

Appendix E: Otter Point Advisory Planning Commission Minutes

6. Proposed Bylaw

a) Bylaw No. 4179, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 130, 2017”

Iain Lawrence spoke to the staff report and proposed Bylaw No. 4179, which would add agriculture and intensive agricultural uses to the Forestry (AF) zone. It was advised that the AF zone is one of the few zones in Bylaw No. 2040 that does not permit agriculture and intensive agricultural uses and that the bylaw amendment was generated by staff in response to prospective buyers that have expressed interest in agricultural activities on AF zoned properties.

Iain Lawrence reported that:

- the setbacks for agricultural buildings proposed by Bylaw No. 4179 are in keeping with the regulations in the Agricultural (AG) zone
- the AF zone generally applies to Crown lands, lands held under tree farm licence or lands classified private managed forest land (PMFL)
- the AF zone has become, in some instances, more of a rural residential zone as parcels removed from PMFL have been subdivided into smaller, residential parcels
- amendments to the AF zone have included adding a suite or a detached suite as a permitted use
- adoption of the amendment bylaw would add 800 hectares of agricultural land in Otter Point and 1,500 hectares in Shirley and Jordan River

APC comments included:

- the Otter Point Official Community Plan (OCP) supports the protection and enhancement of forest lands
- great agricultural potential already exists within the OCP area without adding agriculture and intensive agriculture uses to the AF zone
- adding agriculture and intensive agriculture uses to the AF zone provides a mechanism for destroying forest lands
- agriculture and intensive agriculture puts pressure on wildlife and changes topography and hydrology while reducing a natural resource
- tree felling impacts adjacent tree stands during high winds/wind storms
- tree harvesting is not the issue
- small scale farming is not the issue
- supporting reforestation is the issue
- the AF zone permits silviculture except within 300 m of a highway
- support for utilizing a setback to support forest regeneration
- property owners purchased lands knowing the uses permitted by the AF zone
- individuals purchasing new lots in the AF zone would have some expectation that they could keep animals such as horses and have a small farm
- AF property owners can apply for individual rezoning to permit agriculture and intensive agriculture uses
- is it reasonable to restrict home owners from utilizing the smaller properties for agriculture.

Iain Lawrence responded to questions from the APC advising that the:

- AF zone supports a 4 ha minimum lot size for subdivision
- Resource Lands (RL) zone in the Rural Resource Lands Land Use Bylaw permits Agriculture uses
- RL zone does not permit intensive agriculture uses
- CRD does not have the authority to enact a tree regulation bylaw

MOVED by Sid Joma, **SECONDED** by Anne Miller that the Otter Point APC supports proposed Bylaw No. 4179, as amended, to delete intensive agriculture as a permitted use from the Forestry (AF) zone and to add agriculture as an accessory use to a one-family dwelling to the AF zone. **CARRIED**