From:	Erika Action <erikaaction@gmail.com>
Sent:	Thursday, July 12, 2018 9:16 PM
To:	Marnie Eggen
Cc:	Laura Busheikin; David Critchley; Doug Wright; Veronica Timmons
Subject:	GPA referral response - Proposed Bylaws 228 and 229
Attachments:	GPA Referral Response-Proposed bylaws 228 and 229-2018.07.12.docx

Dear Marnie, Laura and David, (and to whomever else this may concern),

Please find attached the referral response from the GPA**.

Rest assured, we discussed this at length, and would be appreciative if you and the other planners, and the Trustees, would take the time to digest this feedback (apologies that I didn't have time to format it better), which comes from the GPA as well as other community members.

GPA directors felt dismayed that previous concerns raised in our referral response to bylaws 223 were never addressed, and are now again relevant in these proposed bylaws.

For the sake of our longstanding (and growing) community of farmers (of all kinds) on the island, we would be grateful if you would clarify our outstanding concerns/questions in due course before proceeding with these proposed bylaws 228 and 229.

Thanks, and best wishes,
Erika Bland
on behalf of Denman GPA

****Please note that I am currently on leave from GPA until September. Any followup questions should be directed to the GPA President, Doug Wright or Secretary, Veronica Timmons, here CC'd**

Response to Islands Trust (IT) Referral to GPA 2018.06

Proposed Bylaws Discussion at GPA meeting June 21, 2018

- Doug Wright – reviewed presentation from IT APC meeting 2018 June
- Doug worked on the Farm Plan process since it was initiated, and notes that his impression of the overarching goal was promoting farming so young people would come to the island. Supported the completion of DI Farm Plan, a strategy identified "to support socioeconomic diversity of Denman Island community."
- Survey done of growers as part of Farm Plan, and at that time ~99 people were found to be trading, selling, bartering produce. The Agricultural Steering C'tee **group agreed to definition of farmer as someone who grows produce, not necessarily commercially.**
- A lot of people doing production are not on ALR lands. Many are people with small lots (eg R1 or R2) producing food goods for home and for sale.

<u>Overall general GPA assessment about 228 and 229:</u>

- GPA questions proposed bylaws 228 and 229, and the IT referral to GPA as it is not clear what implications the proposed changes will be for farming activities within properties in R1, R2, Sustainable Resource Zones.
- Designating permitted activities in Agriculture Land Reserve will at least create confusion about, and likely impact feasibility of, farming activities in other zones. This is in contradiction with the overall aim of the DI Farm Plan.
- It is our belief that this will be especially true if the definitions (ie. of agriculture, farming, bona fide farming, subsistence farming, intensive agriculture…) are not clarified at the community level,
- We do not agree with using provincial definitions (i.e. of agriculture under the Farm Practices Protection/Right to Farm Act) suggested for adoption in the OCP and LUB by IT staff.
- We note that GPA previously expressed opposition to using provincial definitions in a response to a previous IT Referral of August 2017 submitted by Erika Bland and Doug Wright on behalf of GPA directors to Ann Kjerulf on October 23, 2017 (See Appendix 1).
    - It also appears that in some cases within the proposed bylaws, the terms agriculture and farming are being used interchangeably. If this is the case, we request that the terms be clarified and used appropriately in the bylaws to address this confusion.
- We wonder why bylaw 223 was discontinued, but issues raised by GPA in response to it have not been addressed in these new proposed bylaws (228 & 229) sent for Referral. (See Appendix 1).

<u>GPA directors raised some questions for Denman Island Local Trustees and IT Planning Staff regarding policies in the proposed bylaws (228 and 229) to amend the OCP and LUB:</u>

A) How will the definitions of 'farming,' 'agriculture,' 'horticulture,' and 'bona fide farm use' impact certain activities being allowed in R1 or R2? Do I have to sell produce to be considered a farm with farm uses? If I do not have farm status and am not producing commercially, but have a farm and am doing subsistence farming in R1 or R2 Zone, am I allowed secondary housing for farm help under the proposed bylaws?

