

NORTH PENDER ISLAND  
LAND USE BYLAW REVIEW

AGRICULTURAL LAND USE REVIEW  
DISCUSSION PAPER

July 2020



Islands Trust



## Table of Contents

<b>Background</b> .....	1
<b>Policy and Regulatory Context</b> .....	2
<b>Current Policies and Regulations</b> .....	3
<b>Inventory</b> .....	7
<b>Discussion</b> .....	9
<b>Options</b> .....	15

## Background

The North Pender Island Local Trust Committee has initiated a project to implement Official Community Plan (OCP) policies through amendments to the Land Use Bylaw (LUB). The LTC has endorsed a [project charter](#), which establishes a process and timeline for the project.

The project is categorized into 7 topic areas:

1. Residential floor area review.
2. Conservation subdivision review.
3. Tourist Commercial regulation review.
4. Marine shoreline regulations review.
5. Agricultural regulations amendments.
6. Industrial regulation review.
7. Minor and technical amendments

Some topics will likely involve greater community engagement and consultation than others. In the initial phase, the project charter identifies that staff will undertake a review of the topics and issues, and prepare background material and options for consideration.

The purpose of this Discussion Paper is to provide an overview of Agricultural Land Uses, reviewing general regulatory mechanisms, providing an inventory of Agricultural lands, identifying issues and presenting options for LUB amendments.

This preliminary report summarizes and discusses the following:

- Regulatory context for Agricultural activity on North Pender;
- The current regulation of Agriculture on North Pender through OCP policies, Land Use Bylaw regulations, and the Agricultural Land Commission;
- An inventory of Agricultural land and use;
- A discussion of issues with current regulations; and,
- A preliminary discussion of policy options.

*On North and South Pender there are sheep, cattle, poultry (chickens, ducks, turkeys), hazelnuts, figs, olives, hops, wine grapes/vineyards, a winery, orchards. Various market and home gardens and orchards as well. Hay production (one crop of grass hay is usual), and sometimes oat hay is grown. Like many of their Gulf Island neighbours, farm produce is marketed directly to residents and seasonal visitors through several roadside stands but mainly through the Pender Islands Farmers' Market, located at the Pender Islands Recreation and Agricultural Hall (est. 1996), and runs every Saturday morning from Easter to Thanksgiving. The Penders also boast their own Farmers' Institute - one of only 3 in the CRD. Established in 1899 the Farmer's institute is responsible for running the award-winning Pender Islands Fall Fair, the Farmers' Market and participates in the management of the Community Hall.<sup>1</sup>*

---

<sup>1</sup> [Southern Gulf Islands Food and Agriculture Strategy \(SGIFAS\) \(p.29\)](#)

## Policy and Regulatory Context

### **1. Ministry of Agriculture**

The Ministry of Agriculture has a broad mandate with the responsibility for the production, marketing, processing and merchandising of agricultural products and food. Part of that mandate is protecting agricultural soil, water, air and biodiversity is important for the agricultural sector and providing tools and information to support farmers and growers. The Ministry of Agriculture sets policy for agriculture and farming in the province including the ALC Act and Regulations (below) and the tools available for local government to regulate and support farming in the province. On the regional level, the Regional Agrologist provides expertise and advice, and liaises and represents the ministry on implementation of programs and initiatives.

### **2. Agricultural Land Commission and Land Reserve**

The provincial Agricultural Land Commission (ALC) is an independent administrative tribunal comprised of appointed Commissioners that are responsible for administering the [Agricultural Land Commission Act](#) (ALC Act). The purposes of the ALC are:

- a) to preserve agricultural land;
- b) to encourage farming in collaboration with other communities of interest; and
- c) to encourage local governments, First Nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

The ALC administers all lands in the province designated in the Agricultural Land Reserve (ALR) - a provincial zone in which agriculture is recognized as the priority use. Farming is encouraged and non-agricultural uses are restricted.

### **3. Area Farm Plan (Southern Gulf Islands Food and Agriculture Strategy – 2017)**

Agricultural Area Plans focus on a community's farm area to discover practical solutions to issues and identify opportunities to strengthen farming and ultimately to contribute to agriculture and the community's long-term sustainability.

