

# Denman Island Farm Regulations Review

## Engagement Summary and Key Directions



DELIVERED BY:



FUNDING PROVIDED BY:



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# Project Objectives

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This project hopes to enhance and preserve farming activities on the island through updates to the Denman Island Official Community Plan policies and Land Use Bylaw regulations.

The project is focused on implementing three recommendations from the Denman Farm Plan.

- 1 1) Undertake a review of farm worker housing and agritourism accommodation
- 1 3) Implement zoning updates through the Land Use Bylaw
- 1 4) Amend the Official Community Plan

# Engagement

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- Main Engagement Activities
  - Presentation to APC
  - Presentation to LTC
  - Community mail-out
  - Interviews (8)
  - Questionnaire (164)
  - Community Information Meeting (7)



# Engagement with Farming Community

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- APC meetings with GPA members (x2)
- 7 farmers invited to be interviewed, 4 accepted
- 43% of respondents to the questionnaire are in the ALR

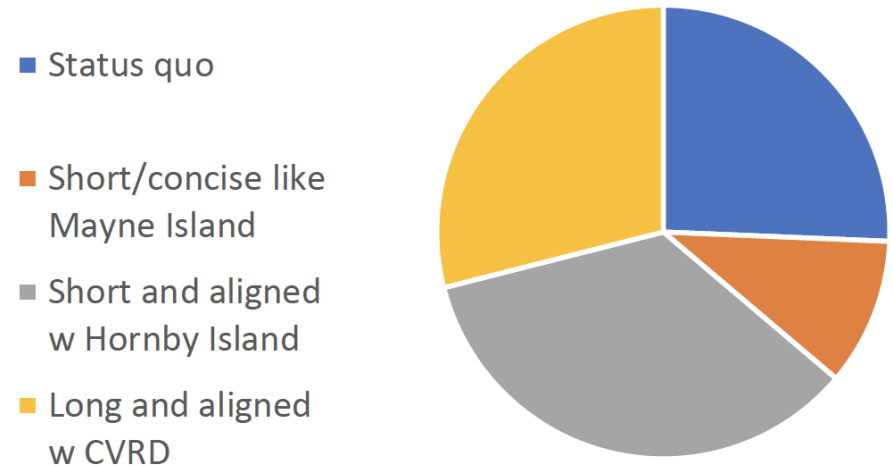


# Definition of Agriculture

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- Interviews w farmers indicated a shorter definition preferable
- Less likely to need to be updated as provincial policies change if the definition is more broad

Definition of Agriculture



# Definition of Agriculture

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- Direction: Consider shortening and aligning definition of agriculture Hornby Island
- “Agriculture” means the use of land, buildings, or structures for the growing, rearing, harvesting, processing, marketing or production of agricultural plants, crops, or livestock.

# Intensive Agriculture

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- Reminder: Must be permitted within the ALR but can be restricted outside the ALR.
- Current: “Intensive agriculture” is defined as: the use of land, buildings and structures by a commercial enterprise or an institution for the **confinement** of poultry, livestock or fur bearing animals, or the growing of mushrooms, except for forest fungi, and excludes feedlots

# Intensive Agriculture

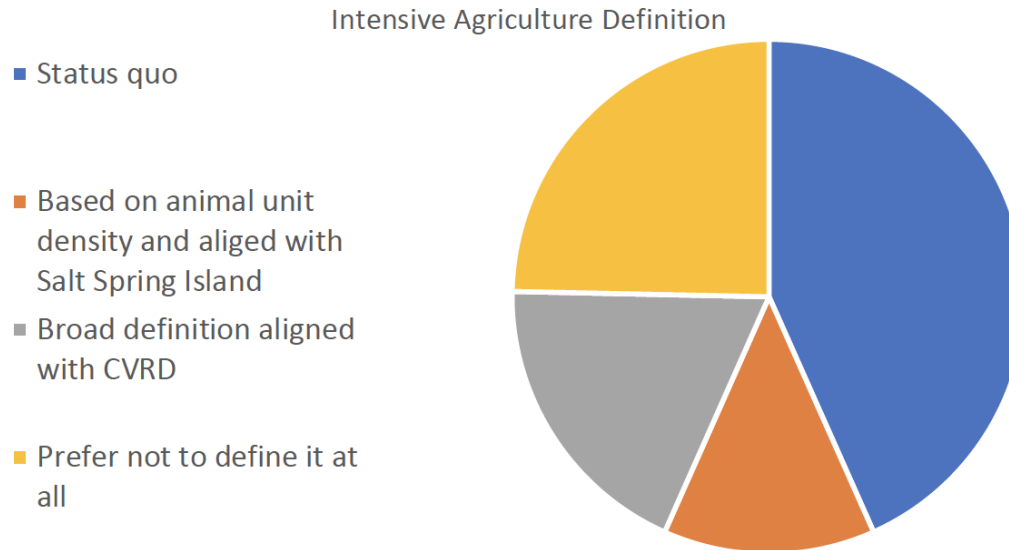
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- What does "confinement" mean?
- Provincial Agricultural Environmental Management Code defined confined livestock/poultry areas as: an outdoor area, other than a grazing area, seasonal feeding area or temporary holding area, where livestock/poultry are confined by structures or topography
- This could be interpreted as barns, pig-sty, chicken coops