B) Will the definitions of agriculture and farming reflect the local context? Are provincial definitions appropriate for Denman Island? Why do we need to change our existing definition of agriculture, which reflects reasonably well our community's unique issues? We feel that both subsistence farming and bona fide farming (ie. for commercial sale) should both be subject to regulations under any proposed bylaws. As the GPA, we support Denman Feeding Denman, whether or not food production is for commercial purposes.

C) Why are horticulture activities and products referred to or included only selectively in the proposed bylaws? Clarity is needed on how horticulture farm uses (i.e. nurseries) will be affected by these changes. A number of nurseries are known to be in R1 or R2, not in ALR, currently producing (though we are not sure which have farm status under the Assessment Act).

Specific responses to Referral Items:

1.1 – OK
1.2 – May agree. Depends on the definition of 'farming' (Please see point A above).
1.3 – OK
1.4 – OK
1.5 – OK
1.6 – OK, but need some recognition that some agricultural lands are not within the ALR
1.7 – OK
1.8 – Part E. Section E.1, Policy 14 – Existing dwellings would be grandfathered?
1.9 – OK
1.10 – What about bona fide farms in R1, R2, and SR lands?
1.11 – Ok, but what about farmland outside ALR? Could add note to the effect that existing farmland will also be considered when reviewing applications for land use / zoning changes, TUPs, etc., even if land is not in ALR. Some important farmlands on the island are not in the ALR.
Also, the words 'agricultural', 'land', and 'reserve' should be capitalized.
1.12 – OK
1.13 – may agree, depends on the definition of farming.
1.14 – OK
1.15 – Part E - Families and Individuals Section E.4.

1) what is the difference, formally, between 'agriculture' and 'farming' within the OCP and LUB and these proposed bylaws?
2) – fine
3) Part E - Families and Individuals Section E.4. Policy 3 – GPA does not currently support this policy given the information provided. In some cases, small-scale farming access to otherwise unused agricultural land could be facilitated by the creation of a panhandle lot. It was noted that if ALR lands are to be subdivided, subdivision boundaries should take into consideration natural terrain and watercourses so as not to alienate farmland within subdivided parcels (eg. Of Grider's corner – major watercourse through middle of property cut off access to back portion of lands).
4) Why does this policy for accommodation for farm help apply only to ALR land? Why not also lands with farm status? Definition of agri-tourism – what about sanitary facilities (this was also brought up and mentioned in APC notes);

Highlight agritourism use point # 3) what about permanent facilities for non-accommodation use? What is written here contradicts example allowable uses listed on following slide (eg. What about a farm school centre?)
Allowable on anything over 1.5 acres – does not seem large enough

5) Agritourism – what about a minimum lot size, no matter the zoning? Agritourism doesn't count toward contributing to your farm status; needs to be some recognition of the size of the host property – density allowed should be regulated in proportion to lot size, up to a maximum allowable density – Size TBD? Cannot comment on exact size. In application for TUP – suggest application for TUP takes lot size into consideration – up to max allowable density per property.
Seems that the definitions and the way bylaws are focused is not taking into account all possible land uses associated with Agritourism –ie. Winery? Farm school? Tour buses? B&B? camping and suites are addressed here, but what about others? We would like to see more formalized support for diversity of Agritourism types -
We take Issue with raising barriers for Agritourusm that are related to accommodations only – what about non-accommodation based Agritourism? We suggest there could be two streams for Agritourism – one for accommodation, one for non-accomodation Agritourism. Generally supportive of Agritourism if it is not alienating farmland, especially non-accommodation Agritourism. Need some provisions for permanent dwellings for Agritourism.
6) How is 'bona fide' determined?
7) Temporary Use Permit – will there be a fee? Will it be prohibitive to farmers? Renewal fee: unclear how long renewal lasts;
8) subject to rezoning process - To what zones? What will be the cost? What would be the timeline? Overall impression: supposed to make it easier for farmers, not harder and with additional costs – this policy does the latter.

