



# Provincial Agricultural Land Commission - Staff Report

## Application: 51922

**Applicant:** 0758824 BC Ltd  
**Agent:** Brian Gaudet  
**Local Government:** Regional District of Nanaimo

**Proposal:** SUBDIVISION - Hillier Estate Blueberry Farm - The applicant proposes to subdivide five lots, approx. 2 ha in size from three adjoining properties north of the Island Highway.

### BACKGROUND INFORMATION

The Bergen Family has leased and operated a number of berry farms in Abbotsford and in the Nanaimo District for the past 30 years.

### PROPERTY INFORMATION

**PID:** 004-496-469  
**Legal Description:** Lot 2, District Lots 8 and 9I, Newcastle District, Plan 13354 Except Parts in Plan 14402, 21064, VIP53669 and VIP58478

**Property Area:** 48.5 ha  
**ALR Area:** 48.2 ha  
**Purchase Date:** June 23, 2006  
**Location:** Hillier Estate Farm - Blueberry Farm  
**Owner:** 0758824 BC Ltd

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**PID:** 004-430-131  
**Legal Description:** Lot 1 District Lot 8 Newcastle District Plan 14402 EXCEPT Part in Plan VIP53669

**Property Area:** 47.1 ha  
**ALR Area:** 47.1 ha  
**Purchase Date:** June 23, 2006  
**Location:** Hillier Estate Farm - Blueberry Farm  
**Owner:**

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**PID:** 005-002-281  
**Legal Description:** Re-Amended Lot A (DD 27360N), District Lot 8, Newcastle District, Plan 1949, Except Parts in Plans 14093, 17057 and VIP58478

**Property Area:** 46.0 ha  
**ALR Area:** 46.0 ha  
**Purchase Date:** June 23, 2006  
**Location:** Hillier Estate Farm - Blueberry Farm  
**Owner:** 0758824 BC Ltd

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**Total Land Area:** 141.6 ha  
**Total ALR Area:** 141.3 ha

## LAND USE

### Current Land Use:

Blueberry Farm with numerous buildings: main house, worker's housing, vacant barns, and barns for equipment storage

### Surrounding Land Uses:

North: ALR ~60 ha Large holdings  
Non - ALR ~ 20 ha Residential  
East: ALR ~60 ha Rural Residential, Hillier Road  
South: ALR - Agriculture  
West: ALR - Forest  
Non-ALR - Rural Residential

## PROPOSAL DETAILS

Subdivision - ALR Area: 141.6 ha

Number of Lots	ALR Area of Lot (ha)
5	2.0
1	131.6

### Agricultural Capability:

The majority of the area under application is rated as: Mixed Prime and Secondary

Source: BCL

Mapsheet: 92F.038

## PREVIOUS APPLICATIONS

Application ID: 45490

Legacy #: 38566

Applicant: Erich Bell

Proposal: To construct a second dwelling on the 2 ha parcel.

### Decision:

Resolution #	Decision Date	Decision Description
724/2008	November 20, 2008	Approved in principle subject to the submission of a farm plan within one year of the decision and the posting of a bond for 15, 000.

Application ID: 38622

Legacy #: 22914

Applicant: Alex & Lucille Turner

Note: An application for subdivision of two 2 ha lots for the applicant's daughters was approved.

## RELEVANT APPLICATIONS

Application ID: 51899

Applicant: 0848214 BC Ltd

Proposal: SUBDIVISION - Corcan Site - The applicants wish to consolidate two properties on either side of the Island Highway, and then subdivide 44 lots, each approx. 8-10 ha in size. The combined subject properties are approx. 400 ha in total area and are currently vacant.

Note: This application is submitted concurrently with application #51922

## RELEVANT APPLICATIONS

**Application ID:** 40628

**Legacy #:** 35004

**Applicant:** Theodor & Lena Peters

**Proposal:** Theodor and Lena Peters are requesting permission to subdivide the subject 13.7 ha property into 6 lots of approximately 2 ha each.

**Decision:**

Resolution #	Decision Date	Decision Description
491/2003	September 4, 2003	Allow subject to buffering along boundary with adjacent farm. - 25 m road or vegetative screen - covenant

## LOCAL GOVERNMENT INFORMATION

### Official Community Plan:

**Bylaw Name:** Electoral Area 'G' OCP Bylaw No. 1540, 2008

**Designation:** Rural

**OCP Compliance:** No

### Zoning:

**Zoning Bylaw Name:** Nanaimo Land Use and Subdiv. Bylaw No. 500, 1987

**Zoning Designation:** Rural 1 (RU1), Subdivision District D

**Minimum Lot Size:** 2.0 ha

**Zoning Compliance:** Yes

### Comments and Recommendations:

#### **Board/Council**

The Board of the Regional District of Nanaimo does not comment on applications for subdivision within the ALR.

## ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

- 1) The BCLI rating for the proposed subdivided parcels in the north-west corner of the properties is 8:4AW 2:5AP (improvable to 8:3WD 2:4P). The BCLI rating for the proposed subdivided parcel on the south-east corner of the properties is 8:3WA 1:5AP 1:4WA (improvable to 8:3WD 1:4P 1:3WD).
- 2) The parcels proposed for subdivision all lie along ALR boundaries in proximity to residential parcels of a similar size.
- 3) The proposed subdivision parcels comply with the 2 ha minimum lot size bylaw designated as Rural 1 Subdivision District D, but not with the OCP Rural Land designation for a minimum parcel of 8 ha.

## ATTACHMENTS

51922\_ContextMap20k.pdf  
51922\_AirphotoMap20k.pdf  
51922\_Rationale.pdf  
51922\_Proposal Sketch.pdf

## END OF REPORT

**Prepared by:** Liz Sutton