

REGIONAL DISTRICT OF NANAIMO
AGRICULTURAL ADVISORY COMMITTEE
FRIDAY, JULY 3, 2015
1:00 PM

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

MINUTES

2-3 Minutes of the Agricultural Advisory Committee meeting held Friday March 27, 2015.

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

4-5 Derek Sturko, Ministry of Agriculture, re Regulatory Amendments Affecting the Production of Medical Marijuana on Agriculture Land Reserve.

UNFINISHED BUSINESS

REPORTS

6-26 ALR Application No. PL2015-057– Wild – 640 Grovehill Road, Electoral Area ‘H’.

Ministry of Agriculture, Agricultural Land Use Inventory and Agricultural Water Demand Model (Verbal Report).

Bylaw and Policy Update Project – Current Status (Verbal Report).

ADDENDUM

BUSINESS ARISING FROM DELGATIONS OR COMMUNICATIONS

NEW BUSINESS

ADJOURNMENT

Distribution: H. Houle (Chair), J. Fell, C. Haime, K. Reid, R. Thompson, C. Watson, M. Ryn, K. Wilson, J. McLeod, J. Thony, J. Stanhope, A. McPherson, M. Young, B. Rogers, B. Veenhof, C. Haime, T. Westbroek, M. Lefebvre, B. McKay, B. Bestwick, J. Hong, J. Kipp, W. Pratt, I. Thorpe, B. Yoachim, W. Haddow, P. Thorkelsson, G. Garbutt, J. Holm, P. Thompson, T. Armet, G. Keller, B. Farkas

REGIONAL DISTRICT OF NANAIMO
MINUTES OF THE AGRICULTURAL ADVISORY COMMITTEE
MEETING HELD ON FRIDAY, MARCH 27, 2015 AT 1:00 PM
IN THE RDN COMMITTEE ROOM

Present:

Director H. Houle	Chairperson
Director C. Haime	District of Lantzville
K. Wilson	Representative (South)
M. Ryn	Representative (South)
C. Watson	Representative (North)
R. Thompson	Representative (North)
J. Thony	Regional Agricultural Organization
K. Reid	Regional Aquaculture Organization
W. Haddow	Regional Agrologist, Ministry of Agriculture

Also in Attendance:

W. Haddow	Regional Agrologist, Ministry of Agriculture
G. Garbutt	General Manager of Strategic and Community Development
P. Thompson	Manager of Long Range Planning
J. Holm	Manager of Current Planning
G. Keller	Senior Planner
N. Hewitt	Recording Secretary

Regrets:

Director J. Fell	Electoral Area F
J. McLeod	Regional Agricultural Organization

CALL TO ORDER

Chairperson Houle called the meeting to order at 1:03 p.m.

MINUTES

Minutes of the Agricultural Advisory Committee meeting held Friday January 23, 2015.

MOVED M. Ryn, SECONDED K. Reid, that the minutes of the Agricultural Advisory Committee meeting held Friday January 23, 2015 be adopted.

CARRIED

COMMUNICATIONS/CORRESPONDENCE

Ministry of Agriculture, Minister Norm Letnick, re, Review of Section 11.1 of the Livestock Act.

J. Holm provided a verbal update on the correspondence sent from the Regional District of Nanaimo to the Ministry of Agriculture.

MOVED M. Ryn, SECONDED K. Reid, that the correspondence from the Ministry of Agriculture regarding the review of Section 11.1 of the *Livestock Act* be received.

CARRIED

REPORTS

ALR Application No. PL2014-013 – Paravicini – 531, 533, and 539 Parker Road West, Electoral Area ‘G’.

MOVED M. Ryn, SECONDED K. Wilson, that Application No. PL2014-013 for subdivision in the ALR be forwarded to the Agricultural Land Commission with no recommendation from the Agricultural Advisory Committee.

CARRIED

Bylaw and Policy Update Project – Current Status.

There was no motion.

Agriculture Advisory Committee Workshop.

M. Ryn provided a verbal overview of the Agriculture Advisory Committee Workshop.

Upcoming meeting with Agricultural Land Commission – Wednesday April 22, 2015 from 1-4pm.

G. Keller provided a verbal overview of the meeting scheduled with the Agricultural Land Commission on April 22, 2015.

Dogs at Large.

G. Garbutt provided a Board direction from February 24, 2015, to prepare bylaw amendments with regards to Dogs at Large in Electoral Area ‘F’.

ADJOURNMENT

MOVED M. Ryn, SECONDED K. Reid, that this meeting be adjourned.

CARRIED

Time 2:08 pm

CHAIRPERSON



Ref: 182047
File No.: 0280-20

May 7, 2015

Paul Thorkelsson
Chief Administrative Officer
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo BC V9T 6N2

RDN CAO'S OFFICE			
CAO		GM R&P	
GMS&CD		GM T&SW	
GM R&CU		DF	
MAY 11 2015			
DCS		BOARD	
CHAIR			

Dear Paul Thorkelsson,

Re: Regulatory Amendments Affecting the Production of Medical Marijuana on Agriculture Land Reserve

As you may already be aware, on May 7, 2015, the Province announced two items relating to the Agricultural Land Reserve (ALR):

The first item is an amendment of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (171/2002) under the *Agricultural Land Commission Act*, (the Regulation). The Regulation now explicitly identifies medical marijuana as a farm use in the ALR which local governments can regulate, but not prohibit.