1.16 OK

1.17 OK

2. OK with GPA, if the above concerns are reconciled.

229 <u>– LUB Proposed Changes</u>

1.1 – GPA does not support this policy as written, due to issues with definitions: see general comment A above, and previous GPA referral response to Proposed bylaw 223 (October 2017), APPENDIX 1. In addition, issues remaining unresolved about the definitions of agriculture, feedlot and Intensive agriculture leave us uncertain about how some forms of horticulture (i.e. nurseries) relate to or are affected by this definition. The definition of agriculture under the FPPA excludes subsistence farming not done for business. GPA also notes that the provincial definition of intensive agriculture is not clear, and therefore we do not agree with using the current provincial definition as written. We would like to see any local definitions (ie. for intensive agriculture) reflect local concerns, and suggest this could be accomplished by drawing from definitions used elsewhere in the province (for instance Fraser Valley, Abbotsford, Chilliwack or other Gulf Islands agricultural land use planning documents), to create a locally acceptable definition, with community input.

Panhandle creation – need more information – see below item 1.17
Generally, previous referral issues remain un-addressed

1.2 – i) see above concerns about definitions. Ii) may be ok; iii) definition of immediate family: question of step-siblings, half siblings? Unclear if these are included in provincial definitions?; Iv) Temporary secondary dwelling – OK;
Definition of agritourism does not seem to include possibilities for permanent structures (ie. farm classroom; wine tasting room, etc.) that are not farm accommodations, but are built for agritourism.

1.3 – Not sure about this. Will existing housing be grandfathered in? Agree that there should be a local process, but unsure where this will leave some landowners who already have approved farm help accommodation housing.

1.4 – OK

1.5 – Agree and support this, as long as definitions referred to here (as per concerns in 1.1 above) are reconciled.

1.6 – As in 1.5 above.

1.7 – OK. Nice to see this added.

1.8 – OK

1.9 – OK

1.10 – Happy to see this, but also concerned that using the FPPA definitions means that Agri-tourism cannot include non-commercial agricultural land uses, since under the FPPA definition agriculture does not include farming that is not done for business. Subsistence farms may also wish to have agritourism, which may or may not be done as a business venture.

1.11 – OK

1.12 – Do not agree. See concerns previously raised about definitions, and about farmland that is not in the ALR. (for instance, 1.1 above; Bylaw 228 responses to 1.10 above).

1.13 – Do not agree. What about existing dwellings? And what about lands outside the ALR?

1.14 – Do not agree. This may not reflect the actual needs of farmers using some farming methods (ie not mechanized agriculture), which may require more farm help than can reasonably be accommodated with the allotted densities suggested here.

1.15 – ok, but also does not include farmlands outside the ALR.

1.16 – Agree with a setback for feedlots, but not sure about the definition of feedlot. Please see previous responses above and in Appendix 1, regarding definitions (ie. of feedlot)

1.17 – Do not agree. Part E - Families and Individuals Section E.4. Policy 3 – GPA does not currently support this policy given the information provided. In some cases, small-scale farming access to otherwise unused agricultural land could be facilitated by the creation of a panhandle lot.
GPA suggests that if ALR or other active farmlands are to be subdivided, subdivision boundaries should take into consideration natural terrain and watercourses so as not to alienate farmland within subdivided parcels (eg. Of Grider's corner – major watercourse through middle of property cut off access to back portion of lands).

1.18 - begins to address concerns raised in 1.14 above – but think this should apply to farmlands outside the ALR.

1.19 – what about agritourism accommodations on lands that are farmed, but do not have farm status?

RESPONSE TO REQUEST FOR GPA 'Analysis on advisability of removing horticulture and agriculture as permitted uses in the R1 and R2'

GPA discussed this request and provides the following response:

At our June 21 meeting the GPA unanimously passed the following MOTION:
"GPA strongly opposes removing horticulture and agriculture as permitted uses in R1 and R2 zones."

Analysis (We note that this response was provided with short notice during the height of the growing season, allowing little time for community consultation, and without knowing motivation of this request):

- Zoning boundaries do not take into consideration lay or quality or size of land parcels
- Need separate tests for particular issues, not a blanket restriction of certain activities – recognition of diversity of practices within 'agriculture' and 'horticulture'
- 99 producers on DI in 2011 at time of farm plan – GPA cannot speak for those people or additional since then
- this regulation would impact the livelihoods of people with existing operations, and future potential
- Given the track record of Denman Island agricultural activity on all kinds of lots, this policy would inhibit farming, and therefore go against the mandate and vision of GPA. GPA supports agriculture and horticulture, small growers especially. Some of the policies proposed above will impose restrictions on people on R1 and R2 lands, and that contradicts with our values and mission as the GPA.