[Southern Gulf Islands Food and Agriculture Strategy \(SGIFAS\)](#) is a collaborative strategy completed in 2017 that is an expression of the area's food and agricultural objectives, issues and opportunities. The purpose of The Strategy is to guide action and foster leadership around food and agriculture in the Southern Gulf Islands. It is intended to inform other Capital Regional District and Islands Trust activities in order to strengthen and increase the visibility of the food and agricultural sector.

### **4. Local Trust Area**

The following is a brief summary of the range of regulatory mechanisms – the tools - available for land use management of Agricultural lands. These are common to other local government jurisdictions and local trust areas and the authority for the Local Trust Committee to implement them is derived from the *Local Government Act* and the *ALC Act*.

## **Official Community Plan (OCP)**

The OCP is a guiding document that lays out a community's long-term vision and strategy for future planning and land use. It provides objectives and policies, from the broad to the more specific, which inform the Local Trust Committee in making land use decisions; it does not contain regulations or detailed prescriptions. It includes policies and mapping designations of the approximate location, amount and type of present and proposed Agricultural land.

## **Land Use Bylaw (LUB)**

Zoning effectively implements the visions and strategies of the OCP. For North Pender this is established in the Land Use Bylaw (LUB), which regulates how land, buildings and other structures may be used. The LUB divides the island into zones and regulates density and use; siting and size of buildings and uses; and the size and shape of lots created by subdivision. For land in the ALR, ALC Act and Regulations require that Farm Uses be permitted and non-farm uses may not be permitted.

## **Applications to the ALC**

All applications for inclusion or exclusion, subdivision, non-farm use or non-adhering residential use are submitted first to Local Government for their review. Local government has the discretion to forward or not forward applications to the ALC, and if it exercises its authority and does not authorize the application, the application proceeds no further and will not be considered by the ALC.

The LTC therefore plays an important role in overseeing and regulating any potential changes to the use and makeup of agricultural land on the island.

## **Advisory Committees**

The LTC has directed staff on advertising for a special Agricultural Advisory Planning Commission (AAPC) to advise them on potential amendments to agricultural zoning regulations for this project. The LTC could also consider the appointment of an Agricultural Advisory Planning Commission beyond the LUB review process.

## **Current Policies and Regulations**

### **1. OCP Policies and Objectives**

The following is an overview of the objectives, policies and designations in the North Pender Island OCP related to Agricultural lands. Specific Agricultural objectives, policies and guidelines are on page 27 to 32 of the OCP.

The objectives of the OCP are supportive of the farming community, the preservation of farmland and the importance of agriculture to the health, economic viability and sustainability of farming in North Pender. Importantly the objectives endorse the ALC's mandate and the ALR.

Relevant Agriculture Policies for the project are as follows:

- 2.2.1 *The "right to farm" shall be respected by not permitting land use on adjacent, or nearby properties that could adversely affect farming activities and by requiring buffers and/or setbacks on the adjacent properties.*
- 2.2.2 *The average parcel size on land within the Agricultural designation shall be 16 hectares (40 acres) and density shall be limited to one dwelling and one cottage per parcel. Applications to the ALC for subdivision that are consistent with average parcel size may be supported.*