The second item is a new BC Minister's Bylaw Standard for medical marihuana production facilities (MMPF) located in the ALR and licensed by Health Canada under its Marihuana for Medical Purposes Regulations. Bylaw Standards approved by the Minister and their specific criteria are a part of the Ministry's 'Guide for Bylaw Development in Farming Areas' which can be found on the Ministry's website at www.gov.bc.ca/agri. A discussion paper that provides further information and a description of the consultation process is also available on the website.

These two items are consistent with the Agricultural Land Commission's (ALC) January 2014 Medical Marihuana Production the Agricultural Land Reserve Information Bulletin²⁰¹ which states that the farming of medical marijuana in the ALR is considered by the ALC as a 'farm use', and the June 24, 2014 Provincial announcement²⁰² which advises that local governments should not prohibit medical marijuana production in the ALR and that for tax purposes, the BC Assessment Authority will not provide a MMPF with farm classification.

Some local government bylaw provisions for MMPFs may be inconsistent with the updated ALC Regulation and/or Minister's Bylaw Standard criteria regarding MMPFs in the ALR. To determine whether or not they are consistent, the Province's expectation is that local governments will review, and as necessary, amend their bylaws in order to achieve consistency by early fall of this year. I acknowledge

²⁰¹<http://www.alc.gov.bc.ca/alc/DownloadAsset?assetId=28F687FC8AB640CFB33D46FB3F1B30EC>

²⁰²<http://www.newsroom.gov.bc.ca/2014/06/bc-preserves-local-governments-tax-revenues-from-medical-marijuana-growers.html>

the resources required to amend local government bylaws but I would appreciate your participation in this endeavor.


For those local governments that do not intend to make amendments to inconsistent bylaw provisions, or who are considering implementing a bylaw prohibiting medical marijuana, I would advise that they seek legal counsel, as enacting such a bylaw may give rise to a constitutional challenge as frustrating a lawful initiative of the federal government and such a bylaw may have no force and effect under section 46(4) of the *Agricultural Land Commission Act*.

Please contact your local Regional Agrologist, or contact the following number if you have any other questions on this topic or other Planning for Agriculture matters.

South Coast and Vancouver Island:

- Agri.South.Coast@gov.bc.ca
- 1-888-221-7141

Regards,



Derek Sturko
Deputy Minister

Local Government Report
under the Agricultural Land Reserve
Use, Subdivision and Procedure Regulation

RDN No. File No.	PL2015-057
Fee Receipt No.	2015-07081
Fee Amount	\$600.00
ALR Base Map No.	92F.038.3.1

Information supplied by:

Regional District of Nanaimo

Local Government

In respect of the application of:

John William Wild, Allan Wild, and Joan Carol Wild

Name of Applicant

PLANS and BYLAWS *(Attach relevant sections of bylaws)*

Community Plan or Rural Land Use Bylaw name and designation:

"Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003"
Designation: Resource

Zoning Bylaw name and designation: "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987"
Designation: Rural 1 (RU1), Subdivision District 'B'

Minimum Lot Size: Subdivision District 'B': 8.0 ha

Uses permitted & Maximum Density: Rural 1 - Permitted Uses: Agriculture, Aquaculture, Home Based Business, Produce Stand, Residential Use, Silviculture and Secondary Suite
Rural 1 - Maximum Density: 1 dwelling unit permitted on a parcel 2.0 ha or less in size, 2 dwelling units permitted on a parcel greater than 2.0 ha in size.

Are amendments to Plans or Bylaws required for the proposal to proceed?

Plan Yes No Bylaw Yes No

Is authorization under Sec. 25 (3) or 30 (4) of the Agricultural Land Commission Act required?

Yes *(If yes, please attach resolution or documentation)* No

COMMENTS and RECOMMENDATIONS *(Include copies of resolutions)*

Board or Council:

Standing Board resolution as per Policy B1.8: No resolution of support or opposition from the Regional Board of Directors.

Electoral Area Director:

On 16 Jun, I attended 640 Grovehill Rd to meet with the owners and discuss their application to the ALC to permit a second "stick" home to be built on the property. Also in attendance were RDN staff and a member from the AAC.

From this meeting it was clear to me that the land is in active farming and that the owners plan to continue to expand this agricultural operation. The farm is run by a multi-generational family. The existing house is not large enough to accommodate both generations so the parents are renting off-property forcing commutes and additional costs.

Clearly, a second residence on the property would be in the interest of supporting agricultural work on the farm. The core reason for the application is that the owners believe that a modest stick built home will be much cheaper to construct than purchasing a manufactured home. They have done their

research and the money saved is planned to go back into expanding their farming operation.

This is about saving money. The intent of the second home is directly inline with ALC policies of allowing a second residence to support farm workers. I very strongly support this request.

Agriculture Advisory Committee:

Planning Staff:

Angela Buick Phone: (250) 390-6510 Email: abuick@rdn.bc.ca

Background

The subject property can be legally described as LOT 9 (DD 51005N), District lot 90, Newcastle District, Plan 1874, Except Part in Plan VIP52920 AND Plan VIP73941 and the civic address is 640 Grovehill Road (as shown on *Attachment 1*). The property is approximately 29.2 ha in size and is not currently connected to community water or community sewer.

There is an existing dwelling unit and various agricultural buildings currently on the subject property (*as shown on Attachment 2*). The applicants are applying for a non-farm use approval to construct a second permanent dwelling unit for one of the owners.

