

Denman Farm Plan Implementation

Proposed Changes to Definitions and Setback Regulations



Denman Farm Plan Implementation Project

Guide to Proposed Bylaws No. 228 + 229

PROPOSED LAND USE BYLAW CHANGES

There are four current definitions in the Land Use By-law proposed to be modified.

- 'Agriculture' is redefined to ensure clarity and consistency with Provincial bylaw standards;
- The definition of 'Feedlot' is clarified to restrict the use and siting of buildings and structures associated with the feedlot;
- A revised definition of 'intensive agriculture' is proposed to also prohibit commercial cannabis production on residential properties;
- The definition of 'panhandle' is refined to enable a subdivision regulation prohibiting panhandle subdivision in the ALR.

There are four NEW definitions proposed to be added: 'agri-tourism' and 'agri-tourism accommodation' definitions would apply to any property in or outside the ALR where agri-tourism use (farm tours, workshops, harvest festivals and other defined activities) are permitted. Agri-tourism accommodation would be regulated as guest accommodation in the form of a maximum of three accommodation units (un-serviced tent site, cabin or bedroom in a dwelling), permitted by Temporary Use Permit on parcels with farm status.

The NEW definitions for 'immediate family' and 'temporary secondary dwelling unit' are specific only to properties in the ALR. The definitions form part of new regulations for housing options for immediate family or temporary farm worker housing, described in more detail on the reverse side of this guide.

PROPOSED SETBACK CHANGES

There are three proposed changes to setbacks. A new 30 meter setback requirement for feedlots (including fencing) or for areas used to accommodate domesticated animals other than household pets is proposed from the natural boundary of a stream, lake, wetland or the sea.

A new 50 meter setback for feedlots from any lot line is also proposed.

The other proposed setback change is to allow roadside farm stands up to 10m² in size to be located within the setback area to the road. Farm stands closer than 4.5 meters to the road will require a permit from the Ministry of Transportation and Infrastructure. For Chickadee and Graham Lakes there are no proposed changes to the 60 meter setback required for all buildings, structures or sewage disposal systems.

PROPOSED HEIGHT EXEMPTION CHANGES

Deer fencing, netting supports and trellises are proposed to be exempt from the current height restrictions in the Land Use Bylaw, similarly to how current height restrictions do not apply to flag poles, lighting poles, water storage tanks and similar structures. This exemption would apply to any property on Denman Island, inside or outside of the Agricultural Land Reserve.

July 26, 2018

Dear Denman Island Residents and Property Owners,

The Denman Island Local Trust Committee (LTC) is hosting a **Community Information Meeting on Thursday August 2nd, 2018 at 6:00 pm at the Denman Activity Centre** regarding implementation of the Denman Island Farm Plan. **We encourage you to attend to learn more about this project and share your input with us.**

The Farm Plan was a multi-year community project initiated to enhance and preserve farming on the Island. Implementation of the Denman Island Farm Plan was identified as an LTC Top Priority in January 2015. In November 2016 the LTC considered potential amendments to the Official Community Plan (OCP) and Land Use Bylaw (LUB). The LTC then referred potential amendments to the Denman Island Advisory Planning Commission and to the Denman Growers and Producers Alliance for input. In 2017 the LTC updated the scope and objectives of the project to inform the preparation of two amending bylaws. Proposed Bylaw No. 228 would amend the Denman Island Official Community Plan (OCP) and Proposed Bylaw No. 229 would amend the Denman Island Land Use Bylaw (LUB) and implement several Farm Plan recommendations.

This document is intended to help Denman Island residents and property owners better understand the proposed changes. The Bylaws are currently at first reading and a public hearing may be scheduled in fall/winter 2018.

Comments from the public are welcome and can be submitted at this meeting, by email to deltcwebmail@islandstrust.bc.ca, or by mail to the Islands Trust Gabriola Office at 700 North Road, Gabriola, BC V0R 1X3. Comments must be received before the Public Hearing (date TBA).

If you have any questions about this important planning project on Denman Island, please contact our office at 250.247.2063 or denmanplanner@islandstrust.bc.ca. More information can also be found on our website www.islandstrust.bc.ca, under Denman Projects and Initiatives.



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Denman, Gabriola, Gambier, Hornby, Lasqueti, Thetis, Ballenas-Winchelsea

Susan Morrison, Chair
Denman Island Local Trust Committee

Laura Busheikin, Trustee
Denman Island LTC

David Critchley, Trustee
Denman Island LTC

What Changes are Proposed For Parcels not in the Agricultural Land Reserve (ALR)

Parcels not in the ALR would continue to be allowed horticulture and agriculture uses accessory to a residential use. Intensive agriculture would still be prohibited in residential zones. The definition of “intensive agriculture” is proposed to be expanded to prohibit the commercial production of cannabis. The only proposed change in use affecting non ALR lands is the introduction of two new permitted uses: agri-tourism and agri-tourism accommodation on any parcel with farm status.

AGRI-TOURISM USE

For parcels in the R1, R2, and R3 zones with farm status (classified as a farm under the BC Assessment Act), the proposed bylaws would allow agri-tourism use. This use is defined provincially and includes the farm hosting activities for the general public such as farm tours, harvest festivals, and agricultural workshops or demonstrations.



