



Minutes of the Denman Island Advisory Planning Commission

Date of Meeting: Wednesday, June 13, 2018

Location: Denman Island Activity Centre
1100 Northwest Road, Denman Island, BC

APC Members Present: Steve Carballeira, Chair
Rosa Telegus, Deputy Chair
David Graham, Secretary
Edi Johnston
Jack Forsyth
Howard Stewart
Alan Stoddart
Tom Zawila
Margie Gang

Staff Present: Sonja Zupanec, Island Planner
Marnie Eggen, Island Planner
Katherine Vogt, Recorder

Others Present: Laura Busheikin Local Trustee
David Critchley, Local Trustee
Veronica Timmins, Denman Growers and Producers
Alliance
Doug Wright, Denman Growers and Producers Alliance
11 members from the local public

1. CALL TO ORDER

Chair Carballeira called the meeting to order at 4:02 pm. He welcomed everyone and noted to members of the public present that there would be an upcoming Community Information Meeting for members of the public to respond to the issues that would presently be raised and discussed by members of the Advisory Planning Commission (APC).

2. APPROVAL OF AGENDA

By general consent, the agenda was approved.

3. MINUTES

3.1 Denman Island Advisory Planning Commission Draft Minutes dated August 23, 2017

By general consent, the minutes were adopted.

4. Denman Island Farm Plan Project

Chair Carballeira noted that the purpose of the meeting was for APC members to review and make recommendations to the Denman Island Local Trust Committee (DILTC) on proposed Bylaws 228 and 229 which involve amendments to the Official Community Plan (OCP) and Land Use Bylaws (LUB) to incorporate new policies around agriculture, as well as new definitions and regulations regarding agricultural activities and processes; as well as for APC members to provide an analysis of the advisability of removing horticulture and agriculture as permitted uses in the R1 and/or R2 zone(s).

Island Planners Zupanec and Eggen gave a slideshow presentation of the Farm Plan Implementation Project from its inception in 2009 to the present. Planner Eggen noted that the DILTC had given first reading to Bylaws 228 and 229 and that numerous agencies had been recently given formal referrals of these proposed Bylaws.

Doug Wright of the Denman Growers and Producers Alliance noted that his group had not received a formal referral. Planner Eggen expressed regret for the omission and would follow up with the Alliance promptly. Planner Eggen noted that the Denman Growers and Producers Alliance had been invited to the meeting so that they might be fully informed for their response to the proposed Bylaws.

Planner Zupanec explained that a Community Information Meeting would be held sometime in the summer, after which the DILTC could give second reading to the proposed Bylaws, after which a Public Hearing could be considered in the fall of 2018; before a third and final reading of the proposed Bylaws which would then be passed on to the Islands Trust Executive Committee and the Minister of Municipal Affairs and Housing for approval.

Planner Zupanec explained the new agricultural policy proposals for Bylaw 228 and the new agricultural definition and regulation initiatives for Bylaw 229. The APC decided to begin by examining and voting on each of the 12 new OCP agricultural amendments previously endorsed by the DILTC, which would, taken together, comprise Bylaw 228.

OCP Amendment 1: Add "Agriculture" as a separate OCP designation to be applied to land in the ALR. (9 out of 9 APC members supported this proposal)

OCP Amendment 2: Add an OCP policy that reinforces agriculture as the priority use for ALR and other agricultural lands. (9 out of 9 APC members supported this proposal)

OCP Amendment 3: Add an OCP policy to support the consolidation of farm parcels in the ALR. (9 out of 9 APC members supported this proposal)

OCP Amendment 4: Add an OCP policy to discourage panhandle lots (6 APC members were against this proposal and 3 APC members supported it. Concerns were raised that the definition of "panhandle was inexpertly defined; that unusual topography issues might necessitate panhandles; that land areas may be excluded from access if

panhandles are prohibited, including agricultural land behind residential lots; that the Island could better be preserved and protected if subdivision was discouraged through the prohibition of panhandles; that there was confusion over the difference between discouraging or prohibiting panhandles.