Land Use

The parcel is zoned Rural 1 (RU1) pursuant to the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” (*Attachment 3*). The Rural 1 zone permits a second dwelling unit on the subject parcel as the area is greater than 2.0 ha in size. This proposal is consistent with the RU1 zoning.

Development Permit Areas

The parcel is currently designated within the Highway Corridor & Fish Habitat Protection, Development Permit Areas (DPA) pursuant to the “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Bylaw No. 1335, 2003” (*Attachment 4*). If the Agricultural Land Commission grants the non-farm use for the second dwelling unit, the applicant will be required to obtain all applicable Development Permits prior to issuance of the Building Permit.

Official Community Plan Designation

The subject property is designated ‘Resource’ pursuant to the “Regional District of Nanaimo Electoral Area ‘H’ Official Community Plan Bylaw No. 1335, 2003”, which contains a policy stating that the regulations and policies of the Agriculture Land Commission apply (see *Attachment 5* for Official Community Plan policies).

Regional Growth Strategy

The subject property is designated ‘Resource Lands and Open Space’ pursuant to the “Regional District of Nanaimo Regional Growth Strategy Bylaw No. 1615, 2011” (see *Attachment 6* for Regional Growth Strategy policies).

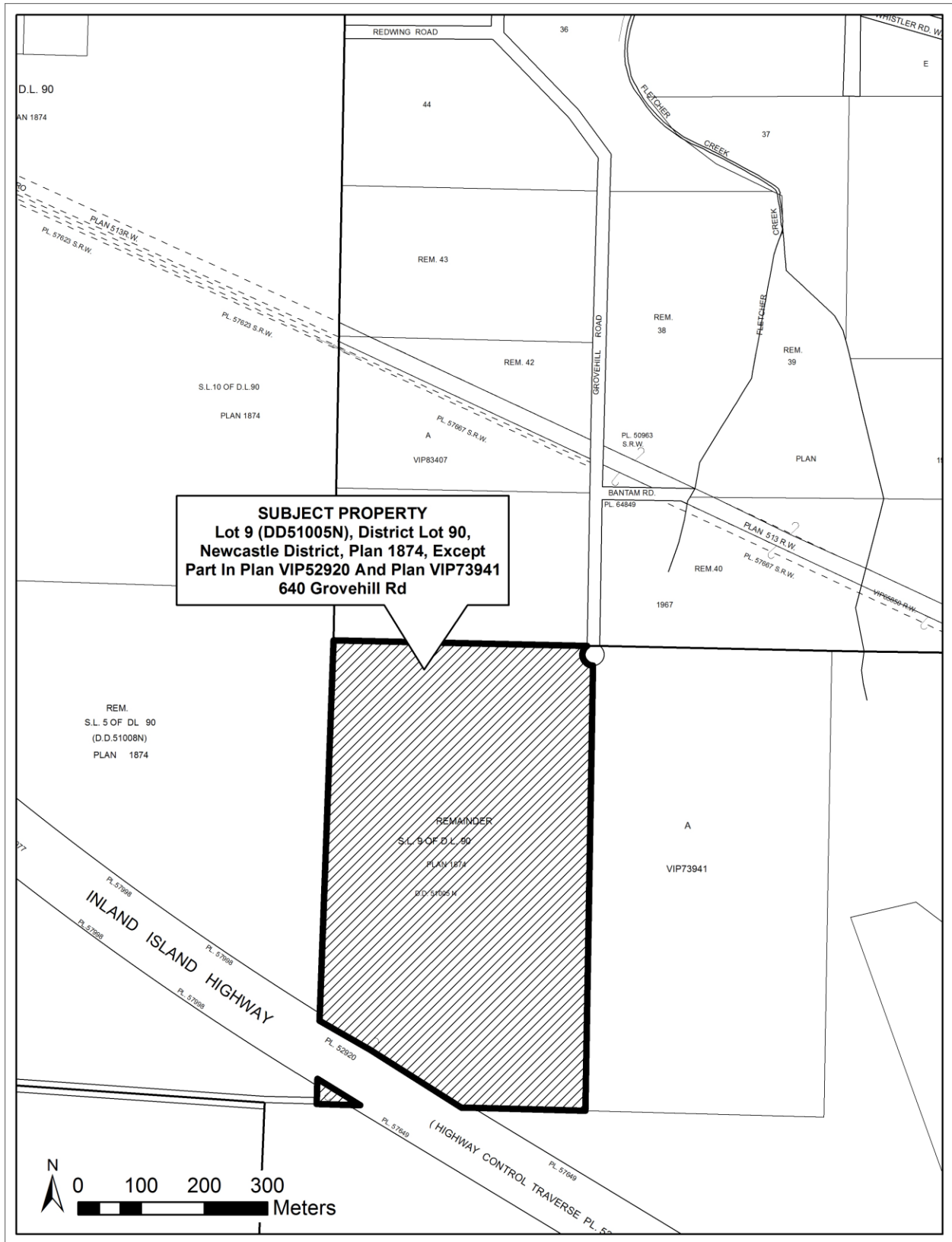


June 23, 2015

Signature of Responsible Local Government Officer

Date

Attachment 1 Subject Property



Attachment 2
Subject Property - Air Photo



Attachment 3 Rural 1 (RU1) Zoning

Part 3 – Land Use Regulations

Section 3.4.81

R U R A L 1

RU1

Permitted Uses and Minimum Site Area

Required Site Area with:

