



## Agricultural Land Commission Staff Report

**DATE:** December 3, 2009  
**TO:** Vice Chair and Commissioners - Island Panel  
**FROM:** Gordon Bednard

**RE:** Application # 51087  
**PROPOSAL:** Subdivision and Inclusion

### PROPOSAL INFORMATION

**Background:** Subdivide 3x2 ha parcels off 34.8 ha farm - 539 Parker Road  
**Received Date:** Include into the ALR 2 ha from adjacent parcel - 510 Parker Road  
**Applicant:** September 16, 2009  
**Agent:** Walter & Donna Paravicini  
**Local Government:** N/A  
Regional District of Nanaimo

### DESCRIPTION OF LAND

**PID:** 006-643-329  
**Legal Description:** Lot 10, District Lot 78, Newcastle District, Plan 2047  
**Civic Address:** 1020 Page Road, Qualicum Beach  
**Area:** 34.8 ha  
**ALR Area:** 34.8 ha  
**Purchase Date:** April 2, 1964  
**Owner:** Walter & Donna Paravicini

**PID:** 005-167-337  
**Legal Description:** Lot 1 District Lots 65 and 66, Newcastle District, Plan 1803  
**Civic Address:** 510 Parker Road  
**Area:** 2 ha  
**ALR Area:** 0 ha  
**Purchase Date:** December 2, 1989  
**Owner:**

**Total Land Area:** 36.8 ha  
**Total ALR Area:** 34.8 ha  
**Current Land Use:** 539 Parker Road - grazing, cattle, barn, machine shed, two older farm houses  
510 Parker Road - Second growth forest - undeveloped, Single family

residence and Single family mobile

## PROPOSAL DETAILS

### Inclusion

Area	Agricultural Capability	Agricultural Capability Source
2.0	Secondary	BCLI

### Subdivision

Area	Agricultural Capability	Agricultural Capability Source
35.0	Prime Dominant	BCLI

### Number of Lots    Lot Size (ha)

3	2.0
1	29.0

### Surrounding Land Uses:

North	539 Parker: Forested (portion is park land) / 510 Parker: Forested, rough pasture
East	539 Parker: Rural residential - rough pasture / 510 Parker: Forested/ rough pasture
South	539 Parker: Rural residential - forested / 510 Parker: Hobby farm (2 ha)
West	539 Parker: Logging company - forested / 510 Parker: Small farm - hay/rough pasture

### Official Community Plan

<b>Bylaw Name:</b>	Area G OCP
<b>Designation:</b>	Rural
<b>OCP Compliance:</b>	Yes

### Zoning

<b>Zoning Bylaw Name:</b>	Bylaw 500
<b>Zoning Designation:</b>	RU - 1
<b>Minimum Lot Size:</b>	2.0 ha
<b>Zoning Compliance:</b>	Yes

## PREVIOUS APPLICATIONS

**Application #:** 44613

**Applicant:** Walter & Donna Paravicini

**Proposal:** Subdivision for a relative: To subdivide the 34.7 ha parcel into three (3) lots. Lot's A , B and C approximately 2.0 ha with a remainder Lot B approximately 28.72 ha.

### Decisions:

Resolution Number	Decision Date	Decision Description
14	January 15, 2008	Refused as proposed due to high ag cap and impact on agriculture

**Note:** Appears to be the same proposal as the present subdivision proposal.

**Application #:** 1626  
**Applicant:** W. D. & T. PARAVICINI  
**Proposal:** Subdivision of one lot of 0.8 ha from the parent parcel

**Decisions:**

<b>Resolution Number</b>	<b>Decision Date</b>	<b>Decision Description</b>
1607	February 1, 1994	refuse subdivision but would allow a single family dwelling to be constructed on the footprint of the burned-out duplex.

**Note:** Subdivision refused but additional (replacement) dwelling allowed.

**Committee Recommendations**

<b>Type</b>	<b>Recommendation</b>	<b>Description</b>
Planning Staff	No Comment	No recommendation submitted to Commission
Board/Council	No Comment	RDN Board does not comment on ALR applications

**STAFF COMMENTS**

This application appears similar to one which was refused in 2008, with the exception of the agrologist's report and the proposal to include a 2 ha lot as "compensation" for the proposed subdivision. Staff has concerns regarding the present # of dwellings on both properties (5 addresses in total) and the creation of more small lots in this area.

The proposed inclusion lot is no better than the land which would be divided.

Staff suggests that the owners could apply to the RD for rezoning of the smaller lot (which is outside the ALR) and divide that property to provide a lot for each of their family members. The present owners of the property are not entitled to consideration under the Homesite Severance Policy as they did not own the land prior to 1972 (their parents did). It appears that the family also owns other properties in the area which leads to the question of why subdivision for family members is necessary.

Staff suggests an onsite meeting with the applicants to clarify the above and view the property.

**ATTACHMENTS**

51087 context map.pdf  
51087 air photo.pdf

**END OF REPORT**

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Signature

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Date