

Memo

File: 3060-20/DP 5C 21

DATE: March 19, 2021

TO: Agricultural Advisory Planning Commission

FROM: Planning and Development Services

RE: Farm Land Protection Development Permit – 8376 Island Highway North
(Siefert/ Lamberts)
Parcel A of Lot 1, Block 29, Comox District, Plan 6878, PID 005-781-248

An application has been received to consider a Development Permit (DP) under the Farm Land Protection guidelines (Appendix A). This DP is required to enable a new building to be located within 30 metres of an agricultural property. The 5.5 hectare subject property is located in an agricultural area but has 0.25 hectares (ranging from 30 to 50 metres wide) outside of the Agricultural Land Reserve (ALR). The DP applies to those lands outside of the ALR (Figures 1 and 2) and may include conditions related to screening, landscaping, fencing and the siting of the proposed building.

The applicant proposes to demolish the existing buildings and redevelop the western end of the lot with a new house and garage (Appendix B). To address the guidelines, the applicant proposes 3 metres of vegetation, in addition to a 1.2 metre high page wire fence, on both the northern and southern sides. The buffer vegetation would comprise a row of various shrub and tree plantings to supplement existing vegetation. On the southern side, between the driveway and the lot line, new plantings will be predominately Silverberry and Douglas hawthorne. On the northern side, the plantings will be predominately rose and White current shrubs and hazelnut and Black elder trees.

Development Permit Guidelines

The objective of the Farm Land Protection DP is to provide an interface between farm use and non-farm development that mitigates land use conflicts (e.g. farm trespass, vandalism to crops and equipment, disturbance to farm animals, capture of some dust and spray drift, reduction of invasive species and litter, nuisance complaints, etc.). As a best practice, these DP guidelines recommend locating principal structures and accessory buildings at least 30 metres away from a common boundary with agricultural areas, with 15 metres being a vegetated buffer, including fencing, consistent with the Ministry of Agriculture's Guide to Edge Planning and the Agricultural Land Commission's landscaped buffer specifications.

Locating buildings in the non-ALR portion of this lot but within 30 metres of the neighbouring lots is what triggered this specific DP review. The DP guidelines consider the agricultural side to be a working landscape and recommend the vegetative buffer and screening be placed on the non-agricultural side during development. The specifications provide a variety of options regarding the

type and height of fencing and vegetation to accommodate proposed development given the size, shape and use of the properties and buildings while achieving particular objectives.

Neighbouring Agricultural Properties

The neighbouring agricultural properties are long, narrow lots, similar to the subject property, that were created by subdivision in 1948. According to the Canada Land Inventory, the agricultural properties and the subject property, have a soil rating of 5PA (Figure 3). Class 5 soils have very severe limitations that restrict their capability in producing perennial forage crops but improvement practices are feasible. The sub-classes P and A denotes the limitations are due to stoniness and a soil moisture deficiency caused by low soil water holding capacity or insufficient precipitation.

Sincerely,

T. Trieu

Ton Trieu, RPP, MCIP
Manager of Planning Services
Planning and Development Services

/jm

Attachments Appendix A – “Farm Land Protection Development Permit Area Guidelines”
Appendix B – “Letter from application, site plan, building elevation”