Permitted Uses	Community Water & Sewer System	Community Water System	No Community Services
a) Agriculture	n/a	n/a	n/a
b) Aquaculture	5000 m ²	5000 m ²	5000 m ²
c) Home Based Business ¹	n/a	n/a	n/a
d) Produce Stand	n/a	n/a	n/a
e) Residential Use	n/a	n/a	n/a
f) Silviculture	n/a	n/a	n/a
g) Secondary Suite ²	n/a	n/a	n/a

Maximum Number and Size of Buildings and Structures³

1) Accessory buildings	combined floor area of 400m ²
2) Dwelling Units/parcel:	
a) on a parcel having an area of 2.0 ha or less	1
<i>For Electoral Areas 'A,C,E and H'</i>	
b) on a parcel having an area greater than 2.0 ha	2
<i>For Electoral Area 'G'</i>	
c) on a parcel having an area equal to or greater than twice the minimum parcel size as established by Schedule '4B Subdivision District –Minimum Parcel Sizes'	2
d) Notwithstanding subsection (c), on a parcel located in this zone and created prior to February 22, 2011 and having an area greater than 2.0 ha	2
3) Height	9.0m
4) Parcel Coverage	25%

¹ Bylaw No. 500.270, adopted November 13, 2001

² Bylaw No. 500.389, adopted May 27, 2014

³ Bylaw No. 500.359, adopted January 25, 2011

RDN Bylaw No. 500

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This is an excerpt only from "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" and should not be used for interpretive or legal purposes without reference to the entire Bylaw

R U R A L 1 continued

Minimum Setback Requirements

1. Buildings and structures for housing livestock or for storing manure:

All lot lines - 30.0 m

2. All other buildings and structures

All lot lines - 8.0 m

except where:

- a) the parcel is less than 4000 m² in area then the setback from lot lines may be reduced to 2.0 m from an interior side lot line and to 5.0 m from other lot lines, excluding the front lot line;¹
- b) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 shall apply.²

Attachment 4
Area 'H' OCP - Development Permit Areas



Regional District of Nanaimo
ELECTORAL AREA 'H' OFFICIAL COMMUNITY PLAN - BYLAW NO. 1335

A.7 FISH HABITAT PROTECTION DEVELOPMENT PERMIT AREA⁴

DESIGNATION:

That part of Electoral Area 'H' shown as Fish Habitat Protection Development Permit Area on Map No. 8 is designated as a Development Permit Area. This development permit area consists of the following Riparian Assessment Areas within and adjacent to all streams, which by definition includes wetlands and lakes:

1. for a stream, a 30 metre strip on both sides of the stream measured from the natural boundary;
2. for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank; and,
3. for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the natural boundary to a point that is 10 metres beyond the top of the ravine bank.

The *Riparian Areas Regulation* establishes the Riparian Assessment Areas as described above.

This Development Permit Area applies to all development proposed within the Riparian Assessment Area. A development permit is required for the following development activities where such activities involve the subdivision of land, construction of, addition to, or alteration of a building or structure, or the alteration of land, except where such activities are specifically exempt:

1. removal, alteration, disruption, or destruction of vegetation;
2. disturbance of soils;
3. construction or erection of buildings and structures;
4. creation of non-structural impervious or semi-impervious surfaces;
5. flood protection works;
6. construction of roads, trails, docks, wharves, and bridges;
7. provision and maintenance of sewer and water services;
8. development of drainage systems;
9. development of utility corridors;
10. subdivision as defined in section 872 of the *Local Government Act*.

PURPOSE OF DESIGNATION:

- A. Protection of the natural environment, its ecosystems, and biological diversity

⁴ Bylaw No. 1335.02 adopted January 23, 2007



JUSTIFICATION:

The province of British Columbia's Riparian Areas Regulation (RAR), under the **Fish Protection Act**, aims to protect riparian areas for the protection of fish habitat. This regulation requires that an assessment by a Qualified Environmental Professional (QEP) be conducted for all proposed residential, commercial, or industrial development in a Riparian Assessment Area.

The purpose of this assessment is to ensure the protection of the natural environment in accordance with the **Fish Protection Act** by protecting the features, functions, and conditions critical to support fish processes and ensuring appropriate measures are in place for the protection of the natural environment.

A Local Government must not approve or allow a development to proceed until the local government has been notified by the Ministry of Environment that the Ministry of Environment and Fisheries and Oceans Canada have been notified of the development proposal and have been provided with a copy of the assessment report prepared by a QEP or that the Minister of Fisheries and Oceans Canada has authorized the harmful alteration, disruption, or destruction of the natural features, functions, and conditions that support fish life process (HADD) in a riparian assessment area.