AGRI-TOURISM ACCOMMODATION

Proposed zoning changes would also allow agri-tourism accommodation in the R1, R2, and R3 zones on parcels with farm status, subject to approval of a Temporary Use Permit by the Local Trust Committee. Up to a maximum of three accom-



modation units would be permitted (similar to the existing home based guest accommodation provisions) but with the added flexibility for the land owner to operate a maximum of three seasonal un-serviced campsites or seasonal cottages (or a combination not exceeding a total of three). New Temporary Use Permit guidelines would require applicants to address issues such as adequate parking, water, sewage disposal, landscape buffers and protection of agricultural capability and environmentally sensitive areas.

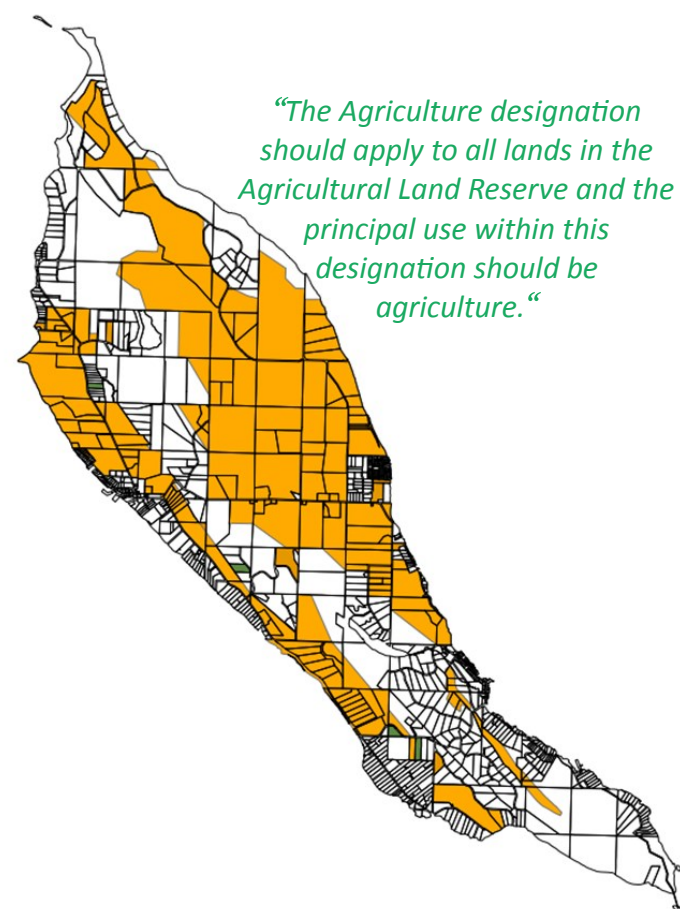
Income generated from agri-tourism uses or accommodation units does not count towards farm status but is intended to supplement farm income and provide for a more diverse range of agricultural activities in the community.

What Changes are Proposed For Parcels in the Agricultural Land Reserve (ALR)

Parcels in the ALR are subject to local and provincial regulations in order to preserve and protect the land for agriculture. Proposed Bylaws No. 228 and 229 would implement some of the recommendations in the Denman Island Farm Plan and align local regulations with what the Province allows local governments to regulate in the ALR.

NEW “AGRICULTURE” DESIGNATION IN THE OFFICIAL COMMUNITY PLAN:

All lands in the ALR are proposed to be re-designated from the current ‘Sustainable Resource’ designation to ‘Agriculture’. This amendment in the OCP would recognize a singular designation for ALR lands separate from non ALR lands, and prioritize agriculture as the principal use. Eight new OCP policies are proposed which would enable the expansion of housing options and agri-tourism uses and accommodation in the ALR.



HOUSING PROVISIONS:

Under the proposed changes, a property in the ALR would be permitted one principal dwelling, one secondary suite within the principal dwelling and one temporary dwelling for immediate family. Farm help accommodation could also be permitted (see below) subject to a Temporary Use Permit.

FARM HELP ACCOMMODATION:

For a parcel in the ALR, 2 hectares or larger with farm status, the proposed changes would allow one temporary dwelling (maximum 1300sqft) for farm help accommodation. The need for additional housing would need to be verified (deemed necessary) by the Agricultural Land Commission based on the existing farm operation.

AGRI-TOURISM USE:

For parcels in the A, F, and RE zones with farm status (classified as a farm under the BC Assessment Act), the proposed bylaws would also allow agri-tourism use. This use is defined provincially and includes the farm hosting activities for the general public such as farm tours, harvest festivals, and agricultural workshops or demonstrations.

AGRI-TOURISM ACCOMMODATION :

In addition to agri-tourism use, a farm in the ALR could also operate a maximum of three accommodation units in the form of seasonal un-serviced campsites or cottages, subject to approval by a Temporary Use Permit. Proposed Temporary Use Permit guidelines would require applicants to address issues such as adequate parking, water, sewage disposal, landscape buffers and protection of agricultural capability and environmentally sensitive areas.

Income generated from agri-tourism uses or accommodation units does not count towards farm status but is intended to supplement farm income and provide for a more diverse range of agricultural activities in the community.

What is a Temporary Use Permit?

The proposed changes allowing agri-tourism accommodation (in or outside the ALR) or temporary farm help accommodation (in the ALR) would be regulated through a Temporary Use Permit (TUP) that is issued by the Denman Island Local Trust Committee. A TUP, if approved, is valid for up to three years and renewable for an additional three years. After that an applicant may reapply. The permit would stipulate conditions that must be met in order for the permit to be valid. The proposed TUP guidelines in Bylaw No. 229 for agri-tourism accommodation and farm help accommodation outline the minimum requirements for a TUP to be issued.

