



July 11, 2018

Marnie Eggen
Island Planner
Denman Island Local Trust Area

Dear Marnie Eggen:

Re: Proposed Bylaw 228 (OCP) and 229 (LUB)

Thank you for providing Ministry of Agriculture staff with the opportunity to comment on the proposed bylaw amendments to update the Denman Island OCP and LUB incorporating recommendations from the Denman Island Farm Plan adopted by the Denman Island Local Trust Committee in 2012.

Ministry of Agriculture staff have reviewed the proposed bylaw amendments and provide the following comments:

Bylaw 228 Proposed OCP Policies:

Section E.4, Policy 1: The Ministry of Agriculture is supportive of the policy to provide a single zone for all properties in the Agricultural Land Reserve. This single agricultural zone eliminates confusion for land owners and provides consistency with the Agricultural Land Commission policy's and use prohibitions related to the Agricultural Land Reserve.

Section E.4, Policy 2: Is consistent with ALC mandate to discourage subdivision and encourage farming.

Section E.4, Policy 3: Discouraging panhandle lots operationally is supported. Long driveways can take up valuable farm land and lead to conflicts with neighbours around use.

Section E.4, Policy 4: Is consistent with ALC Policy L-09; Additional Residences for Farm Help.

Section E.4, Policy 5: Is consistent with ALC Policy L-04; Agri-tourism Activities in the ALR.

Section E.4, Policy 6: While I understand the concern related to agri-tourism activities and nuisance it can be difficult for a farm operation to invest in an agri-tourism facility such as a winery and tasting room with the uncertainty of a temporary use permit. This may impede investment into facilities of high quality which may create more problems with neighbour's and nuisance complaints.

Section E.4, Policy 7: ALC Policy I-01 allows for farm packaging and processing within limits in the ALR. Having opportunities for farm products processing activities on parcels outside the ALR can be beneficial for the entire farming community.

Section E.4, Policy 8: Exclusion applications will continue to be evaluated on a case by case basis regardless of this policy.

Section E.4, Policy 14: This description appears to be consistent with ALC Policy L-08 Residential Uses in the ALR –Zone 1

Bylaw 229 Proposed LUB Policies

Definitions: feedlot and Intensive agriculture: Neither of these definitions are being used to prohibit farming activities in the ALR and therefore are consistent with s.555 (2) of the Local Government Act. However I will offer the following comments based on past experience. The “wholly sustained by means other than grazing” is very subjective and would be difficult to determine if a conflict took place. Also “excludes confinement of animals for domestic purposes” does not address issues related to recreational rearing activities which can be of a size and scope that raise concerns with neighbours. To target this problem outside the ALR it may be advisable to adopt an animal unit threshold by property size for domesticated animals, other than cats and dogs, regardless of animal’s end use.

Setback Regulations 2.3.2 / 2.3.3 Setbacks from Streams, Lakes and Wetlands and Natural Boundary of the Sea: The 30 metre setback from intensive agriculture and feedlots and 15 metre setback for other farm buildings is consistent with the maximum setbacks in the Guide to Bylaw Development in Farming Areas.

Agri-tourism Use and Accommodation: The policy proposed in the LUB is consistent with the ALC Policy L-05 which indicates that the Agri-tourism accommodation use in the ALR is only permitted if the property is classified as “farm” and if the classification changes, this use is no longer permitted. A maximum of 10 sleeping units is permitted on a short term and seasonal basis.”

Table 5 – Setbacks -“7 Minimum setback from any lot line for feedlots A - 50.0 m”: The setback in 7 is in excess of the maximum distance permitted in the Guide for Bylaw Development in Farming areas for a Category One Building (•Confined Livestock Area with more than ten (10) agricultural units). The maximum setback distance permitted is 30 metres from a water course. The Ministry of Agriculture requests you amend this to 30 metres to be consistent with provincial requirements.

If you have any questions about the above comments, please contact the Ministry.

Sincerely,



Jill Hatfield P.Ag.
Regional Agrologist

email copy: Gordon Bednard, Regional Planner, ALC