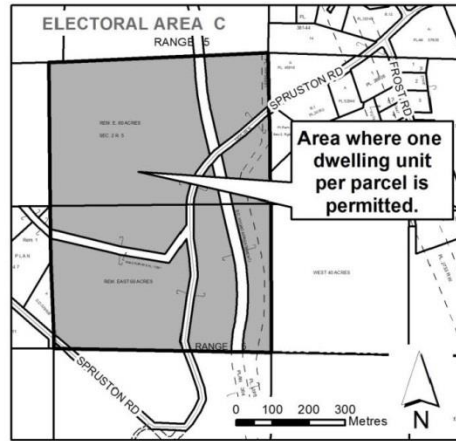
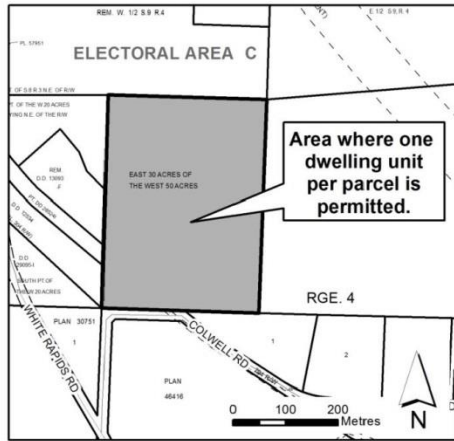
- 1) For any part of a parcel in the Agricultural Land Reserve, 'Farm Use' shall be a permitted principal use and for any part of a parcel not located in the Agricultural Land Reserve, 'Agriculture' shall be a permitted principal use.
- 2) Accessory Farm uses are only permitted on that part of a parcel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

**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.



**Attachment 5**  
**Bylaw 500, Schedule '4B' Subdivision Districts – Minimum Parcel Size**

Part 4 – Subdivision Regulations '4B' – Subdivision Districts

**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 500**

**SCHEDULE '4B' SUBDIVISION DISTRICTS - MINIMUM PARCEL SIZES**

- 1) The minimum size of any lot created by subdivision shall be determined by the standard of services provided and shall meet the applicable minimal parcel size set out below: <sup>1</sup>

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

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

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

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*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*

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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**  
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Nanoose Bay Official Community Plan Bylaw No. 1400, 2005

- accordance with the ALC's "Landscape Buffer Specifications" along property lines.
11. The regulation of intensive agricultural operations on non-ALR land within the Plan Area shall be supported in order to recognize the potential that these operations have to generate significant impacts on the natural environment and surrounding lands and development.
  12. Where land is within the ALR and is proposed for subdivision or non-farm use, including the placement of a second dwelling, approval must first be obtained from the Agricultural Land Commission, except where additional dwellings are necessary for farm purposes subject to the *Agricultural Land Commission Act*. All subdivision and non-farm uses within the ALR shall comply with the agricultural objectives and policies within this section of the Plan.
  13. Where land is removed from the ALR, the Resource Lands within the ALR designation shall remain.
  14. The issuance of temporary use permits for the manufacture of asphalt products and/or gravel extraction on parcels may be considered provided that:
    - a) the asphalt is produced in a portable asphalt batch plant;
    - b) parcels are in excess of 8.0 hectares in area;
    - 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

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**Official Community Plan Land Use Designation**  
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- 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**  
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**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*

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**Regional Growth Strategy Goal 8 – Food Security**  
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Protecting the agricultural land base is a key requirement for enhancing food security. The Agricultural Land Reserve (ALR) established by the Province in 1973 has largely been effective in reducing the loss of agricultural lands. Since 1974 the percentage of land protected under the ALR in the RDN has decreased approximately 12%, from 10.10% of the total land base to approximately 8.85% ([www.alc.gov.bc.ca/alr/stats](http://www.alc.gov.bc.ca/alr/stats)).

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

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

**Policies**

The RDN and member municipalities agree to:

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

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**Regional Growth Strategy Goal 8 – Food Security**  
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- 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**