



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604-660-7000  
Fax: 604-660-7033  
www.alc.gov.bc.ca

January 25, 2006

Reply to the attention of Ron Wallace

Lot G Holdings Ltd., Inc. No. 554848  
402 – 4333 Ledger Avenue  
Burnaby, BC V5G 4G9

Dear Sir/Madam:

**Re: Application #S-36030  
Lot "G", District Lots 81 and 126, Nanoose District, Plan 49145, Except Part in  
Plans VIP53112 and VIP70880**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to exclude the above noted property from the ALR. The application was submitted pursuant to section 30(1) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission has refused the application as proposed on the grounds that the property has agricultural potential and also provides a buffer between any future residential development and the existing agricultural activities to the west and south.

However, in reviewing the application the Commission noted that it previously allowed, by Resolution #133/87 (#S-20470), residential development within the north east corner of the subject property. A copy of this letter is attached for your records. In light of this previous decision the Commission writes to advise that it approved exclusion from the ALR of that portion of the property based on the previous approval noted above.

This approval is subject to:

- the preparation of a subdivision plan to delineate the area to be excluded as shown on the attached drawing.
- compliance with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment. The Commission suggests you contact the Regional District of Nanaimo at your earliest convenience.

The decision noted above is recorded as Resolution #008/2006.

Please send two (2) paper prints of the final survey plans to this office well in advance of commencing registration at the Land Titles Office. When the Commission confirms that the subdivision plan is acceptable it will authorize the Registrar of Land Titles to accept the application for deposit of the plan and confirm the exclusion of the area from the Agricultural Land Reserve Plan of the Regional District of Nanaimo.

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Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Regional District of Nanaimo (#6635.02.0512)  
Pamela Shaw & Associates Ltd., 7180 Aulds Road, Lantzville, BC VOR 2H0

RW/lv/Encl.  
36030d1

November 24, 1987

Reply to the attention of  
Colin Fry

M.G. Zorkin & Son Ltd,  
Box 99  
Nanaimo, B.C.  
V9R 5K4

Dear Sirs:

Re: Application # 02-S-86-20470

Further to your letter of July 27, 1987 this is to advise that the Provincial Agricultural Land Commission has reconsidered your application regarding land described as Lots 1, 2, 3, 4, 7, 8, 9 and 10, Plan 2397, District Lot 126 and that part of District Lot 83, lying Northeast of the E & N Railroad Right-of-Way, all within Nanoose District.

Pursuant to Section 20(1) of the Agricultural Land Commission Act, the Commission, by Resolution # 1114/87 refused your revised development layout as submitted.

It should be noted that the intent of the Commission's previous decision (Resolution #133/87), was to allow some residential development within the boundaries of Lots 1, 2 and 3, Plan 2397. However, it was also the intent to keep these lots as far away as possible from the existing agricultural activities to the west and south. This being the case the Commission considers the proposed lots, located between fairways 6 and 7, to be unacceptably close to the farms.

Furthermore, the Commission feels the proposed 25.0 m arterial roadway situated along the western boundary of Lots 1 and 2, Plan 2397 would increase and direct traffic through the agricultural area. The increased volume of traffic may negatively impact the adjacent agricultural lands. Therefore, the Commission must insist on compliance with Resolution #133/87 for the residential development of this area. Enclosed for your review are letters from Braemar Farms, Woodlands Farm and the B.C. Hog Marketing Commission. You will note that these parties share the Agricultural Land Commission's concerns regarding the latest proposal for Lots 1 and 2, Plan 2397.

On the other hand, the Commission has no objections to the revised development layout contained within the balance of the subject properties. Please refer to Schedules "A" and "B" for an outline of the development that is acceptable to the Commission.

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Finally, be advised that the Commission has no objections to creating separate titles for the different phases of development (ie: condominiums, residential lots, golf course) provided they reflect the Commission's approved layout.

The land referred to in the application will continue to be subject to the provisions of the Act and regulations.