EXEMPTIONS:

The following activities are exempt from the Fish Habitat Protection Development Permit Area requirements:

1. A development located outside of the Riparian Assessment Area as determined by a British Columbia Land Surveyor or other qualified person;
2. A development proposed outside of the Streamside Protection and Enhancement Area (SPEA) where notification of an assessment report prepared in accordance with Section 4(2)(a)(i)(ii) of the Riparian Areas Regulation Assessment Methods has been received by the Regional District of Nanaimo and there are no measures required to protect the SPEA;
3. Renovations, repairs, or maintenance to existing buildings within the same footprint that are protected by Section 911 of the **Local Government Act**;
4. Removal of trees deemed hazardous by a qualified arborist that threaten the immediate safety of life and buildings;
5. All development on lands proposed to be used for 'farm operation' as defined by the **Farm Practices Protection Act**;
6. All development on lands subject to the **Forest Act** or **Private Managed Forest Land Act**;
7. All park or park land ancillary uses not containing commercial, residential, or industrial activities;



8. Stream Enhancement and Fish and Wildlife habitat restoration works that have obtained the required Provincial and Federal approvals. Any activity within the stream channel that has or may have an impact on a stream requires compliance with Provincial and Federal legislation and notification to the RDN;
9. The removal of invasive plants or noxious weeds on a small scale within the Development Permit Area including, but not limited to, Scotch Broom, Himalayan Blackberry, Morning Glory, and Purple Loosestrife provided such works are conducted in accordance with a vegetation management plan prepared by a certified Arborist or other Qualified person and measures are taken to avoid sediment or debris being discharged into the watercourse or onto the foreshore and the area is replanted immediately in accordance with "8" above.

GUIDELINES (SEE DEVELOPMENT GUIDELINE CRITERIA SECTION 5.1):

1. A qualified environmental professional (QEP) must be retained at the expense of the applicant for the purpose of preparing a report pursuant to Section 4(2) of the Riparian Areas Regulation (RAR) and the RAR Assessment Methodology Guidebook. The report must be electronically submitted to the Ministry of Environment (MOE), Fisheries and Oceans Canada (DFO), and a hard copy must be provided to the RDN.
2. A Development Permit shall not be issued without notification from the Ministry of Environment (MOE) and the Ministry of Fisheries and Oceans Canada (DFO) that they have been notified of the proposed development and provided with an acceptable copy of the QEP assessment report or having received evidence of the Minister of Fisheries and Oceans Canada approval under the authority of Section 4(3) of the RAR.
3. Where the QEP report proposes a Harmful Alteration, Disruption, or Destruction (HADD) to fish habitat pursuant to Section 35(2) of the *Canada Fisheries Act*, the development permit shall not be issued unless approval under the authority of Section 4(3) of the RAR is received from DFO. The Regional Board may consider providing comments to DFO in regards to a proposed approval under the authority of Section 4(3) of the RAR.
4. The RDN may, when considering comments to DFO on a proposed approval under Section 4(3) of the RAR, require additional information from the QEP and other senior levels of government.
5. The applicant shall be requested to provide an explanatory plan of the SPEA including the registration of a covenant prohibiting development and use in the SPEA.
6. The owner shall implement all measures necessary to maintain the integrity of the SPEA as specified in the QEP's report, and such measures may be included as conditions of the development permit.
7. In addition to implementing the measures contained in the QEP report, to ensure future encroachment into the SPEA is reduced, the RDN in consultation with the land owner may consider the following:
 - a. dedicating back to the Crown Provincial or RDN all or part of the SPEA;



- b. gifting to a nature conservation organization (tax receipts may be issued) all or part of the SPEA;
 - c. registering restrictive covenant(s) or conservation covenant(s) securing the measures prescribed in the QEP assessment report;
8. In the case of a proposed subdivision within this Development Permit Area, minimum parcel sizes should be met exclusive of the SPEA;
9. In the case of a proposed subdivision within this Development Permit Area, subdivision within the SPEA should be avoided;
10. Developers are encouraged to exceed the minimum standards set out in the RAR;
11. Where a proposed development is subject to a building permit, the QEP shall be required to provide confirmation to the RDN's Planning Department that the development has been developed in accordance with the QEP's recommendations prior to final inspection or occupancy as applicable.



DEFINITIONS:⁵

Alteration of land includes removal, alteration, or disruption of vegetation, and soil deposit or removal. (**Fish Protection Act**)

Assessment Report means a report prepared in accordance with the Riparian Areas Regulation assessment methods to assess the potential impact of a proposed development in a riparian assessment area, which is certified for the purpose of the Riparian Areas Regulation by a qualified environmental professional.

Fish means all stages of:

- a. salmonids;
- b. game fish; and,
- c. regionally significant fish.

Fish Habitat means the areas in or about a stream such as, spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Qualified Environmental Professional (QEP) means an applied scientist or technologist acting alone or together with another qualified environmental professional if:

- a. the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act acting under that association's code of ethics and subject to disciplinary action by that association;
- b. the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal; and,
- c. the individual is acting within that individual's area of expertise.

Riparian Area means the area adjacent to a stream that may be subject to temporary, frequent, or seasonal inundation and supports plant species that are typical of an area of inundated or saturated soil conditions that are distinct from plant species on freely drained adjacent upland sites because of the presence of water. (**Fish Protection Act**)

Riparian Areas Regulation (RAR) means the *Riparian Areas Regulation* and amendments thereto enacted pursuant to Section 12, 13(1), and 37(2) of the *Fish Protection Act*.

Stream, for the purposes of all development permit areas except for the Fish Habitat Protection Development Permit Area, means a permanent or non-permanent watercourse or source of water supply whether usually containing water or not, a pond, lake, river, creek, brook, ditch, spring, or wetland that is integral to a 'stream' and may provide fish habitat.

⁵ Bylaw No. 1335.02 adopted January 27, 2007



Stream, for the purposes of the Fish Habitat Protection Development Permit Area only, includes all watercourses, whether mapped or unmapped that provide fish habitat or flows to a waterbody that provides fish habitat and includes any of the following:

- a. a watercourse, whether it usually contains water or not;
- b. a pond, lake, river, creek, or brook; and,
- c. a ditch, spring, or wetland that is connected by surface flow to something referred to in (a) or (b) above.