# Intensive Agriculture

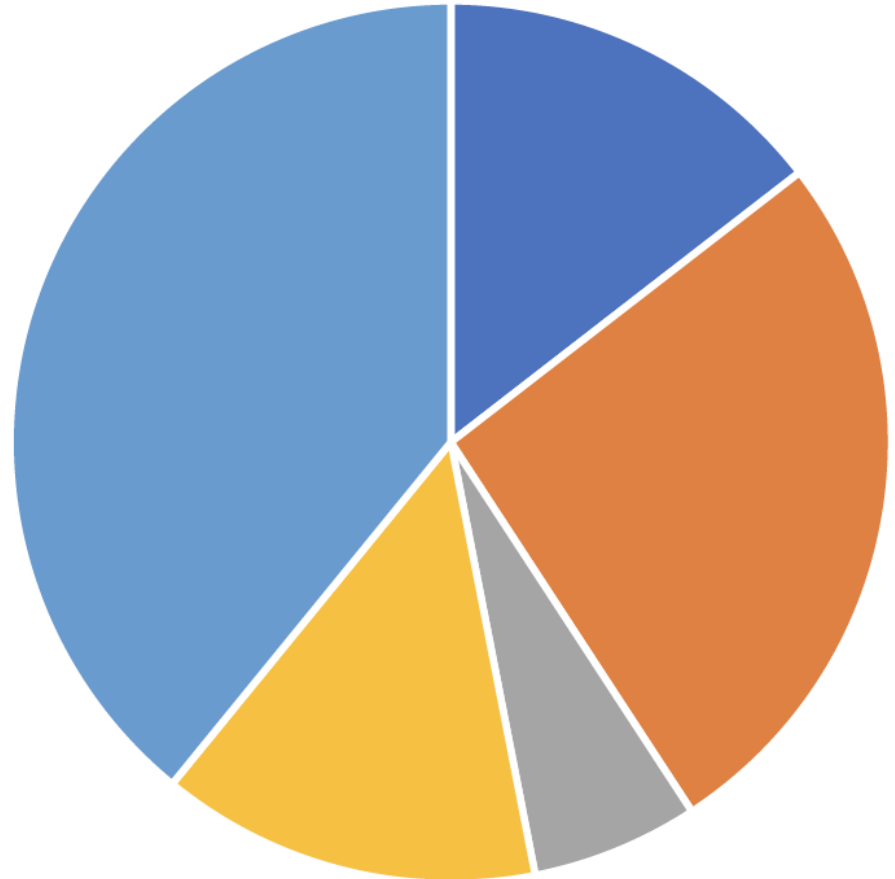
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- Support is mixed: keep status quo, do not define it all, or add some restrictions such as animal densities
- Most residents are not concerned about future potential for feedlots or high-intensity livestock/poultry operations

## Intensive Agriculture in R1 and R2

- Yes without any additional restrictions
- Only on lots larger than 5 acres
- To a max of 10 livestock units
- To a max of 5 livestock units
- No support for intensive agriculture in R1/R2



Most would prefer some restrictions: lot size, total livestock numbers per parcel. Nearly 40% would like to see intensive agriculture prohibited in residential areas.

# R1 /R2 Intensive Agriculture Restrictions

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- Option 1: Allow a maximum number of livestock/poultry:
  - Pros: Allows barns, coops, on all R1 /R2 properties to a certain extent.
  - Cons: Difficult to enforce animal numbers.
  
- Option 2: Allow on properties  $> 2.0$  ha (5 acres):
  - Pros: Easy to regulate/enforce.
  - Cons: Some R1 /R2
  - Proportion of lots greater than 2.0 ha (5 acres)
    - R1: 11%
    - R2: 82%

# Intensive Agriculture

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- Direction: Maintain the current definition of intensive agriculture.
- Direction: Restrict intensive agriculture in residential areas to properties that are larger than 2.0 ha (5 acres) - any existing structures grand-fathered in.