Yours truly,

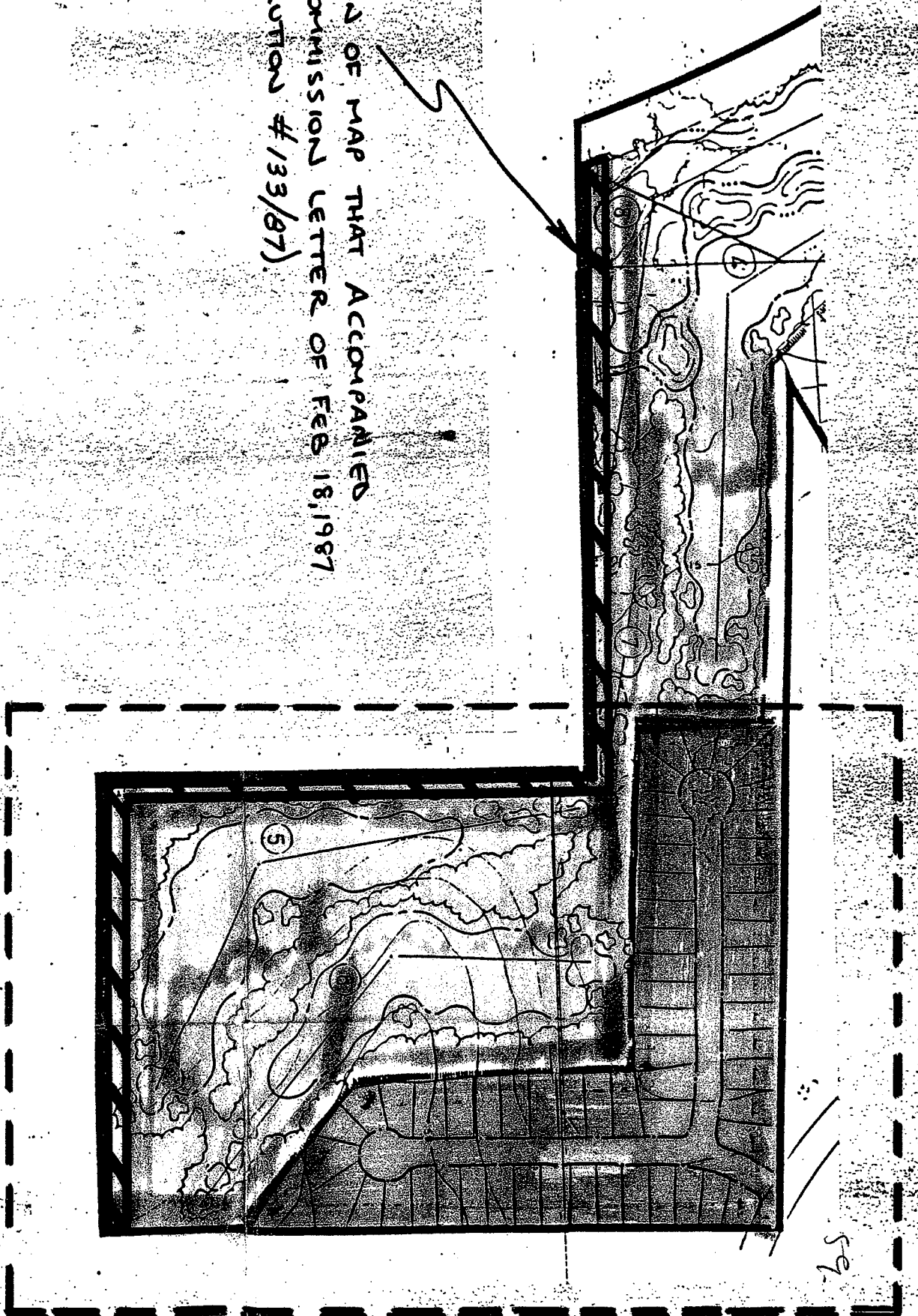
PROVINCIAL AGRICULTURAL LAND COMMISSION

  
Per: R. P. Murdoch, General Manager

CF/lv

cc: Regional District of Nanaimo (#ALR.641)  
Ministry of Hwys - Port Alberni - Attn: Mr. N.P. Vandermolten  
B.C. Assessment Authority - Port Alberni  
Braemar Farms Ltd., C19, S235, R.R. #2, Parksville VOR 2SO  
Woodlands Farm, R.R. #2 Church Road, Parksville  
B.C. Federation of Agriculture, 846 Broughton St.  
Victoria V8W 1E4 - Attn: Mr. Jack Wessel  
B.C. Hog Marketing Commission, #202-34314 Marshall Road  
Abbotsford, B.C. V2S 1L9

PORTION OF MAP THAT ACCOMPANIED  
THE COMMISSION LETTER OF FEB 18, 1987  
(RESOLUTION #133/87)

