



Provincial Agricultural Land Commission - Staff Report

Application: 52012

Applicant: Donald & John McMillan
Agent: Fern Road Consulting Ltd
Local Government: Regional District of Nanaimo

Proposal: INCLUSION - Applicants wish to use the two lots for agricultural purposes. They would like to equalize the farming opportunities and adjust the boundaries. To approve the boundary adjustment the entire lots must be in the ALR

BACKGROUND INFORMATION

In order to divide the land for estate purposes, the entire property must be placed in the ALR - hence the inclusion application. As well, the applicants wish to realign the property boundary which will ultimately allow both to be farmable properties with one at the top of the bank and the other with top and bottom land, and access to both levels.

PROPERTY INFORMATION

PID: 025-802-747
Legal Description: Lot 1 District Lot 100 Newcastle District Plan VIP76141
Property Area: 34.1 ha
ALR Area: 23.4 ha
Purchase Date: November 25, 2003
Location: Cheddar Road
Owner: Donald & John McMillan

PID: 025-802-755
Legal Description: Lot 2 District Lot 76 Newcastle District Plan VIP76141
Property Area: 4.5 ha
ALR Area: 4.5 ha
Purchase Date: November 25, 2003
Location: Cheddar Road
Owner:

Total Land Area: 38.6 ha
Total ALR Area: 27.9 ha

LAND USE

Current Land Use:
Forest - no buildings

Surrounding Land Uses:

North: Small private holdings
East: Forest and rural holdings
South: Forest and rural holdings
West: Forest and rural holdings

PROPOSAL DETAILS

Inclusion Area: 17.0 ha

PROPOSAL DETAILS

Agricultural Capability:

The majority of the area under application is rated as: Prime Dominant

Source: BCLI

Mapsheet: 92F.038

Subdivision - ALR Area: 42.0 ha

Number of Lots	ALR Area of Lot (ha)
1	31.0

Agricultural Capability:

The majority of the area under application is rated as: Prime Dominant

Source: BCLI

Mapsheet: 92F.038

PREVIOUS APPLICATIONS

Application ID: 20507

Legacy #: 34544

Applicant: John McMillan

Proposal: The applicants are requesting permission to close a gazetted road (gazetted but unconstructed section of new Island Highway) and allow construction of an extension to Allgard road. The proposed road extension runs across the top of the property, along the boundary. The old gazetted road bisected a portion of the north end of the property.

Decision:

Resolution #	Decision Date	Decision Description
643/2002	October 29, 2002	The Commission allowed the dedication and construction of Allgard Road to a width of 25.0 metres in exchange for the cancellation of the gazetted Island Highway right of way that crosses the properties.

Application ID: 937

Legacy #: 27108

Applicant: J.&D. MCMILLAN

Proposal: Exclusion of ALR portion of two properties totalling approximately 24 ha

Note: Exclusion refused

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Bylaw 1540

Designation: Rural

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Bylaw 500

Zoning Designation: RU1

Minimum Lot Size: 2.0 ha

Zoning Compliance: Yes

Comments and Recommendations:

Board/Council

RDN Board does not comment on ALR applications

ALC STAFF COMMENTS

While the area for inclusion contains some steep slopes, it also contains good bottom land next to the river. As well, the proposed subdivision is somewhat less than optimal from an agricultural standpoint, but the inclusion of good land makes up for the potential loss in farmability of the two proposed lots.

END OF REPORT

Prepared by: Gordon Bednard