- 2.2.3 *Removal of soil suitable for agricultural purposes from a parcel may be prohibited.*
- 2.2.4 *Roadside stands, small scale marketing and processing, and agricultural education and research shall be permitted uses.*
- 2.2.5 *The Local Trust Committee may consider zoning regulations permitting additional accommodation for farm help, provided the accommodation is necessary for farm purposes, provides cooking and washing facilities, and is temporary in nature, limited in size, and consistent with the recommendations of the Regional Agrologist.*
- 2.2.8 *The Local Trust Committee may consider regulating greenhouses, land-based aquaculture facilities, and pet boarding and breeding facilities in order to limit and mitigate the impacts of these uses on groundwater, the environment and surrounding properties, provided the regulations are consistent with provincial legislation and regulations.*
- 2.2.17 *Zoning changes should not be considered that would allow multi-family, industrial, institutional or commercial developments in the Agriculture designation except for agri-tourist accommodation which is accessory to a working farm operation.*
- 2.2.18 *The Local Trust Committee may consider the regulation of the placement and removal of fill to protect the natural environment, including significant waterfowl habitat, and where possible, to preserve, maintain, and enhance soil for agricultural purposes.*
- 2.2.19 *The Local Trust Committee may consider regulating agri-tourism activities.*
- 2.2.20 *Agri-tourist accommodation may be permitted as the equivalent of bed and breakfast accommodation. The Local Trust Committee may consider applications for rezoning or temporary use permit that would permit agri-tourist accommodation providing for more than 3 units, provided that:*  
*a) the use is accessory to working farm operations; b) the use is on agriculturally designated land that is in the ALR; the application is consistent with ALC policies; c) the working farm will continue in operation and will not be adversely affected; d) potable water of sufficient quantity for both farming and non-farming use is available; e) sewage disposal facilities are suitable; f) on-site parking is adequate; g) the impact of increased traffic on adjacent roadways is considered; h) the environmental and climate change impact of the proposal is considered; and i) the impact on adjacent properties is addressed.*
- 2.2.21 *The Local Trust Committee may consider temporary commercial use permit or rezoning applications to permit accessory campgrounds as agri-tourist accommodation. In addition to the criteria established in policies 2.2.20 and 2.1.2.7 (Rural Land Use), applications for accessory campgrounds in this designation shall not exceed 10 campsites, campsites and indoor units shall be considered equivalent for purposes of density and applications should comply with relevant Agricultural Land Commission policies.*
- 2.2.22 *The Local Trust Committee may consider an amendment to this plan to designate land as a development permit area for the protection of farming with the intent of ensuring effective buffering and other measures between farming and other uses*
- 2.2.23 *The Local Trust Committee shall consider the appointment of an additional Advisory Planning Commission to advise the Local Trust Committee on specific issues and initiatives relating to agriculture. This APC should be asked to examine the role of agriculture and food supply in creating sustainable communities and to make recommendations to the LTC on any changes to its policies or regulations.*
- 2.2.24 *The Local Trust Committee may undertake or support an initiative to identify properties not currently in the ALR and Agricultural designation but which have agricultural potential and are primarily used for farming, so that these properties may be protected for future agriculture.*

## **2. Land Use Bylaw**

The Land Use Bylaw is the main mechanism for implementing the OCP. The **Agricultural (AG) Zone** encompasses most lands on North Pender that are in the ALR. Importantly, farming also occurs on **Rural (R), Rural Comprehensive (RC) and Rural Residential (RR)** zoned properties on the island. Definitions and General Regulations also regulate uses, siting and height. Table 1 analyses the current zoning and Table 2 the General Regulations for agriculture uses.

**Table1 - Agriculture Uses in LUB**

<b>Zone</b>	<b>Agriculture<sup>2</sup> Permitted</b>	<b>Livestock Limitations</b>	<b>Prohibited Agricultural Uses</b>
<b>All</b>	Horticulture <sup>3</sup> as an accessory use	-	-
<b>Agriculture (AG)</b>	Yes Agri-tourist accommodation as an accessory use	None other than setbacks (see Table; 2 General Regulations')	-
<b>Rural (R)</b>	yes	- lot not abutting a water supply - rabbit and poultry raising (accessory) only	Pig farming, dog breeding and boarding kennels lots less than 1.2 ha
<b>Rural Comprehensive One (RC1)</b>	yes	- lots greater than 0.4 ha not on a source of potable water, keeping horses and other equine animals, cattle, goats and sheep (accessory)	
<b>Rural Comprehensive Two (RC2)</b>	Yes		
<b>Rural Residential (RR)</b>	no		

**Table 2 - Agriculture Uses in General Regulations LUB**

<b>General Regulation</b>	<b>Permitted Use</b>	<b>Prohibited Use</b>
3.1.1	<b>Road-side stalls</b> not exceeding 10m <sup>2</sup> (products of the property) <b>Farm retail sales</b> where agriculture is permitted if farm status under BC Assessment	
3.2.1		<b>Fur Farming</b> except as permitted in ALR by a person licenced under the <i>Fur Farm Act</i>

<sup>2</sup> Agriculture defined as the use of land, buildings and structures for a farm operation.