We subsequently published an article in the *Grapevine* (See Appendix 2) requesting community input about this issue. We have since received various correspondence from islanders, which we have included verbatim in Appendix 3. The GPA board had insufficient time between receiving this feedback and the deadline to submit this response and therefore have not discussed the community responses in detail, nor can we provide any interpretation to that effect.

SEE APPENDICES BELOW

APPENDIX 1. Previous GPA Referral Response to Proposed bylaw 223

Denman Island Growers and Producers Alliance
Denman Island, BC | www.denmangpa.ca

Ann Kjerulf, Regional Planning Manager Islands Trust Northern Team

RE: Response to IT Referral of August 11, 2017

October 23, 2017

Dear Ann Kjerulf,

The Denman Island Growers and Producers Alliance has reviewed the Referral sent to Erika Bland and Doug Wright on August 11, 2017, regarding the proposed Bylaw No. 223 to amend the Denman Island Land Use Bylaw (LUB) as follows:

- Replacing the definitions of "agriculture", "intensive agriculture" and "feedlot";
- Adding a definition of "confined livestock area";
- Adding 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;
- Adding a general regulation to prohibit feedlots outside the Agricultural Land Reserve;
- Adding a 15-30 m setback requirement to lot lines where feedlots are permitted.

We appreciate you taking the time to review the following comments:

1. Overall, we agree that it makes sense to undertake the amendment of this bylaw concurrently with the implementation of the Farm Plan.

2. We think that the proposed new definitions for "agriculture" and "intensive agriculture" are insufficient for the following reasons:
    a. The definitions referring to agriculture and farming under FPPA only include farming that is done for business; this excludes any activities done for personal/family/community purposes (i.e. without a business/profit motive). We think that the term "agriculture" can and does refer to both commercially-oriented and non-profit-oriented operations. For instance, the Oxford English Dictionary defines agriculture as:
        "The science or practice of farming, including cultivation of the soil for the growing of crops and the rearing of animals to provide food, wool, and other products." This definition does not necessarily include the marketing of the resulting products of this activity.
    b. The amendment to the bylaw as proposed would leave those doing subsistence farming (i.e. growing crops or raising livestock *not* for commercial purposes) outside the regulations applicable to "agriculture" and "intensive agriculture".
    c. From our interpretation, the proposed definition of "intensive agriculture" would not include plant crops. Perhaps we have this wrong, but if not, it seems like an important oversight, as surely the cultivation of plant crops by certain methods would be considered "intensive agriculture"
    d. The definition of "intensive agriculture" as proposed in the chart, may be based on a globally-accepted definition that differentiates it from something like nomadic pastoralism, but we don't feel it is necessarily representative of our local practices. We think there needs to be more of a distinction between different scales of "intensive" if that term is to be used, both within the bylaw and within the Farm Type/Scale chart.
    e. We propose that the amendment needs to be altered so that it acknowledges that some activities deemed to be "subsistence farming" could still be considered "agriculture" and/or "intensive agriculture" and these activities may still require regulation. This is because some 'subsistence' activities, we feel, could still be deemed unsatisfactory to the community or the environment.
        For example, suppose my neighbour (within the ALR) has 100 chickens, contained in an outdoor pen and fed on grain; these are for personal use, not sale. As far as we understand the proposed definitions, this activity would be considered "subsistence farming" and therefore the general setback guidelines and other regulations applicable to "agriculture" or "intensive agriculture" would not apply. On the other hand, 100 chickens right at my fence-line could cause significant disturbance to me and impact my home, land and waterways. If I complained, this neighbour, who is clearly 'farming' would not have any protection under the FPPA because their activities are non-commercial. And I would not have any recourse because their operation would not legally require a setback. So,

based on the definitions, we would both in a tough situation that would be difficult to resolve in reference to local and provincial bylaws.