OCP Amendment 5: Add an OCP policy to support the provision of farm help accommodation on ALR land in association with a bona fide farm use (as per the BC Assessment Act) (8 out of 8 APC members present supported this proposal)

OCP Amendment 6: Add a policy to support agri-tourism (8 out of 8 APC members present supported this proposal)

OCP Amendment 7 Add a policy to support agri-tourism accommodation, subject to temporary use permit (to address site-specific issues) (5 out of 8 members present supported this proposal, 1 member wished to abstain from voting on this proposal, 2 members were against this proposal. Concerns were raised that having the policy would invite complications and abuse; that Temporary Use Permits (TUP's) were not likeable; that people could spend a lot of money putting in structures that could not be permanent; that TUP's should be for 10 years rather than 3; that it would be over-kill to get a TUP for 3 campsites)

OCP Amendment 8: Add an OCP policy to support agricultural processing uses and facilities on non-ALR land, subject to rezoning. (8 out of 8 APC members present supported this proposal)

OCP Amendment 9: Update all Ministry of Agriculture references throughout OCP. (8 out of 8 APC members present supported this proposal)

OCP Amendment 10: Add "Guiding Objective" in Section E.4 (pg 63) to address the protection of ALR land for farming. (8 out of 8 APC members present supported this proposal)

OCP Amendment 11: Update Local Government Act Citation for TUP's (pg 83) (8 out of 8 APC members present supported this proposal)

OCP Amendment 12: Add policy supporting ALR exclusion applications that have benefits for the greater community. (8 out of 8 APC members present supported this proposal, noting Elder Housing as an applicable example)

The APC members proceeded to discuss and vote on each of the new 17 Land Use Bylaw (LUB) amendments that were previously endorsed by the DILTC and which taken together comprised the proposed Bylaw 229:

*LUB Amendment 1: Replace the definition of agriculture. (8 out of 8 APC members present supported this proposal, noting that it was appropriate to align the local definition with the Provincial *Right to Farm Act* definition)*

LUB Amendment 2: Replace the definition of 'intensive agriculture.' **(8 out of 8 APC members present supported this proposal with some concern raised that intensive cannabis culture may pollute local groundwater with chemicals; that cannabis production should be considered industrial rather than agricultural; that there was much room for abuse of intensive livestock production for domestic purposes; that normal setbacks for commercial intensive agriculture are exempt in domestic cases; that domestic use agriculture is not defined)**

LUB Amendment 3: Replace the definition of feedlot in the Land use Bylaw as per recommended Bylaw 223 definition: **(8 out of 8 APC members present supported this proposal)**

LUB Amendment 4: Add a definition of a confined livestock area: **(This amendment was considered not applicable)**

LUB Amendment 5: Cross reference residential zoning provisions for agriculture and horticulture with home occupation regulations permitting "sale of agricultural products produced on-site." **(This amendment was considered not applicable)**

LUB Amendment 6: Add a height exemption for silos, grain bins, deer fencing, netting supports, trellises in the 'Agriculture' zone. **(8 out of 8 APC members present supported this proposal)**

LUB Amendment 7: Add a minimum setback to streams, lakes, wetlands and the natural boundary of the sea for confined livestock. **(8 out of 8 APC members present supported this proposal)**

LUB Amendment 8: Add a 30 m setback requirement (to the natural boundary of a stream, lake, wetland or the sea) for buildings and structures associated with intensive agriculture, feedlots or used to accommodate domesticated animals other than household pets. **(8 out of 8 APC members present supported this proposal with one comment that site-specific setbacks would be more ideal)**

LUB Amendment 9: Amend the Land Use Bylaw to permit roadside farm stands in setback areas subject to obtaining a Ministry of Transportation and Infrastructure permit. **(8 out of 8 APC members present supported this proposal)**

LUB Amendment 10: Amend the 'A' zone permitted uses, buildings and structures so they are consistent with Ministry Bylaw standards. **(8 out of 8 APC members present supported this proposal)**

LUB Amendment 11: Add a general regulation to prohibit feedlots outside the Agriculture Land Reserve **(8 out of 8 APC members present supported this proposal)**

LUB Amendment 12: Add a 30 m setback to lot lines where feedlots are permitted. **(8 out of 8 APC members present supported this proposal which was amended/corrected to 50 m)**

LUB Amendment 13: Amend the Land Use Bylaw to include subdivision regulations to prohibit creation of panhandle lots. Review/Amend definition of 'panhandle.' **(5 out of 8 APC members present supported this proposal, 3 members were opposed to the prohibition of panhandles)**

Discussion of the last 4 LUB amendment proposals as well as an analysis of the advisability of removing horticulture and agriculture as permitted uses in the R1 and/or R2 zone(s) was halted due to time restraints.

5. NEXT MEETING

It was noted by Planner Eggen that a full response by the APC to proposed Bylaws 228 and 229 would be needed by July 12, 2018. Chair Carballeira planned to arrange a new meeting date by email to discuss these further issues.

6. ADJOURNMENT

By general consent, the meeting was adjourned at 6:10 pm.

Steve Carballeira, Chair

Certified Correct:

Katherine Vogt, Recorder