



Minutes of the Denman Island Advisory Planning Commission

- Date of Meeting:** Tuesday June 26, 2018
- Location:** Denman Island Activity Centre
1100 Northwest Road, Denman Island, BC
- APC Members Present:** Steve Carballeira, Chair
David Graham, Secretary
Edi Johnston
Jack Forsyth
Howard Stewart
Alan Stoddart
Tom Zawila
Margie Gang
- Staff Present:** Marnie Eggen, Island Planner
Katherine Vogt, Recorder
- Staff Present by Speakerphone:** Sonja Zupanec, Island Planner
- Others Present:** Laura Busheikin Local Trustee
David Critchley, Local Trustee
Veronica Timmins, Denman Growers and Producers
Alliance
3 members from the local public
- Regrets:** Rosa Telegus, APC Deputy Chair

1. CALL TO ORDER

Chair Carballeira called the meeting to order at 2:06 pm.

2. APPROVAL OF AGENDA

By general consent, the agenda from the June 13, 2018 APC meeting was approved.

3. MINUTES

3.1 Denman Island Advisory Planning Commission Draft Minutes dated June 13, 2018

These minutes were not yet available to APC members; but had been received by Secretary David Graham by email. There was some discussion about forwarding the minutes to members by email and adopting them by email;

however, this was determined to be against protocol. It was suggested to adopt the minutes at a later general APC meeting, but not to call a meeting specifically to adopt the minutes.

4. Denman Island Farm Plan Project

Having finished their discussion of various amendments to the Official Community Plan (OCP) in proposed Bylaw 228 at the June 13, 2018 APC meeting, the APC members continued with their discussion on proposed Bylaw 229 which suggests 17 amendments to the Land Use Bylaws (LUB) concerning agricultural activities, definitions and processes. The first 13 of these proposed amendments had been previously discussed and voted on. It was also requested by the Denman Island Local Trust Committee (DILTC) 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).

LUB Amendment 14: Add subdivision regulation that prohibits further subdivision of ALR land (8 out of 8 APC members present supported this proposal, which would maintain the current 15 Ha minimum lot size)

LUB Amendment 15: Add Temporary Use Permit guidelines in the Land Use Bylaw for secondary dwellings in the A zone on ALR land clarifying that a dwelling is subject to ALC approval, must be for farm use, clustered with principle dwellings in order to avoid sterilization or fragmentation of farm land. On land outside the ALR, clustering is encouraged. (7 out of 8 APC members present supported this proposal. 1 APC member was opposed to it due to the unreasonableness of applying an added cost of a Temporary Use Permit (TUP) which would be \$440.00 for an initial 3 years; and \$165.00 for a renewal TUP which would also last 3 years).

LUB Amendment 16: Add TUP areas and Guidelines for "Occasional markets, fairs and festivals." (8 out of 8 APC members present were against adding a TUP requirement, noting that such markets, fairs, and festivals tended to not be sufficiently profitable to afford a TUP)

LUB Amendment 17: Designate TUP areas and Guidelines for agritourism accommodation on land in the ALR and for land outside the ALR with farm status. (7 out of 8 APC members present supported this proposal with the added suggestion that the owner be required to be present on the principal residence where the guest accommodations were. 1 APC member wished to abstain from voting. There was concern expressed over: unmanageable negative effects on ground water quality and quantity; fire hazards; abuse of the agritourism designation; the uncontrolled proliferation of substandard living conditions; the adding of an extra unnecessary layer of cost and legal burden to farmers; the setting up of campgrounds or other accommodations on otherwise un-occupied parcels of ALR land)

Discussion turned to the analysis of the advisability of removing horticulture and agriculture as permitted uses in the R1 and/or R2 zone(s). Chair Carballeira read out a written clarification statement submitted by Trustee Laura Busheikin:

The LTC is aware that current definitions of horticulture and agriculture allow substantial operations to lawfully take place in relatively high density small lot neighborhoods. Over the years, community members have expressed concerns about this, and there are plenty of examples of difficult situations from other places.

Before deciding whether to address this as part of the Farm Plan project, or as its own discrete project, the LTC is interested to hear community feedback in the form of comments from the APC and the Growers and Producers Association.

The LTC is not considering prohibiting gardens, orchards or other personal-use growing anywhere on Denman. The LTC is asking the question, “Is there reason to consider limits on the scale and type of agricultural and horticultural activities on some residential lots, and if so, do you have any recommendations about criteria (zoning, lot size, setbacks, type of activity, number of animals, types of crops, or other issues)?”

The following points were discussed:

- Setbacks do not always adequately address light and noise problems;
- Trying to limit agricultural operations in terms of numbers is too difficult; rather, it would be better to approach agricultural conflicts in terms of environmental and social impacts, with social impacts being easily assessed by neighbor complaints.
- Intensive pesticide use may cause serious damage.
- Noxious odors can be a problem; but have often been traditionally acceptable at certain times of the year.
- The present definition of ‘intensive agriculture’ only includes livestock, mushroom and cannabis production for commercial purposes and does not apply to domestic purposes production or to any other agriculture products.
- The community should be able to self-regulate on such issues.
- The trust complaints process was non-transparent due to confidentiality rules and there were no statistics available on numbers or types of complaints around agriculture, which made it harder to justify the need for new regulations.
- There was a lot of worrying over future things that most likely won’t happen.
- If there is no bylaw to contain unreasonable neighbors, then property owners can be stuck.
- The *Farm Practices Protection Act* and the *Right to Farm Act* were applicable documents.
- Presently the sale of agricultural products on the R1 and R2 zones are considered legitimate home-based businesses; but if they get too big, they should accept that they need to get a bigger property, move to a differently zoned property, or move off island.

Chair Carballeira proposed that the APC encourage the DILTC to look at the environmental and social impacts of agricultural and horticultural activities on R1 and R2 lots, rather than a blanket prohibition. (7 APC members supported this proposal, 1

member was opposed to it on the basis that it was an important cultural foundation to grow and sell things, and that problems around agriculture activities were manageable within the community and are of rare occurrence).

6. ADJOURNMENT

By general consent, the meeting was adjourned at 3:12 pm.

Steve Carballeira, Chair

Certified Correct:

Katherine Vogt, Recorder