



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604-660-7000
Fax: 604-660-7033
www.alc.gov.bc.ca

June 12, 2007

Please reply to the attention of Roger Cheetham

Sandy Bowden, Director of Corporate Services
District of North Saanich
1620 Mills Road
Sidney, BC V8L 5S9

Dear Madam:

Re: District of North Saanich Official Community Plan Review

Our Ref: C – 36139

Please find attached the Minutes of Resolution # 2812007 outlining the Commission's decision as it relates to the above noted application. A copy of the staff report is enclosed herewith.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'E. Karlsen', is written over the 'Per:' label.

Erik Karlsen, Chair

cc: Rob Kline, Regional Agrologist

Enclosure: Staff report

RC/lv
36139d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on 5th June, 2007 on Galiano Island, B.C.

PRESENT:	Lorne Seitz	Chair, Island Panel
	David Craven	Commissioner
	Donald Rugg	Commissioner
	Terra Kaethler	Staff

For Consideration

File C – 36139 Proposed new Official Community Plan for North Saanich

Discussion The Commission supported the comments made in the staff report.

IT WAS

MOVED BY: Commissioner Seitz

SECONDED BY: Commissioner Craven

That the District be informed that the Commission is generally pleased with the support of the plan for agriculture and has endorsed the plan.

A copy of the staff report be sent to the District drawing attention to the suggested changes to the OCP.

CARRIED

Resolution # 2812007



Staff Summary Report - Planning Issue

Date of Report: 29th May 2007
File #C - 36139

Report prepared by: Roger Cheetham

ISSUE: To review a new Official Community Plan for the District of North Saanich.

BACKGROUND: North Saanich is an important agricultural area with around 1284 ha of land within the ALR, comprising around 35% of the total area of the District. The existing OCP for North Saanich dates back to 1997. It was endorsed by the Commission after the District had responded positively to a number of suggestions made by the Commission that included one that the Commission considered was inconsistent with the Agricultural Land Commission Act relating to restrictions on intensive agriculture.

The revised plan was first referred to the Commission as part of the on-going consultation process in June 2005. It was found to be very supportive of agriculture and in the Commission's response two issues were identified: The one related to the buffering of agriculture from urban development and the other to restrictions placed on agriculture in some of the proposed DPA's. (See Annex. A).

Following the referral there was significant public debate with regard to the plan, in particular with regard to a number of proposed village centers that were eventually removed from the plan in the light of public input. The plan was also discussed at a meeting attended by Rob Kline and Jim Le Maistre of the Ministry of Agriculture and Lands and Tracy Olsen, the Director of Planning for North Saanich held in the Commission offices on 5th October 2006. The two issues specifically raised by the staff of the Commission were among the issues discussed and improvements were secured in each case.

IMPORTANT CONSIDERATIONS:

Extracts of the plan relating to the issues discussed below are attached as Annex B.

2.2 Objectives 3. These objectives include one that specifically supports the mandate of the Commission.

5.0 Agriculture. There is no change in the two designations that apply to the ALR. The bulk of the reserve is designated as Agricultural and the remainder as Rural. The policies are very supportive of agriculture and no restrictions are placed on agricultural activities within the Agricultural and Rural designations that apply to the ALR. It should be noted that under 5.15 the minimum parcel size in the Agricultural designation is 20 ha. which retains that of the existing OCP endorsed by the Commission in 1997. While

mention is made under 5.16 of the need for consistency with the Agricultural Land Commission Act and regulations there is no specific mention of the orders of the Commission. It is understood from discussion with the Director of Planning for the District that the Districts' interpretation of 5.16 would extend to decisions (i.e. orders) made in terms of the Agricultural Land Commission Act, for example an approval of a subdivision in terms of the Commissions' Homesite Severance Policy. Nevertheless it is advisable that the bylaw be clarified by the addition of wording along the following lines after the words Agricultural Land Commission Act

“, an order of the Agricultural Land Commission,”

14.0 Development Permit Areas, 14.2 General Exemptions from the Requirements for a Development Permit. Under i) all agricultural use are exempted with the exception of wineries, cideries, agritourism activities and race tracks, the form and character of which the District wishes to control in terms of the provisions of DPA No. 6 Commercial and Industrial. A few properties in the ALR are included in this DPA including the Sandown Race Track and the property to the east of West Saanich Road owned by Sylvie Rochette that includes a large building once used as a dairy barn that is proposed to be developed in part as a winery. This issue was discussed at the 8th October meeting. While Commission staff and Ministry officials continue to have some small reservations as to the need for a permit for any agricultural activity, in view of the strong views of the community on this issue and the small impact on agriculture (limited to a few properties where arguably there may be justification for imposing some controls over the buildings), the proposal was accepted.

One other DPA affects the ALR – DPA No. 2 Creeks, Wetlands, Riparian areas and Significant Water Resources. Should it be desired to locate one of these activities within this DPA's a permit application would be required. The DPA relates to an area 30 meters from the top of bank. The draft guidelines for building set backs prepared by the Partnership Committee suggest varying set back distances for buildings and it is conceivable that a set back of less than 30 meters might be advocated for some of these uses. It is understood from discussions with Tracy Olsen that it was not intended that the restrictions would apply in respect on this DPA and while the provision will not have any significant impact on agriculture it is suggested that the bylaw be amended to exempt all agricultural activities within this DPA. The determination of appropriate set back distances could then be determined with reference to the Partnership Committee guide, the finalization of which is anticipated in the near future.

STAFF COMMENT / RECOMMENDATION:

1. That the District be informed that the Commission is generally pleased with the support of the plan for agriculture and has endorsed the plan.
2. A copy of the staff report be sent to the District drawing attention to the suggested changes to the OCP.