<sup>3</sup> 'Horticulture' defined as the use of land for rearing plants.



3.3.1	<b>Farm equipment and vehicles</b> excepted	<b>Vehicle storage</b> - storage of more than 2 unlicensed motor vehicles outdoors prohibited
3.4.4	<b>Height</b> of accessory building for farm use – Maximum 10 m <b>Farm Silos and Grain Bins</b> exempted	
3.7	<b>Siting</b> <ul style="list-style-type: none"> <li>- Any sewage disposal field or pit for agriculture must be 60 m of the natural boundary of the sea, or 30 m of a lake, wetland, stream or domestic water source.</li> <li>- Any mushroom barn or enclosure for livestock, poultry, or farmed game 30 m of any lot line (4500 kg or more)</li> <li>- No permanent animal enclosure within 7.6 m of any lot line and no agriculture waste storage within 15m of any lot line</li> </ul>	

## Inventory

### 1. Zoned Lands

Currently there are 59 parcels of land on North Pender zoned Agricultural (AG) with a total area of 352 hectares. These are itemized in Table 3 and mapped in Figure 3. Of note, there are areas of two (2) properties known as ‘Edgewood Estates’ (Lot A and Parcel D of Plan 28410, 2218 Clam Bay Road) that are zoned Rural Comprehensive 2 (RC2) that have areas of ALR on them (and agriculture is a permitted use in the RC2 zone). As well 4606 Razor Point Road has the portion that is zoned as Industrial 1 (b) (I1(b)) and in the ALR.

**Table 3 – Agricultural Zoned Properties on North Pender**

<b>Zone</b>	<b>Area</b>	<b>Commonly known as</b>	<b>Site Specific Use</b>
<i>Agricultural (AG)</i>	307.2	-	-
<i>AG (a)</i>	3.7	Hope Bay Bible Camp	Camp facility
<i>AG(b)</i>	13.6	Pender Island Golf Course	Golf Course including accessory club house and five (5) accessory buildings
<i>Ag(c)</i>	27.2	Clam Bay Farm	One dwelling and a managers suite (max. 55 m <sup>2</sup> )
<i>Total</i>	352		