Streamside Protection and Enhancement Area (SPEA) means an area:

- a. adjacent to a stream that links aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential adjacent upland vegetation that exerts an influence on the stream; and,
- b. the size is determined according to the *Riparian Areas Regulation* on the basis of a report provided by a qualified environmental professional in respect of a development proposal.

Top of Ravine Bank means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed.

Top of bank means:

- a. the point closest to the natural boundary of the stream where a break in the slope of the land occurs such that the grade beyond the break is flatter than 3:1 at any point from a minimum distance of 15 metres measured perpendicularly from the break; and,
- b. for a floodplain, the edge of the active floodplain. (*Fish Protection Act*)

Wetland means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support and under normal conditions that does support vegetation typically adapted for life in saturated soil conditions including swamps, marshes, bogs, fens, estuaries, and similar areas. (*Fish Protection Act*)



A.3 HIGHWAY CORRIDORS DEVELOPMENT PERMIT AREA

DESIGNATION:

That part of Electoral Area 'H' shown as Highway Corridors Development Permit Area on Map No. 6, which includes all lands within 30 metres of either side of land dedicated as highway and forming part of the Inland Island Highway No. 19 and Highway No. 19A is designated as a Development Permit Area.

PURPOSE OF DESIGNATION:

- F. Establishment of objectives and guidelines for the form or character of commercial, industrial or multi-family residential development.

JUSTIFICATION:

The residents of Electoral Area 'H' have expressed a desire for improved safety and visual appearance along the highway corridors in addition to being receptive to opportunities for enhanced tourist-related economic activities and redevelopment of historical commercial properties.

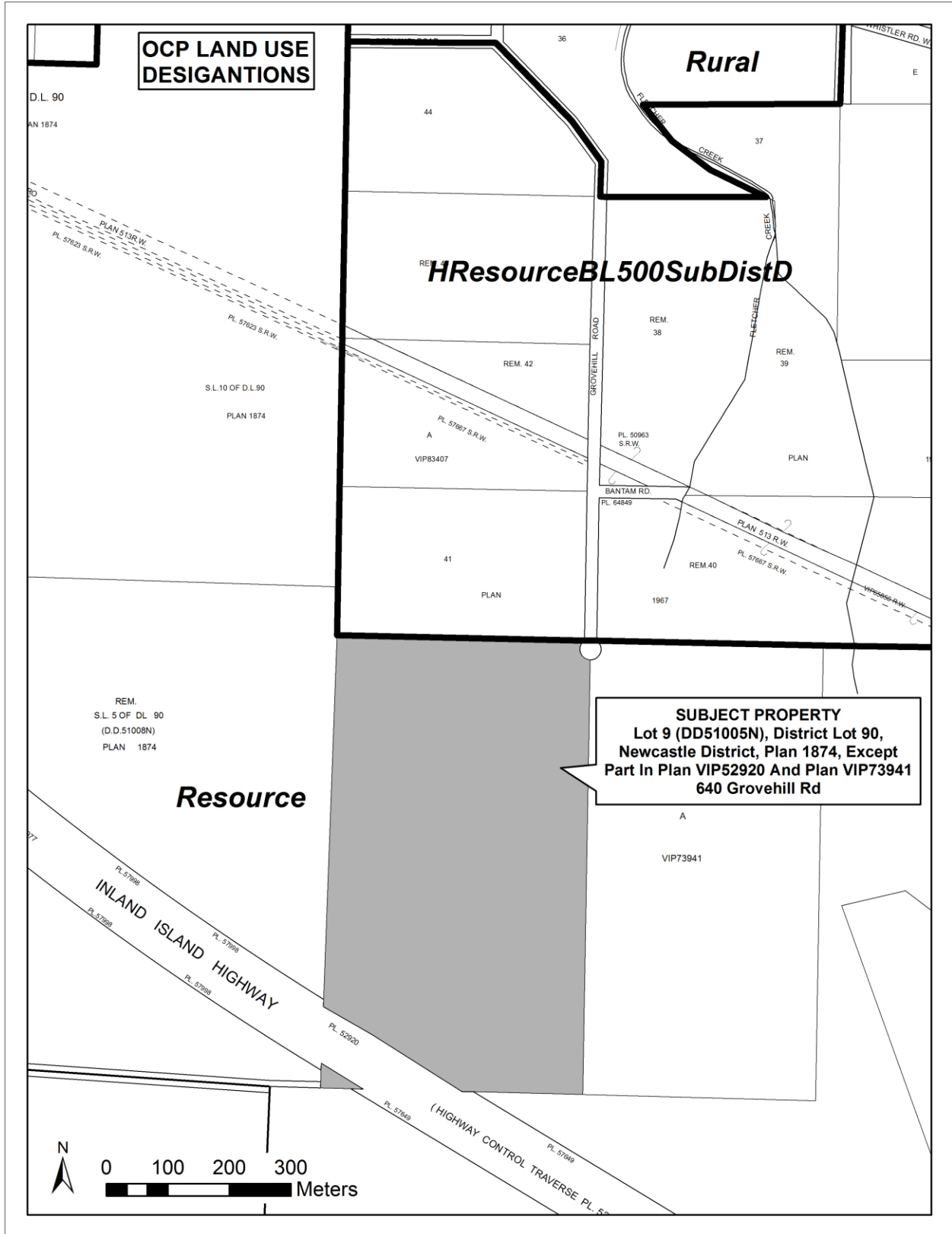
EXEMPTIONS:

1. A development permit shall not be required for the construction, renovation, or addition to single dwelling unit, duplex dwelling unit, or accessory residential buildings.
2. A development permit shall not be required for the subdivision of land.

