



## Agricultural Land Commission Staff Report

**DATE:** December 3, 2009  
**TO:** Vice Chair and Commissioners - Island Panel  
**FROM:** Gordon Bednard  
  
**RE:** Application # 50603  
**PROPOSAL:** Subdivision and non-farm use (second dwelling)

### PROPOSAL INFORMATION

**Background:** The applicant is requesting subdivision of the property into two equal sized lots  
**Received Date:** by strata subdivision. The second dwelling proposal is for a dwelling on the  
second strata lot..  
**Applicant:** September 18, 2009  
**Agent:** Robert Parker  
**Local Government:** N/A  
City of Nanaimo

### DESCRIPTION OF LAND

**PID:** 023-342-641  
**Legal Description:** Lot 1, Section 1, Range 3, Wellington District, Plan VIP62901  
**Civic Address:** 4010 Landmark Cres, Nanaimo  
**Area:** 2 ha  
**ALR Area:** 2 ha  
**Purchase Date:** January 1, 2009  
**Owner:** Robert Parker

**Total Land Area:** 2 ha  
**Total ALR Area:** 2 ha  
**Current Land Use:** vacant, undeveloped land in the ALR

### PROPOSAL DETAILS

#### Surrounding Land Uses:

North Forested, undeveloped lot owned by MH park owner to east - in ALR  
East mobile home park - out of ALR  
South large rural residential lots, some undeveloped, out of ALR  
West Scout campsite with farmland beyond, in ALR

**Official Community Plan**

**Bylaw Name:** Bylaw 6500 -OCP  
**Designation:** Resource protection  
**OCP Compliance:** Yes

**Zoning**

**Zoning Bylaw Name:** Bylaw 4000  
**Zoning Designation:** Agriculture/Residential A-2  
**Minimum Lot Size:** 2.0 ha  
**Zoning Compliance:** Yes

**RELEVANT APPLICATIONS**

**Application #:** 41926  
**Applicant:** Retire West Communities Ltd  
**Proposal:** To exclude the 1.6 ha (3.99 acre) portion of the subject land from the ALR in order to develop this portion of the property in a manner similar to the already developed mobile/modular home park known as Deerwood Place Estates.

**Decisions:**

Resolution Number	Decision Date	Decision Description
372	July 5, 2005	Refuse proposal for exclusion as development of land would have detrimental impact on agricultural lands beyond.

**Note:** Part of the consideration in this application (for the exclusion of the area to the north of the present subject property) was the desire of the Commission to retain the property in its present size and configuration to act as a buffer between the farmland to the west and the trailer park to the east.

**Committee Recommendations**

Type	Recommendation	Description
Planning Staff	Approve	Planning staff support the non-farm use (second dwelling) but make no recommendation on the subdivision of the property (strata subdivision).
Board/Council	No Comment	Forwarded without recommendation

**STAFF COMMENTS**

This property forms a transition between the poor capability land to the east (now developed as trailer park) and the good quality land to the west (class 2). The proposed strata subdivision may or may not enhance the buffer effect of this property. Staff suggests an onsite to determine if a subdivision and/or another dwelling may be appropriate on this land. It should also be noted that the applicant purchased the property in January of 2009.

**ATTACHMENTS**

50603 air photo.pdf  
50603 context map.pdf

**END OF REPORT**

**Signature**

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**Date**

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