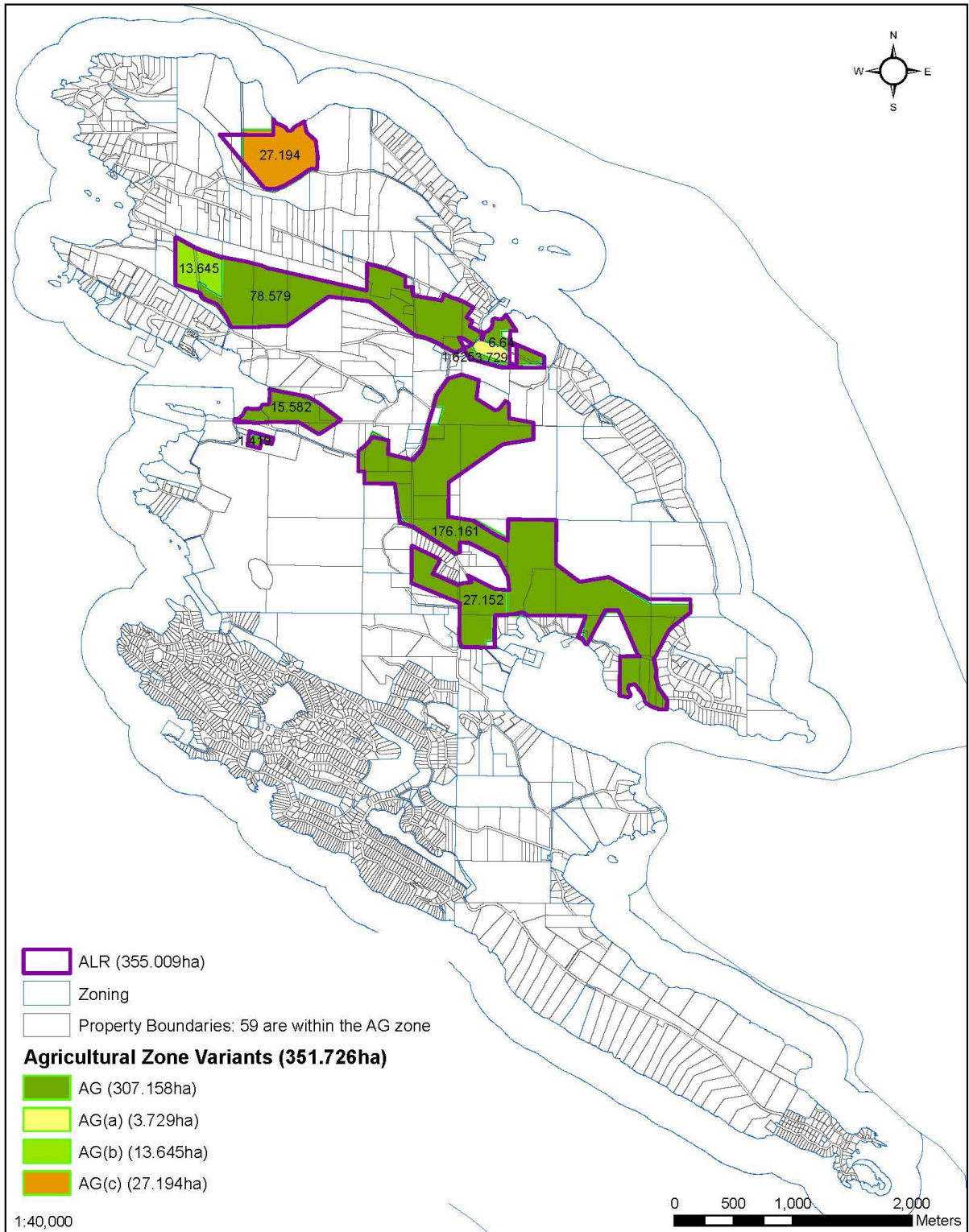
**Table 4 – ALR and non-ALR farmed on North Pender<sup>4</sup>**

<b>ALR (ha)</b>	<b>ALR currently Farmed (ha)</b>	<b>Non-ALR currently farmed (ha)</b>	<b>Total Land Currently farmed (ha)</b>
<b>346 (355)<sup>5</sup></b>	140 (46%)	63	203

<sup>4</sup> Southern Gulf Islands Food and Agriculture Study (2017) P.12

<sup>5</sup> Islands Trust Mapping indicates the area is 355 ha

Figure 1 – Agricultural Zones and ALR



## Discussion

The following is a discussion of issues and opportunities related to Agricultural zoning and regulations.

### 1. ALC Amendments, Regulations and Local Government Guidelines

Table 5 compares uses and definitions in the current Agricultural (AG) zone to current ALC policy and regulation. Relevant OCP policies and options for LUB amendment are listed. It is anticipated that these may change through consultation and as the project progresses.

Two important ALC definitions:

*'Farm Uses' are those uses in addition to regular agriculture. They typically are directly linked to agriculture. They can be restricted, but not prohibited by local government (i.e. wineries and cideries, agri-tourism activities and farm stands).*

*'Non-Farm Uses' as those uses re uses that may or may not be linked directly to agriculture and are considered compatible with agriculture and have low impacts on the land base. Some permitted non-farm uses can be prohibited by local governments (i.e. home business). Any proposed non-farm use requires application to the ALC.*

### 2. Consultation - Role of Special AAPC

*OCP Policy 2.2.23 - The Local Trust Committee shall consider the appointment of an additional Advisory Planning Commission to advise the Local Trust Committee on specific issues and initiatives relating to agriculture. This APC should be asked to examine the role of agriculture and food supply in creating sustainable communities and to make recommendations to the LTC on any changes to its policies or regulations.*

The LTC instructed staff at the May 21, 2020 Regular Meeting to advertise for a special Agricultural Advisory, which is now posted on the North Pender webpage. It is anticipated that if there is sufficient interest, the special AAPC could be appointed at the July 23, 2020 LTC Meeting.