3. Definition of "Feedlot": in principle, we agree with the change to this definition which adds the clause: "excluding the confinement of animals for domestic purposes"; however,
    a. We feel clarification is needed surrounding the definition of "growing" within the definition of feedlot as show in the 'Farming Type/Scale' chart. It is not clear to us what activities would be considered "growing" by this definition. Though it may be *implied* that "growing" means raising animals for the purpose of intentionally converting feed to meat, this is not stated explicitly. Therefore, it may be interpreted that "growing" could include feeding any animal with the intention of them naturally growing, even if the purpose is not to "grow" those animals for consumption (i.e. feeding laying hens).
    b. We also note that under this definition a "feedlot" cannot exist if not for commercial purposes. However, (as we have explained in the example in 3.e above) someone could have what we would deem a feedlot-style operation, even if its purpose was not commercial. As far as we understand it, within the proposed amendment, that operation would only be considered a "confined feeding area", which does not necessarily come with regulations around setbacks, as a defined "feedlot" would. Therefore, the definition of a feedlot should include something that refers to the density of animals within a confined area, as well.
    c. We think that the 4500kg threshold of total animal weight which determines setback distance under the bylaw is perhaps appropriate for livestock and farmed game, but it is too high for poultry. 4500kg of poultry, based on an average weight of say 11kg per turkey, would be 409 turkeys. This would be over 2000 Chickens, at an average weight of 2.2kg per bird; certainly, in our minds, an operation that should require more than a 15 metre setback. Therefore, we suggest that there should be two different kg amounts to be used as the threshold for determining setback distance: 4500kg for livestock and farmed game, and perhaps 500kg for poultry.
    d. Based on the issues with the clarity of the definition for "feedlot", as we have outlined in #s 3a-c above, we cannot comment on whether "feedlots" should only exist within the ALR zone at this time.

4. We generally agree with the addition of the definition for "confined feeding area" as presented, if the definition of a "feedlot" included therein is adequately clarified going forward.

5. We propose that a general statement should be included within the bylaw which:
    a. explicitly suggests that there are notable and sometimes subtle differences between commercial/for profit and personal/family/community/subsistence farming; and,
    b. refers directly to the 'Farm Type/Scale' chart which helps to clarify this. We think this chart is useful, but also have a few questions about it (see #5 below) and ultimately propose that it requires some amendment.

6. Farm Type/Scale chart
    a. There is no definition of "small" and so it is difficult to understand what would qualify as "subsistence farming"
    b. The term "keeping of animals for personal use" doesn't specify any quantified size of an operation
    c. subsistence farming can include activities that we feel should be called "agriculture" or "intensive agriculture"
    d. We feel that horticulture can certainly be a commercial activity, so we wonder why it is not included on the commercial side of the chart

7. We agree with the proposed changes to setbacks within the guidelines surrounding agricultural uses, but as we have noted above, are concerned that even these setbacks will not apply to some operations under the new definitions here presented.

APPENDIX 2 – Letter Published in Grapevine Soliciting Community Feedback

Agriculture and Horticulture taken out of R1 and R2?

Submitted by Veronica Timmons for the Denman Island Growers and Producers Alliance (GPA)

As part of the Farm Plan Implementation Project, GPA recently received an Islands Trust Referral requesting our consideration of Proposed Bylaws No. 228 and 229, which will amend the Official Community Plan (OCP) and the Denman Land Use Bylaw (LUB). In addition, *It was MOVED and SECONDED, that the Advisory Planning Commission and the Denman Growers and Producers Association be asked to provide their analysis about the advisability of removing* ***horticulture and agriculture*** *as permitted uses in the R1 and/or R2 zone(s). Carried. Resolutions DE-2018-043)*

Though we are not sure of the intent of the above motion, we suspect this has to do with allowing or disallowing Intensive Agriculture on R1 and R2. We do not agree with the proposed definition of Intensive Agriculture as written in Proposed bylaws 228 and 229:

Intensive agriculture means the use of land, buildings, and other structures for the confinement of poultry, livestock, fur bearing animals, the growing of mushrooms (except forest fungi), or cannabis production, except to the extent the use is carried out solely for domestic purposes and does not involve the production of any items for sale, trade or commerce.

Also, proposed changes to the definition of 'agriculture' in Bylaws 228 and 229 will adopt the Provincial definition used in the Farm Practices Protection Act (FPPA). Note that GPA advised against this in a previous Referral response to Proposed Bylaw 223 (which was subsequently removed from LTC proceedings). Now, with 228 and 229 our previous concerns are again relevant: The proposed FPPA definition does not adequately encompass the unique local character of Denman agriculture/farming. Farming on Denman looks very different from farming in the Fraser Valley, for example. We don't agree with replacing our existing definition terms with a vague, overarching definition. We wonder what others think about this.