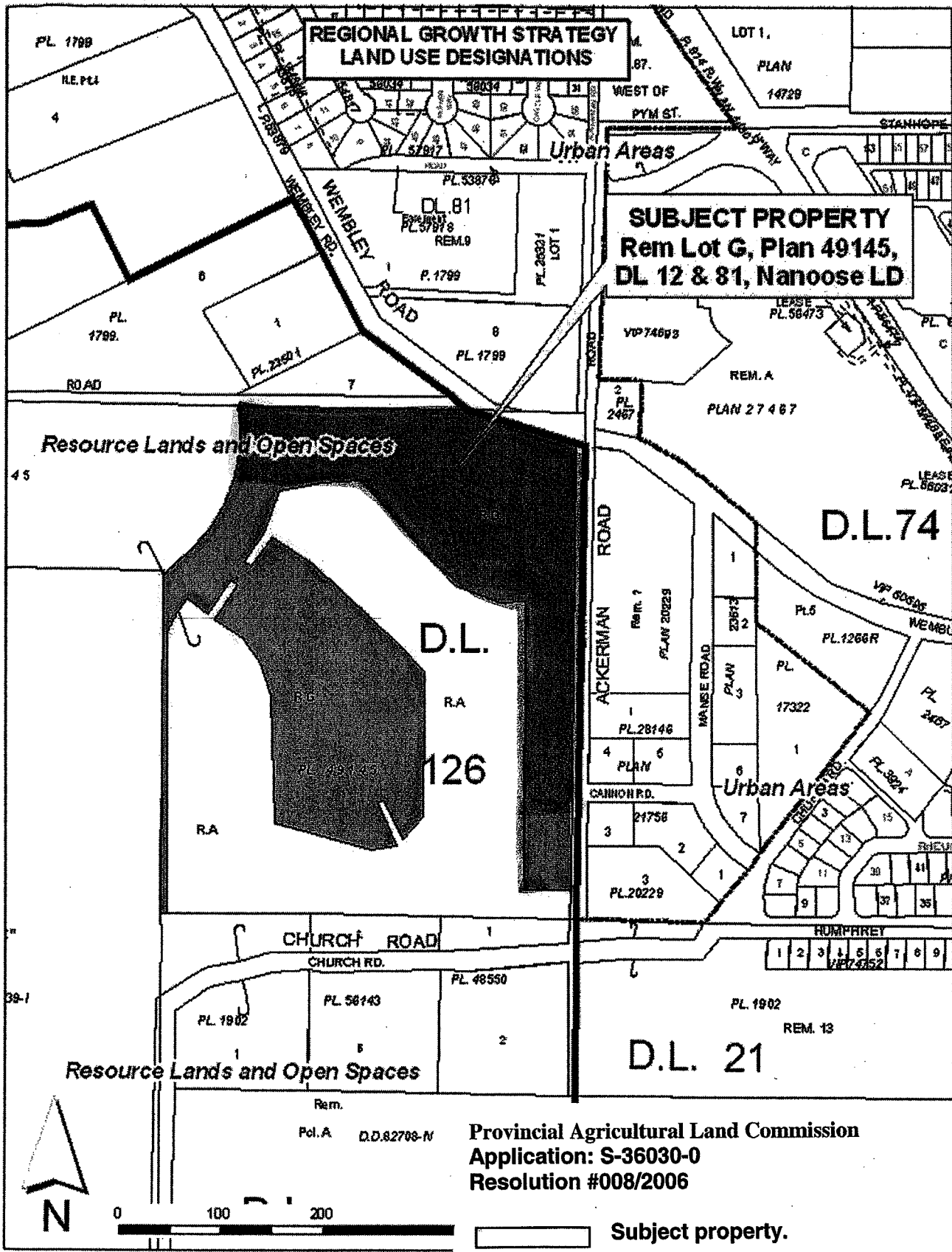


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APPROVED RESIDENTIAL DEVELOPMENT

RECEIVED  
PROV. AGRICULTURAL  
LAND COMMISSION  
MAY 12 2005



**REGIONAL GROWTH STRATEGY  
LAND USE DESIGNATIONS**



**SUBJECT PROPERTY**  
Rem Lot G, Plan 49145,  
DL 12 & 81, Nanoose LD

**D.L. 126**

**D.L. 74**

**D.L. 21**

Provincial Agricultural Land Commission  
Application: S-36030-0  
Resolution #008/2006

-  Subject property.
-  Area approved for exclusion from the ALR.



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**Commission Discussion**

In reviewing the application the Commission noted that it had previously considered the application #S-20470 when it allowed, by Resolution #133/87, some residential development within the north east corner of the subject property. In this application, #S-20470, it was also the intent to keep the residential lots as far away as possible from the existing agricultural activities to the west and south. In light of this previous decision the Commission would allow exclusion of that portion of the property approved for residential development as note above. It would not support any further exclusion of the property as it has agricultural potential and provides a buffer between future residential development and the agricultural lands beyond.

**IT WAS**

**MOVED BY:** Commissioner L. Seitz  
**SECONDED BY:** Commissioner D. Craven

THAT the staff report be received and the application be refused as proposed. However, based on a previous decision by Resolution #133/87 the Commission has approved the exclusion from the ALR of that portion of the property identified on the attached plan.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