# Definitions - Implications

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- OCP implications: None.
  
- LUB implications:
  - Revise definition for agriculture
  - Remove the definition of feedlot
  - Update accessory uses in R1/R2

# Secondary Dwellings

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- Reminder: the ALC recently changed regulations to allow one small secondary dwelling per ALR property (under certain conditions) if supported by local governments.
- There are no restrictions on who can live there.
- Local governments, like Islands Trust, can place additional criteria on secondary dwellings.

## Secondary Dwellings

- Not permitted at all
- Permitted in alignment with ALC rules and regulations
- Should require a Temporary Use Permit
- Should be subject to additional restrictions



- Most support secondary dwellings.
- Many would like to see additional requirements around water/septic or equivalent.

# Secondary Dwellings

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- Direction: Align secondary dwelling allowances to ALC Act and regulations.
- Direction: Ensure that all new secondary dwellings have adequate potable water and septic capacity (or equivalent).



# Dwellings - Implications

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- OCP implications:
  - ▣ Revise #, type, size of dwellings allowed in ALR (principal dwelling, secondary suite, secondary dwelling)
  - ▣ Include language to align w ALR regulations & criteria
  - ▣ Include maximum setbacks for residential uses as per Min of Ag Guidelines
  
- LUB implications:
  - ▣ Remove need for Temporary Use Permits for secondary suite and secondary dwelling
  - ▣ Include requirements for adequate water supply and septic (or equivalent)
  - ▣ Add language around compliance w ALR regulations

# Agri-Tourism Accommodations

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## □ Reminders:

- The province has specific definitions of agri-tourism **activities** in the ALR.
- Agri-tourism **accommodations** must be related to farm activities.
- Properties must have farm tax status.
- Restrictions are in place regarding number of beds and lot coverage.
- Local governments can fully prohibit them.
- B&Bs (in a house) are not the same thing as agri-tourism accommodations

## Agri-Tourism Accommodation

- Support ALC rules of up to 10 units/tents and 5% coverage
- Prefer more restrictive approach (e.g. < 10 units/tents)
- Status quo - do not support any agri-tourism accommodation
- Prefer a more nuanced approach (e.g. tents but not cabins)



- Approx 30% support ALC rules, no extra limits
- Approx 45% would like some restrictions
- Approx 25% would like to prohibit completely

# Agri-Tourism Accommodations

- Direction: Align agri-tourism accommodation allowances with ALC Act and regulations (e.g. connected to a property with Farm Tax Status, max 10 beds or tents, 5% lot coverage, seasonal and short-term only).
- Direction: Ensure that all agri-tourism accommodations have adequate potable water and septic capacity (or equivalent).
- Direction: Keep B&B bedrooms in principal homes as a separate policy. In keeping with ALC Act and regulations, up to 3 bedrooms allowable (status quo) in addition to any agri-tourism accommodation. Does not require Farm Tax Status.

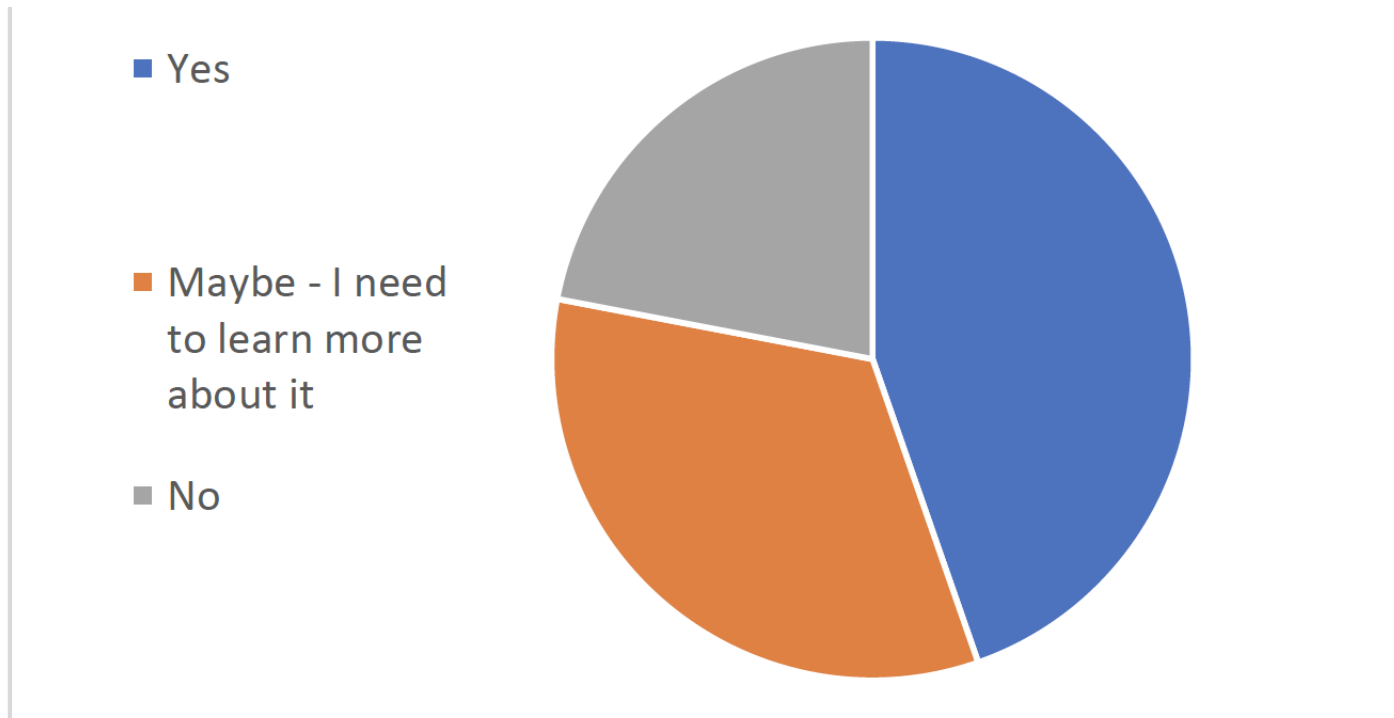
# Agri-Tourism Accommodations - Implications