The terms of reference for the AAPC should focus on regulatory amendments of the LUB. The AAPC will engage the larger farming community and other stakeholders through the review process. There is the potential to have their scope consider the recommendations of SGIFAS (below). However, those should also be limited to recommendations for regulatory change and not for broader policy change, initiatives or advocacy by the LTC.

### 3. Consultation - General

As part of the larger consultative process of the OCP Implementation Project, engagement and referral with First Nations is necessary and important. Specific to any proposed amendments to Agricultural zoning, early referral to both the Regional Agrologist at the Ministry of Agriculture and the ALC is necessary.

**Table 5 - Agricultural (AG) Zone and ALC Regulation**

	<b>Agricultural (AG) Zone</b>	<b>ALC Policy &amp; Regulations</b>	<b>OCP Policy</b>	<b>LUB - Regulatory Options</b>
<b>Secondary Suites</b>	Permitted in zone and further regulated in general regulations	ALR Use Reg. s.31 - one secondary suite wholly within principal residence; -on any size lot in ALR; - no farm class status required		No action
<b>Cottage</b>	Allowed use in zone	ALC Act amend. (Feb 2019) - Second dwelling only by application to ALC.	2.2.5	Potential amendment AG zone for consistency with current or proposed ALC amendments*  *Ministry of Ag. <a href="#">Policy Intention Paper</a> (January 2020) indicates that a small second dwelling – flexible housing forms - may be permitted with future ALC amendments.
<b>Manufactured Homes for Immediate Family</b>	For information only	Policy L-25: Permits one manufactured home in addition to principal dwelling up to 9m in width ('double-wide') and 22.86 m in length for immediate family on any size lot in the ALR. Building permit must be issued before December 31, 2020.		Amend AG Zone zoning to prohibit manufactured homes after December 31, 2020 to harmonize with policy
<b>Farm Worker Housing</b>	Not currently permitted in zone	ALC Act amend. (Feb 2019) - By application to ALC	2.2.5	Consider amendment to AG zone to include use with note "only by ALC Approval"
<b>Non-Adhering Residential Use (NARU)</b>	For information only	Policy L-26 decision-making guidelines for consideration of non-adhering uses (second dwellings, temporary farm dwellings, dwellings over 500 m <sup>2</sup> , etc.)		No Action
<b>Dwelling Size</b>	No limit in zone	Total floor area of a dwelling is 500 m <sup>2</sup> in ALR		Consider amendment to AG zone to introduce a max. size dwelling in ALR;

	<b>Agricultural (AG) Zone</b>	<b>ALC Policy &amp; Regulations</b>	<b>OCP Policy</b>	<b>LUB - Regulatory Options</b>
--	-------------------------------	-------------------------------------	-------------------	---------------------------------