**CARRIED**





**Staff Report**  
**Application # S – 36030-0**  
**Applicant: Lot G Holdings Ltd., Inc No. 554848**  
**Agent: Island Planners**

**DATE PREPARED:** June 24, 2005

**TO:** Chair and Commissioners – Island Panel

**FROM:** Elisa Martin and Ron Wallace, Regional Research Officers

**PROPOSAL:** To exclude the 9.4 ha property from the ALR for the purpose of developing 85 single-family lots adjacent to Morningstar Golf Course (a continuation of the surrounding golf course development).

This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

Approximately half of the 9.4 ha property is currently under development as two holes of the Morningstar Golf Course, along with the Morningstar Golf Course Clubhouse and accessory buildings (see attached letter from Island Planners).

There was one letter of opposition to this proposal.

There was one previous application on this property (see application details below).

**Local Government:**

Regional District of Nanaimo

**Legal Description of Property:**

PID: 014-884-518  
Lot "G", District Lots 81 and 126, Nanoose District, Plan 49145, Except Part in Plans VIP53112 and VIP70880

**Purchase Date (m/d/y):**

06/01/1994

**Location of Property:**

525 Lowry's Road, Parksville

**Size of Property:**

9.4 ha (The entire property is in the ALR)

**Present use of the Property:**

Half of property - vacant, scrub cover, tree cover, undeveloped for future residential purposes.  
Remainder - golf course development, clubhouse and accessory buildings on existing golf course lands.

**Surrounding Land Uses:**

**WEST:** Large land holdings  
**SOUTH:** Small land holdings, Church Road  
**EAST:** Small land holdings residential  
**NORTH:** Golf Course Community

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92F.039  
The majority of the property is identified as having Mixed Prime and Secondary ratings.