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- OCP implications:
  - ▣ Under Part E section E.2 Economic Activities add note that tourist accommodation within the ALR must be consistent with ALR regulations and Denman Island bylaws (e.g. farm tax status)
  - ▣ Max 3 bedrooms in a principal dwelling (B&B) – status quo
  - ▣ Section E.6 Up to 10 beds/tents/RV sites total including B&B rooms and 5% lot coverage max
  
- LUB implications:
  - ▣ Update definition to align w ALR regulations
  - ▣ Update tables of permitted uses to align w ALR regulations
  - ▣ Add language around adequate water supply & septic

# Setbacks from Watercourses

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- Over  $\frac{3}{4}$  of residents are open to discussing agricultural setback policies for watercourses.
- Many would like more information.
- Farming community is apprehensive.

# Setbacks from Watercourses

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- **Direction:** Revisit this topic when the Denman Island Land Use Bylaw is updated and revised, along with other Development Permit Areas.



# Watercourse Setbacks - Implications

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- OCP implications:
  - None
  
- LUB implications:
  - Remove “intensive agriculture” and replace with “agriculture” for setback from natural boundary of a stream or lake
  - Replace “feedlot” with “agriculture” for Chickadee and Graham Lake setbacks
  - Replace “feedlot” with “agriculture, except for a fence” for setbacks from natural boundary of the sea



# Other Housekeeping

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- Temporary Use Permits
  - Add clarity that not required for secondary dwellings in A Zone if in ALR and if compliant w ALR regulations
  - TUPs not required for agri-tourism accommodation if compliant with ALR regulations and Denman Island bylaws (e.g. water supply and septic)
- Fencing
  - Remove fencing height restrictions in the ALR
- Panhandle Lots
  - Replace “shall not” with “will be discouraged” to allow for some flexibility for subdivisions



# Contact

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Ione Smith

[ione@uplandconsulting.ca](mailto:ione@uplandconsulting.ca)

778-999-2149



# Agricultural Land

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<b>Amount of Land in the ALR (ha)</b>	<b>2,698</b>
<b>Number of Parcels in the ALR</b>	<b>164</b>
<b># Bare land ALR lots</b>	<b>33</b>
<b># Bare land ALR lots (privately owned)</b>	<b>26</b>
<b># Crown (Govt) ALR parcels</b>	<b>9</b>
<b>Average Size of Crown (Govt) ALR parcels (ha)</b>	<b>60.8</b>
<b>Average Size of Privately-Owned ALR parcels (ha)</b>	<b>13.3</b>
<b># Privately-Owned ALR parcels greater than 40 ha</b>	<b>12</b>
<b># Parcels with Farm Tax Status</b>	<b>52</b>
<b># Parcels with Farm Tax Status in the ALR</b>	<b>38</b>
<b>Proportion ALR parcels w Farm Tax Status</b>	<b>22%</b>
<b># Properties with Secondary Dwellings according to BC Assessment</b>	<b>2</b> (neither are in the ALR)