<b>Agri-Tourism accommodation</b>	Permitted in zone: must be accessory; on ALR land; within a permitted dwelling or cottage; no commercial/ retail; max 6 guests and 3 bedrooms.	ALC Act – A permitted farm use. Must be in relation to <i>Agri-Tourism Activity</i> ; total developed area 5% of parcel; 10 units maximum; seasonal or short-term	2.2.19; 2.2.20 and 2.2.21	Amend definition and regulations in AG zone to harmonize with ALC Regulation by defining and restricting use to that associated with <i>Agri-Tourism Activity</i>  Amend as previous.  Consider allowing accessory camping as an accessory use to Subsection 8.3.7 “Agri-tourist Accommodation” (OCP policy 2.2.21)
<b>Agri-Tourism Activity</b>	No reference in zone, but as a farm use is permitted	Policy L-04. A farm use. Must have farm status. Limited to list of approved activities including heritage farm equip. displays, farm tours, educational or demonstration of farm operations, rides (tractor, etc.), activities that promote or market livestock, harvest festivals, etc.)	2.2.19; 2.2.20 and 2.2.21	Amend definition and regulations in AG zone to harmonize with ALC Regulation by defining and restricting use
<b>Home Business (Occupation)</b>	Yes - One business and 65 m <sup>2</sup> max. floor area. Total storage area 65 m <sup>2</sup>	Policy L-07: Permitted as a non-farm use up, accessory to residential or farm use on the property and a maximum area of 100 m <sup>2</sup> or maximum by Local Government (whichever is less) Further limits on facilities (no daycares, preschool/schools, group homes and health and community care facilities) and size		Amend General Regulations (size and types) to be consistent with ALC for Home Business and Home Industry in ALR
<b>Home Industry</b>	Yes - One Industry and 185 m <sup>2</sup> max. floor area. Total storage area 65 m	(As above – no differentiation with ‘Home Occupation’)		As above

	<b>Agricultural (AG) Zone</b>	<b>ALC Policy &amp; Regulations</b>	<b>OCP Policy</b>	<b>LUB - Regulatory Options</b>
--	-------------------------------	-------------------------------------	-------------------	---------------------------------

<b><i>Cannabis Production</i></b>	No specific reference in zone	ALC Act Amend. (Feb 2019): all forms of cannabis production are now a 'farm use.' Local government can regulate or prohibit certain kinds of cannabis production, though not all forms. Cannot prohibit if outdoors in a field inside a structure with a base entirely of soil. Any prohibition or regulation must be under a bylaw under section 552 of <i>Local Government Act</i>		Consider amending AG and Rural zones to limit building size for indoor cannabis production.
<b><i>Farm Retail Sales</i></b>	Yes - where agriculture is a permitted use with farm status	Policy L-02 A permitted farm use. If all products originate or are produced on the farm on which the sales are taking place, there is no limitation for the retail sales area. Thresholds if farm or non-farm products offered for sale originate elsewhere, there is a retail sales area limitation (based on origin - max. 300 m <sup>2</sup> )	2.2.4	Limit max area to 300 m <sup>2</sup>
<b><i>'Farm Operation'</i></b>	Definition in LUB	'Farm Use'		Amend definition to harmonize with ALC definitions for 'farm use' and allowable uses.

#### **4. Southern Gulf Islands Food and Agriculture Strategy (SGIFAS)**

The SGIFAS provides a comprehensive strategy for agriculture and farming in the southern gulf islands. The key recommended strategies are summarized on Attachment One (and page 3 of the strategy) The report has a profile of the Pender Islands and includes an Action Plan.

Many recommended strategies lie outside of the scope of LTC jurisdiction and specifically of this project as they are strategic in nature and are non-regulatory.

#### **5. Cannabis Production**

Building on the comments in Table 5, the Ministry of Agriculture undertook legislative and regulatory amendments that change provincial policy on cannabis production in the Agricultural Land Reserve (ALR) in 2019. The key change was the classification of all cannabis production in the ALR as farm use. As a result, applications to the Agricultural Land Commission (ALC) are no longer required for any form of cannabis production in the ALR.

Local governments retain the ability to prohibit and/or regulate cannabis production that is: inside a structure without a soil base. It is incumbent upon local governments to regulate ALR land within their boundaries if they wish to prohibit certain forms of production. Limiting the size and siting of buildings as a method of regulating the scale of indoor cannabis production and processing (both within and outside the ALR) is noted as a possible option for the LTC

#### **6. ALR Boundaries and Agriculture outside of ALR**

*OCP Policy 2.2.24 - The Local Trust Committee may undertake or support an initiative to identify properties not currently in the ALR and Agricultural designation but which have agricultural potential and are primarily used for farming, so that these properties may be protected for future agriculture*

There are approximately 63 ha of farmed land that is outside of the ALR identified by SGIFAS. These would be mostly Rural, Rural Comprehensive and Rural Residential zoned properties.