**Official Community Plan and Designation:**

Electoral Area "G" French Creek Official Community Plan Bylaw No. 1115, 1998  
Designation: "Rural"

**Zoning Bylaw and Designation:**

Rural 1 (RU1), Subdivision District "D" and Recreation 1 (RC1) Subdivision District "Z"

**PREVIOUS APPLICATIONS:**

**Application #20470-0**

**Applicant:** Hills of Columbia Enterprises Ltd.

**Decision Date:** October 30, 1986

**Proposal:** To exclude 83.7 ha to facilitate residential and golf course development.

**Decision:** Refused as submitted but did allow an 18-hole golf course and 178 residential lots subject to a buffer strip 30 meters wide adjacent to cultivated lands to the south and west. Upon substantial completion of the approved residential lots this land would be excluded from the ALR.

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**Application #20470-1**

**Applicant:** Hills of Columbia Enterprises Ltd.

**Decision Date:** January 12, 1987

**Proposal:** Revised golf course/residential layout that placed the golf course more centrally and proposed lots in the southeast corner of the development.

**Decision:** Allowed the revised golf course/residential layout subject to the 30 meter buffer on the ALR boundary in the southwest portion of the development area as specified by the previous resolution.

**Application #20470-2**

**Applicant:** Zorkin Investments Ltd.

**Decision Date:** November 2, 1987

**Proposal:** To reconfigure subdivision layouts and to divide the properties into three lots for staged development.

**Decision:** Refused the revised layout as proposed because it introduced lots unacceptably close to existing agricultural operations in the south and west. The northerly proposed layout was acceptable, however, the layout within Lots 1 and 2 must conform to the previous resolution.

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**Application #20470-3**

**Applicant:** Zorkin Investments Ltd.

**Decision Date:** July 26, 1989

**Proposal:** To register a subdivision plan that shows the land lying between holes 6 and 7 as golf course land (not residential).

**Decision:** Allowed the registration of the subdivision plan, however, the Commission wished it noted that no residential development would be permitted on the island within Lot H, between holes 6 and 7. The 30 meter wide covenant area was still required.

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**Application #20470-4**

**Applicant:** Hills of Columbia Enterprises Ltd.

**Decision Date:** December 19, 1990

**Proposal:** Outright exclusion of Lot "D" prior to residential development and replace ALR notation with a restrictive covenant to satisfy the concerns of financial institutions.

**Decision:** Refused.

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**Application #20470-5**

**Applicant:** Hills of Columbia Enterprises Ltd.

**Decision Date:** October 5, 1994

**Proposal:** To change the residential component from single-family housing to duplex strata housing.

**Decision:** Allowed the change to the type of housing proposed on Lots "D" and "E" from single-family to duplex (44 units and 73 units respectively).

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**Application #20470-6**

**Applicant:** Zorkin Investments Ltd.

**Decision Date:** May 12, 1995

**Proposal:** To exclude a 0.6 ha area approved for residential development and to subdivide Lot "G" into two lots to allow residential development on the northerly area.

**Decision:** Allowed the request to exclude the 0.6 ha area and to subdivide Lot "G" into two lots on the grounds that it had approved these actions "in principle" many years before.

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**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**Regional Board**

The Regional District of Nanaimo Board recommended that the Commission should determine whether or not the lands should be in the ALR.

**STAFF COMMENTS:**

Staff suggests that the Commission take into consideration the active agricultural land to the west of the proposed development and buffering should be maintained along the western boundary. It is also recommended that the new residents of this development be made aware that they are living adjacent to an agricultural area.

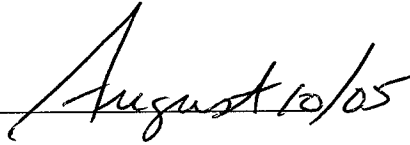
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**END OF REPORT**

Signature

A large, stylized handwritten signature in black ink, appearing to be the initials 'B' or 'B3', written over a horizontal line.

Date

The date 'August 10/05' written in a cursive, handwritten style in black ink, positioned to the right of a horizontal line.