Three board members attended the Advisory Planning Commission (APC) meeting on June 13 and garnered more information from a presentation about the Proposed Bylaws. Discussion of these items by the APC was postponed until Tuesday, June 26th.

GPA Board members discussed the Referral and changes Proposed by these Bylaws at our meeting on June 21st. In response to the above Resolution DE-2018-043 the GPA Board passed the following motion: *That the DIGPA strongly opposes the removal of agriculture and horticulture as permitted uses in R1 and R2 zones. Carried unanimously.*

GPA plans to send an initial response by the requested deadline of July 12, reflecting our concern that not enough time has been devoted to discussing these issues at the community level; it is challenging for us to provide a thoughtful response in such a short time. We invite community input about these Proposed Bylaws and before providing the requested analysis about R1 and R2 permitted uses. Though we try to engage as many island growers as possible, GPA does not claim to speak for all farmers on the island. At the time Farm Plan survey work was done (2010), 99 people reported that they participate in agricultural activities here. Islands Trust needs to hear from those and other/new island growers as part of the IT Farm Plan Implementation Project, and this needs to happen on terms and timelines that work for farmers.

If you are a farmer, grower, orchardist or interested community member please go to the Islands Trust website and look up the Farm Plan Implementation Project: (http://www.islandstrust.bc.ca/islands/local-trust-areas/denman/projects-initiatives/denman-island-farm-plan-implementation) where you can find the Farm Plan, the Proposed Bylaws 228

and 229, and the 'Planner Presentation Slides' presented at the recent LTC/APC meeting. Please email your thoughts to vtimmons@telus.net by July 7, to allow time for GPA to process and include community comments into our Referral response.

GPA meets once a month on the 3rd Thursday at 4:30pm in the School Library. Islanders are welcome to attend meetings, and are encouraged to get involved with our work.

APPENDIX 3 – Responses from Community Members in Response to Grapevine Article

RESPONSE #1

From: "Tess" <tessiemay@telus.net>
To: "Veronica Timmons" <vtimmons@telus.net>
Sent: Wednesday, July 4, 2018 10:41:09 AM
Subject: Letter to LTC for June 26 2018 meeting

I absolutely disagree with the way our LTC has handled the subject of cannabis.
You set the tone in the fall of 2015 and etched this into the minutes of 5 meetings. You seemed determined to see something spurious and unclean that needed to be prevented "by any means available to us" in the unfounded and imaginary complaints posed by a small select lobby group. Even now almost 3 years later I have to hear that same lingo again at an APC meeting and then read it it their minutes for June 13 2018. Chemicals in the water table, really? What are these chemicals we keep hearing about that magically appear when cannabis is grown on a small scale? The tone has not changed. But you will take this referral and your letter from AG Ministry telling you you are allowed (not compelled, allowed) to write cannabis into an otherwise perfectly fine and credible definition of intensive agriculture, and these will be your justifying documents. We may see yet see a new referral from GPA but the one they already vetted was before you inserted cannabis into the definition.
Cannabis does not merit being in that definition.

11.1 May 1 2018

Denman Farm Plan Implementation - Staff Report

•□What is the source of the language being proposed for these bylaws?

- These bylaws have been drafted by staff based on input from the APC, the DGPA, Farm Plan and the LTC.

- The proposed definition of "intensive agriculture" includes cannabis production, except to the extent the use is carried out solely for domestic purposes. What is the source of this additional language?
- The basis of the definition of intensive agriculture is from the Ministry of

Agriculture and the addition of cannabis production to the definition was at the request of the LTC who asked that it be added if possible to clarify that zones R1, R2, and R3 are not currently intended for intensive agriculture including intensive cannabis production.

You keep saying that but you never say why.

Your first year long attempt to craft a bylaw to limit or eliminate agriculture from R1/R2/R3 was set aside (as inappropriate at that time) Nov 15 2016 by recommendation in a staff report. Yet you never stopped fussing with it. I cannot state strongly enough how distasteful this idea is. I bought my property for it's abundant water and horticulture/home occupation bylaws. It is an intrinsic part of the value of my property and it it an appropriate use. You are very glib to cast all small lots as alike. No two are similarly developed on my street. You should be more worried about a monoculture weed and feed lawn than my blueberries.