A mapping study to reconcile ALR Mapping, zoning and designation with Land Capability Mapping (soils capability mapping) could inform recommendations to the ALC with regard to ALR boundaries, but would be outside the scope of the current LUB amendments.

#### **7. Mapping (technical amendments)**

There are a number of technical issues related to mapping inaccuracy and potential boundary amendments:

- There are numerous minor inaccuracies with the location of the ALR relative to Agricultural (AG) zoned properties. These stem from issues discrepancies between ALC's ALR data and Islands Trust mapping data.
- Specific properties where zoning does not concord with ALR Mapping. 2218 Clam Bay Road has ALR land that is zoned Rural Comprehensive 2 (RC2); however as a comprehensive zone created as the result of a rezoning application, agriculture is a permitted use. 4606 Razor Point Road has the portion that is zoned as Industrial and in the ALR.



## **8. Other Opportunities (Outside of Project Scope)**

While the purpose of this discussion paper is to focus on amendments to the LUB, it is important to note that additional measure supporting agriculture on North Pender. These initiatives are out of scope of the current project.

### **a. AAPC**

*OCP Policy 2.2.23 - The Local Trust Committee shall consider the appointment of an additional Advisory Planning Commission to advise the Local Trust Committee on specific issues and initiatives relating to agriculture. This APC should be asked to examine the role of agriculture and food supply in creating sustainable communities and to make recommendations to the LTC on any changes to its policies or regulations.*

The LTC could consider maintaining an AAPC beyond the term of this project to provide advice on a review OCP policies, a broader mapping initiative to add land to the ALR, and the implementation of broader SGIFAS strategies. This would be a new project.

### **b. Agricultural DPA**

*OCP Policy 2.2.22 -The Local Trust Committee may consider an amendment to this plan to designate land as a development permit area for the protection of farming with the intent of ensuring effective buffering and other measures between farming and other uses*

This is would be a DPA on areas adjacent to ALR land to regulate the impacts of non-farm uses on agriculture. Consideration of implementing this policy is beyond the scope of the current project and would be a separate review. However the appropriateness and effectiveness of such a DPA would need to be considered before initiating as a project.

### **c. Soil Removal Bylaw**

*OCP Policy 2.2.18 - The Local Trust Committee may consider the regulation of the placement and removal of fill to protect the natural environment, including significant waterfowl habitat, and where possible, to preserve, maintain, and enhance soil for agricultural purposes*

Consideration of creating a soil removal and placement bylaw would be a discrete project and should consider the effectiveness and other factors.

## Options

The main options identified for amending the Agricultural zoning and mapping are as follows:

### 1. LUB Amendments

Generally, the LUB definitions, regulations and uses should be reviewed for consistency with the ALC policies and regulations, specifically:

- a. Review and update definitions
- b. Monitor legislative changes for second dwelling in ALR and make amendments accordingly.
- c. Prohibit manufactured homes.
- d. Consider options for farm worker accommodation.
- e. Establish a maximum floor area.
- f. Review and amend Agri-tourism and Agri-tourist accommodation definitions and regulations.
- g. Amend home industry and home occupation regulations.
- h. Consider amendments to regulate cannabis production in the ALR, and also on non-ALR land.
- i. Review farm retail sales provisions.

### 2. ALR Boundaries and Mapping

- a. Undertake a technical mapping review of ALR Boundaries and Agricultural (AG) zone to review existing zoning and land use designation boundaries with the boundaries of the ALR.
- b. Consider amending zoning on specific properties:
  - i. 4406 Razor Point Road – amend zoning and OCP designation on ALR portion of the property.

### 3. Process and Consultation

- a. Through their terms of reference, the special AAPC should review and make recommendations on potential LUB amendments and engaging the broader farming community and through this identify any specific regulations that may be impediments to farming, particularly on non-ALR land.
- b. Draft Bylaw amendments should be referred early to Regional Agrologist (Ministry of Agriculture) and ALC for review and comment.