GUIDELINES (SEE DEVELOPMENT GUIDELINE CRITERIA SECTION 5.1):

1. For properties bordering the Inland Island Highway, the guidelines established in the *Vancouver Island Highway Implementation Agreement* shall apply.
2. Landscaping, screening, and the retention of natural vegetation shall be encouraged to enhance the appearance of properties adjacent to the highways in accordance with land use bylaws.
3. Off-street parking areas, off-street loading areas, refuse containers, and outdoor storage/manufacturing areas shall, where achievable, be located to the rear of buildings.
4. Off-street parking areas, off-street loading areas, and refuse containers located adjacent to residentially zoned properties, shall be adequately screened from the residential lands with a combination of landscape plantings and fencing.
5. For properties bordering Highway 19A, signage should be grouped whenever possible. Particular emphasis should be given to signage that is complementary to the scenic qualities of the area and requires a minimal amount of lighting to be effective.

Attachment 5
Area 'H' OCP - Land Use Designation "Resource"



LAND USE DESIGNATIONS

5.2 RESOURCE LANDS

This land use designation applies to lands that are used and valued for agriculture, forestry, natural resource extraction, or environmental conservation opportunities. All lands within the Agricultural Land Reserve are in this land use designation. Lands that were formerly in the Forest Land Reserve (major forestry holdings) and large parcel Crown land holdings (other than those designated as Park Lands) are also within this land use designation.

It is recognized that certain matters considered in this section are beyond the jurisdiction of the RDN. The objectives and policies relating to these matters are intended to serve as indicators of community preference and assist senior levels of government in planning and decision-making.

Objectives

1. *Maintain* the renewable natural resource land base and protect it from activities that may diminish resource value and potential.
2. *Encourage* more comprehensive management of the resource land base.
3. *Protect* the environment.
4. *Encourage* and protect outdoor recreational opportunities.
5. *Direct* development that is compatible with the Community Values and Development Guideline Criteria Statements.

Policies

1. Land within the Resource Management designation is shown on Map No. 5.
2. Lands within this designation shall have a minimum permitted parcel size of 50.0 hectares, except for lands within the Agricultural Land Reserve.
3. For lands within the ALR, an 8.0-hectare minimum permitted parcel size shall be supported by this Plan.
4. Notwithstanding Policy 5.2.2 above, any lands within the ALR having a minimum permitted parcel size of less than 8.0 hectares pursuant to the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 at the date of adoption of this Official Community Plan shall retain that minimum permitted parcel size (these parcels are illustrated on Map No. 5).
5. For lands within the Agricultural Land Reserve, the regulations and policies of the *Agricultural Land Commission* apply.
6. Where land is in the ALR and is proposed for subdivision, a second dwelling unit, or a non-farm use, approval must first be obtained from the ALC.



7. Areas with environmentally sensitive or significant ecological resources within the Resource Management designation are identified on Map No. 3. Protection of these areas shall be encouraged through federal, provincial, Regional District or private initiatives and incentives.
8. All development on Resource Lands will be encouraged to use best practice interface forest fire mitigation techniques for building and landscaping.

Attachment 6 Regional Growth Strategy - 'Resource Lands and Open Space'

→ Resource Lands and Open Space

The Resource Lands and Open Space land use designation includes:

- Land that is primarily intended for resource uses such as agriculture, forestry, aggregate and other resource development; and
- Land that has been designated for long-term open space uses.

This designation includes:

- Land in the Agriculture Land Reserve;
- Crown land;
- Land designated for resource management or resource use purposes, including forestry, in official community plans;
- Recognized ecologically sensitive conservation areas;
- Provincial parks;
- Regional parks;
- Large community parks;
- Cemeteries;
- Existing public facilities outside of areas planned for mixed-use centre development;

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- Destination Resorts; and
- Golf courses.

Resource activities on land in this designation should be encouraged to operate in ways that do not harm the functioning of natural ecosystems. Land use control, and resource management of lands in this designation is shared between landowners, local, provincial and sometimes federal government. Much of the forest land is privately owned. Forest companies, farmers, shellfish aquaculture (and associated research facilities) and aggregate resource development companies are recognized to have the right to operate on land within this designation in compliance with local, provincial and federal government regulations.

No new parcels that are smaller than the size supported by the official community plan in effect at the date of the adoption of this *Regional Growth Strategy* may be created on land in this designation.

Attachment 7
Regional Growth Strategy Goal 7 – Enhance Economic Resiliency - Agriculture

→ **Agriculture**

- 7.14 Recognize the importance of agriculture to the region’s economy. To this end, the RDN and member municipalities agree to:
- Support the management of the Agriculture Land Reserve (ALR) by the provincial government;
 - Encourage the provincial government to protect the agricultural land base through the ALR;
 - Support the agricultural use of ALR lands within designated Urban Areas or Rural Village Areas except in instances where urban land uses have already been established at the time of the adoption of this RGS;
 - Recognize that all ALR lands will be subject to the regulations of the Agricultural Land Commission;

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- Support the preparation of a study of agriculture in the region for the purpose of identifying the issues and needs (both immediate and future) of the agricultural sector;
- Encourage and support value-added agricultural industries; and
- Enhance opportunities for agricultural activity on lands not in the ALR.