If new industry comes to our island, i would hope it would be in the form of small discreet respectful and respected endeavours. Land use on Denman Island should be friendly to small chances at economic stability. There is no avenue for 'farm gate sales' to occur in the case of cannabis as you must be aware of the rigid framework producers have for distribution. What we really need to protect our harmony from would be the giant millionaire investor operations that are truly voracious and I believe would not fit into the fabric of our environment.

The Farm Plan deserves to stand alone and not as a presage to interfering with the property rights of the rest of the community.

T. Wenner

RESPONSE #2

----- Forwarded Message -----
From: "Tess" <tessiemay@telus.net>
To: "Veronica Timmons" <vtimmons@telus.net>
Sent: Wednesday, July 4, 2018 10:41:24 AM
Subject: Farm Plan referral response

Thank you to the GPA for your proactive campaign to collect public input prior to your response to the LTC referral letter concerning Farm Plan Implementation bylaws and the proposal to remove AG/Horticulture from R1/R2.
Considering that bylaw 228 and 229 received first reading at the May 1 2018 LTC meeting, i am disappointed that they did not immediately refer this to the GPA allowing time for studied response amidst your busy lives. I would contend that this is beyond rude and close to negligence. I am also seriously ticked off at the LTC for not consulting with the GPA for sticking the issue of Cannabis into the Farm Plan project Dec 1, 2015 without consulting or notifying you that this is now a type of OMNIBUS BILL.
I believe there to be one instance of a medical cannabis producer on Denman which precipitated the unwarranted response by the Trust to this small respectful occupation. Almost 3 years have gone by since the Trust conceded that they could not do anything about this as it was legal and licenced and wholly allowable under our home occupation bylaws. I would contend that none of the imagined problems or fears about this have materialized and that really, you would not even know it was there if you were not a weaponized busybody.
Adding the subject of removing permissions from R1/R2 appears to put great pressure on you and exhibits less than respectful consideration of your busy lives and your opinions on that matter.
I have the distinct impression that the language used, i.e. remove, is a prelude to a campaign to 'limit' as a compromise.
Agriculture Horticulture/home occupation permissions are already well thought out and limited by % and setbacks and i feel our current bylaw is appropriate.
Both Trustee Busheiken and Planner Zupanec have now stated that yes, this was originally about Cannabis but in studying it for close to 3 years (using the budget and resources of the Farm Plan Project) they perceive 'other' problems that may be associated with this current home occupation bylaw.
I have a R1 lot and abundant water and i absolutely feel this is an intrinsic value in my property. I would contend that small AG/ Horticulture endeavour is wholly appropriate and that my lot is huge at 1/2 acre plus. No two lots on my street are developed alike and some have filled their lots with allowable buildings or elaborate visual landscaping plants or monoculture lawns.
I have also perused the bylaws of the other islands in the trust area and have noted that no two islands are alike in their development and bylaws. I do not care what Galliano is doing and truthfully i barely care what Hornby is doing.
I do care what Denman Island is doing and feel respectful economic stability should be an option on any lot here.
I am also sending you the letter i left with the LTC at the June 26 meeting which i presume will be published as correspondence for the next meeting.
I am also aware that there will be an LTC election in October and I have begun to speak of this wherever I go in the community and am hoping to see respectful candidates come forward.
regards
T.Wenner
2503353135

RESPONSE #3

From: "Dan Stoneman" <dan_stoneman@me.com>
To: "Veronica Timmons" <vtimmons@telus.net>
Sent: Monday, July 9, 2018 9:18:06 AM
Subject: Proposed bylaws 228 and 229

July 8, 2018

Dear Veronica and the GPA,

Regarding Proposed Bylaws 228 and 229

Original recommendations in the Farm Plan included an action to amend the Official Community Plan with regard to development permit areas (DPAs). I quote:

14. AMEND THE OFFICIAL COMMUNITY PLAN

8. Review DPAs and amend where necessary to ensure that agricultural uses in the ALR are not effectively prohibited as a consequence of protecting other values.

The GPA may not be aware that present OCP bylaw 185 only received Ministry approval on a forward promise of rewriting DPA guidelines and new hazard mapping. See attached correspondence between the ALC and Ministry of Agriculture.

Proposed Bylaws 228 and 229 are absent of any DPA review. Trust staff has deemed such review "out of scope" of the Farm Plan and reneged on their agreement with ALC and Ministry of Agriculture.

Presently farming on Denman is a two-tier system. For those on established farms not in development permit areas (DPAs), farming activities that alter land or vegetation are exempt from development permit requirements. For those on established farms within DPAs, not only must the farmer obtain a permit to initially develop the farm but the LTC requires a development permit for each act of farming which alters land or vegetation. For my wife and I this effectively eliminates farming approximately 6 acres of a 23-acre property.

Our particular issue is with the Komas Bluff DPA. DPA boundaries were established on the basis of Silva's Ecosystem Based Assessment of Denman plus additions by Islands Trust staff. These boundaries protected values other than farming, a value former Trustee Louis Bell describes on Komas Bluff as a 50-metre bluff-top forest buffer.

In any case I ask the GPA to address this matter to resolve farming inequities on the island.

Regards,

Dan Stoneman

ENCLOSED: 3 ATTACHMENTS

RESPONSE #4

To GPA:from a very interested community resident.
Thank You for the JUNE 28 2018 article and the invitation to communicate.
This communication concerns my experience with 6 Denman residents from Baikie and Dalziel road and the LTC (David Critchley and Laura Busheiken) that began on AUG 10 2015 when my family member moved a storage container onto my property on Baikie Rd for the purpose of growing medical cannabis (from Health Canada permit for same), which had been happening legally for more than 10 years. On AUG 11 2015 the bylaw enforcement officer from Nanaimo arrived at my residence (no phone call, no letter, 'no normal procedure') His name was Miles Drew and he was respectful, professional, informed, and SANE….and since nothing that we did was illegal he was the only positive experience.
The other totally positive experience has been the constant loving support of good friends (i.e. attending meetings) and the many kind supportive Denman Island residents who have utterly stood by us through all this time.
My Doctor (of 27 years) Dr. Doreen Tetz firmly advised me'"not to engage" in a defenseat the time, since stress could cause my autoimmune condition to be "triggered", and because Dr. Doreen said "haters come and hate for 2-3 weeks, then they move on to someone else to hate". Well, here we are almost 3 years later and the LTC are still trying to change the bylaws and the complainers are still complaining.
I would like to address the "farming related' untruths here, now.
!. to address the concern of T.Zawilla (on Dalziel Road) who at the APC meeting June 13 2018 commented on Baikie Road with his concern about 'chemicals' in the water table and drainage ditch (that has water in it about 6 months of the year and drains the subdivision roadside ditches). Reality is, nothing has ever been put into any water, ever. He could have come to me anytime. he didn't.
2. to address the concerns of Mary Reid (on Dalziel Road) concerning use of the landscaping cloth, (to stop weeds), redirecting water to the drainage ditch causing flooding on her property is complete untruth. and the levelling of the property, front and back, was just that! levelling the property! The backhoe work was done by utterly professional local operators, Dusty Prouse and Ray Ulovec, both of whom know the bylaw rules of Denman Island.
3. to address the concerns of Christine Oliver (Baikie Road) one of the 'complainers' who stated that i did a diversion of the "creek" to make 2 new ponds and potential contamination of "seasonal creek"……more untruths! Reality is, there is NO creek, there is a drainage ditch which for the 30 years that i have owned has created a 'tiny' pond beneath the culvert coming under Baikie Road and emptying in the 'highways covent' for the drainage. I got that pond dug 1 foot deeper, so that there remains 1 foot of water in my ONE POND all year instead of only 6 months. And as I have said to #1 complainent above, nothing has ever been put into any water on my property, ever.
Misconceptions about Agriculture and Horticulture should be corrected. Harm to your neighbour through speculation and assumptions should not be allowed. It is a perfectly appropriate use for my property.
And thank you profoundly to the GPA for being so SANE and allowing me to finally feel safe enough to express myself. Again, thank You.
signed
Michael (aka michael baby)