Attachment 8
Regional Growth Strategy Goal 8 – Food Security
(Page 1 of 4)

—————→ **Goal 8 - Food Security** - Protect and enhance the capacity of the region to produce and process food.

Most of the food we eat comes from other parts of the world. A study conducted by the Region of Waterloo Public Health in Ontario (M. Xuereb, 2005) found that *'Imports of 58 commonly eaten foods travel an average of 4,497 km to Waterloo Region'*. Although there are currently no regionally specific studies estimating the distance food travels to reach our plates, it is safe to estimate that many of the foods we regularly consume travel on average at least 2,400 km to reach us (a widely quoted figure for North America, based on research conducted in Iowa by R. Pirog, et al 2001).

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Attachment 8 Regional Growth Strategy Goal 8 – Food Security (Page 2 of 4)

Despite ongoing debate about the environmental benefits of 'buying local' food versus making dietary changes (C. Weber and H. Scott Matthews, 2008), it is clear that our dependence on imported foods means that our access to food is vulnerable to the effects of weather and political events that may occur thousands of kilometers away. As well, world energy prices play a large role in the cost of food production and distribution. Greater food security means that more food is grown locally and therefore is not as susceptible to events occurring outside the region.

Local food production generates numerous economic, environmental and social benefits. Agriculture employs almost 3,000 people and generates a flow of income into the region. Local sources of food help reduce the region's carbon footprint by reducing transportation-related GHG emissions. In addition, the nutritional content of locally produced food is often greater than imported food – providing a healthier choice of food for residents.

The '5 A's' of food security:

- *Available – sufficient supply*
- *Accessible – efficient distribution*
- *Adequate – nutritionally adequate and safe*
- *Acceptable – produced under acceptable conditions (e.g. culturally and ecologically sustainable)*
- *Agency – tools are in place to improve food security*

(J. Oswald, 2009)

Ensuring the long-term viability of farming and agricultural activity in the region requires a coordinated effort on the part of local, provincial and federal authorities. In addition to the provisions of Policy 5.4, the RDN and member municipalities can undertake a number of actions to support and enhance the viability of food production in the region as set out in the following policies (See Map 5 – Agricultural Lands).

Protecting the agricultural land base is a key requirement for enhancing food security. The Agricultural Land Reserve (ALR) established by the Province in 1973 has largely been effective in reducing the loss of agricultural lands. Since 1974 the percentage of land protected under the ALR in the RDN has decreased approximately 12%, from 10.10% of the total land base to approximately 8.85% (www.alc.gov.bc.ca/alr/stats).

The majority of ALR lands in the RDN are located in rural Electoral Areas, with smaller portions located within the boundaries of municipalities. This RGS recognizes and supports the jurisdiction of the ALC over all ALR lands and strongly supports the retention and use of all ALR lands for agriculture. The RDN will continue to endorse the Agricultural Land Commission's efforts in preserving agricultural lands. Other actions that would enhance food security in the region include:

- Supporting improved access to sustainable water supplies for irrigation;
- Encouraging best water management practices in agriculture;
- Providing drainage infrastructure for flood-prone lands that do not include environmentally sensitive areas;

Attachment 8
Regional Growth Strategy Goal 8 – Food Security
(Page 3 of 4)



- Improving infrastructure to provide agricultural services and processing; and improving access to markets.



Policies

The RDN and member municipalities agree to:

- 8.1 Encourage and support the Agricultural Land Commission in retaining lands within the ALR for agricultural purposes.
- 8.2 Discourage the subdivision of agricultural lands.
- 8.3 Include provisions in their official community plans and zoning bylaws to allow for complementary land uses and activities that support the on-going viability of farming operations.
- 8.4 Establish agriculture as the priority use on land in the ALR.
- 8.5 Minimize the potential impact non-farm land uses may have on farming operations and include policies in their official community plans and zoning bylaws that reduce the opportunity for land use conflicts to occur.
- 8.6 Encourage and support agricultural activity on lands that are not within the ALR. This may include small-scale home-based agricultural businesses.
- 8.7 Recognize the importance of value-added agricultural uses and complementary land use activities for the economic viability of farms. To support complementary farm uses, official community plans should consider:
 - The provision of appropriately located agricultural support services and infrastructure;
 - Reducing impediments to agricultural processing and related land uses;
 - Allowing compatible complementary land use activities (e.g., agri-tourism);
 - Allowing farmers’ markets and other outlets that sell local produce to locate in all parts of the community.
- 8.8 Encourage urban agriculture initiatives and support activities and programs that increase awareness of local food production within the region.
- 8.9 Support the appropriate use of water resources for irrigation of agricultural lands.
- 8.10 Support the provision of drainage infrastructure to flood-prone lands that do not lie within environmentally sensitive areas.
- 8.11 Work in collaboration with federal and provincial agencies, adjacent regional districts, and agricultural organizations to improve access to markets for agricultural products.

Attachment 8
Regional Growth Strategy Goal 8 – Food Security
(Page 4 of 4)

- 8.12 Support partnerships and collaborate with non-profit groups to enhance the economic viability of farms.
- 8.13 Support farms that produce organic agricultural products and use sustainable farming practices.
- 8.14 Support the production, processing, distribution and sale of locally grown produce (including shellfish).