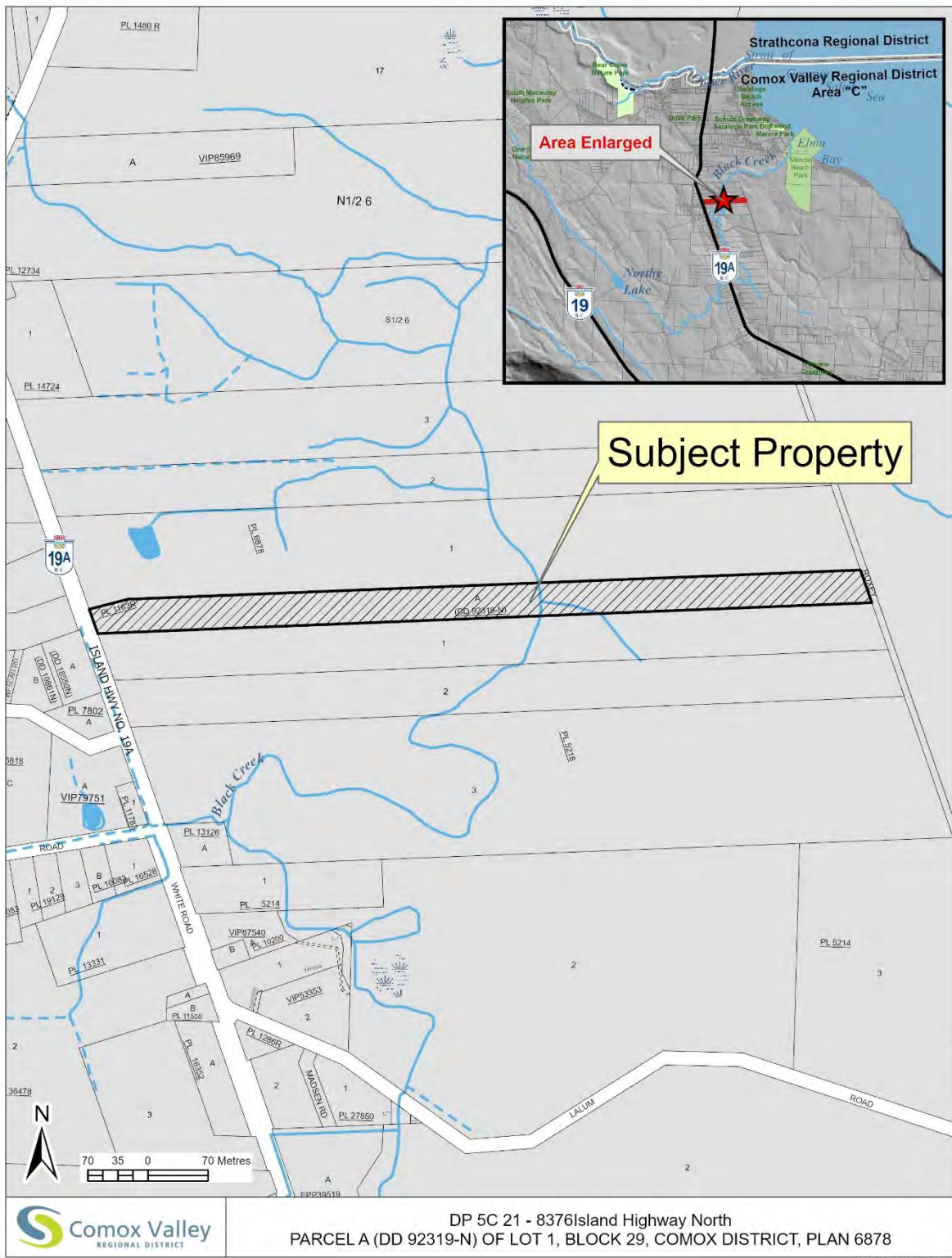


Figure 1: Subject Property

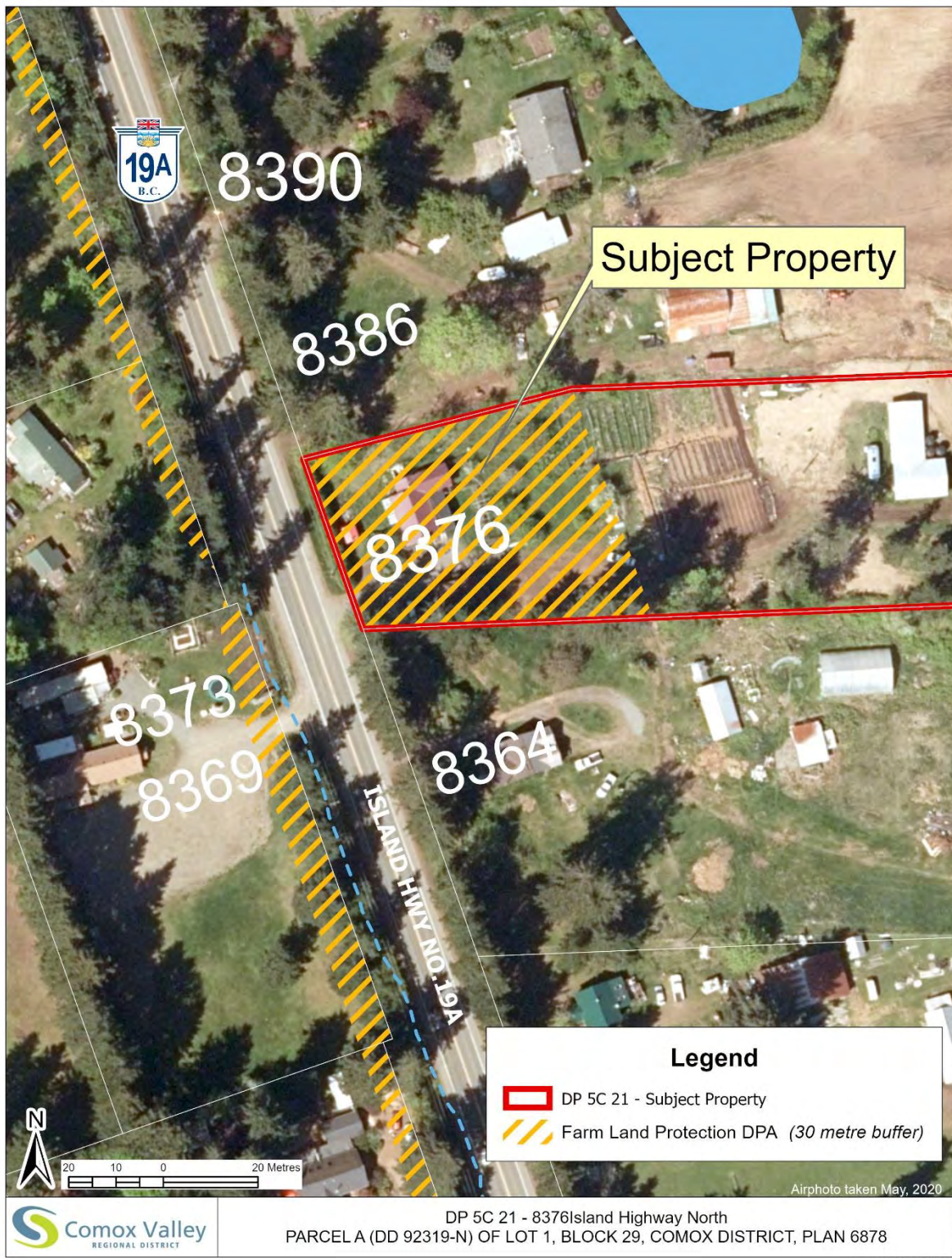


Figure 2: Air Photo (2020)

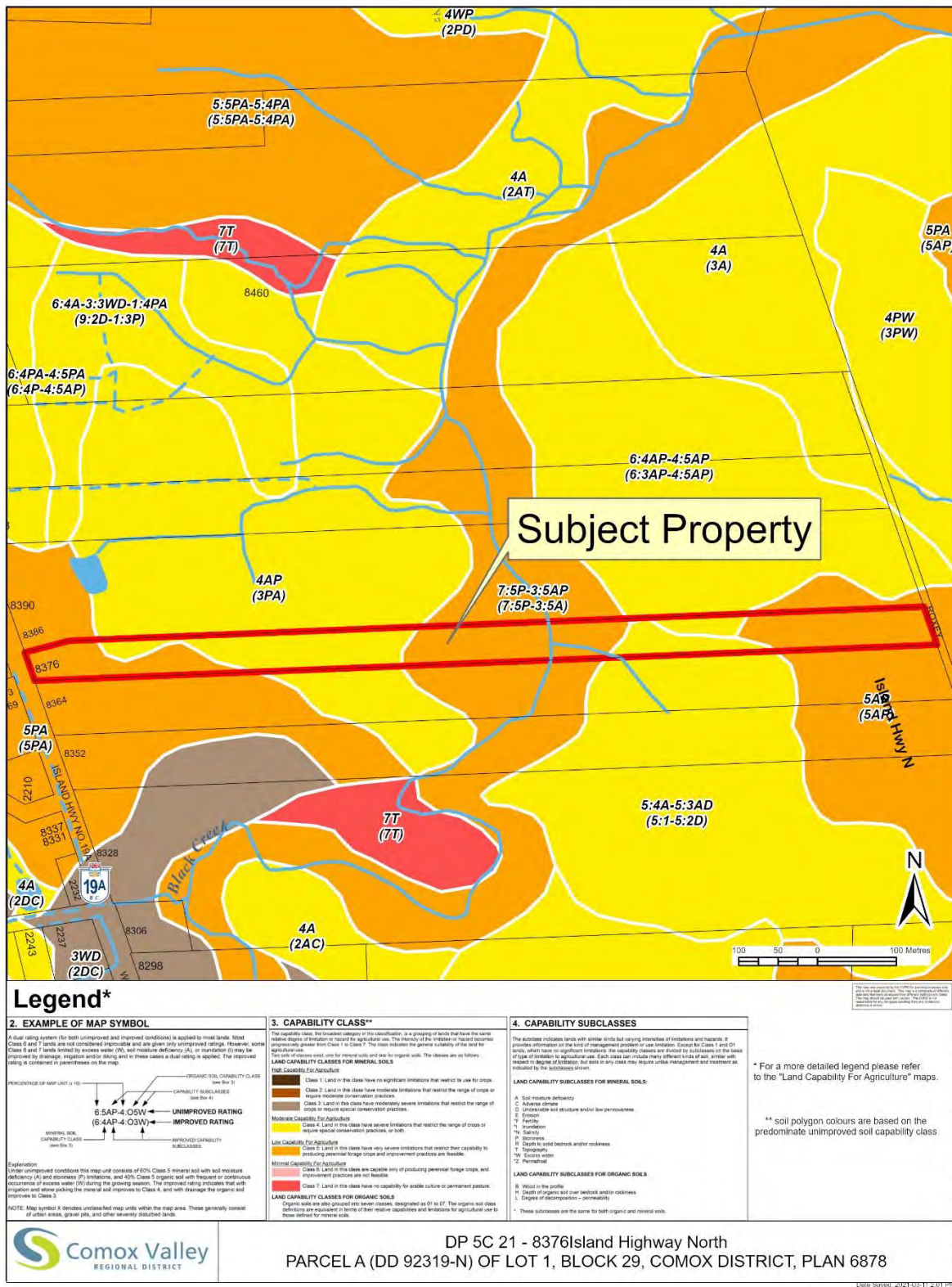


Figure 3: Canada Land Inventory Soil Classification

Section 85 removed for ease of reading

Farm land protection development permit area permit areas

86. *Justification*

To protect farm land designated agricultural area or agricultural land reserve located in neighbouring jurisdictions by mitigating conflict between agriculture and aquaculture industries and adjacent land uses.

Land use conflicts may develop between lands designated agricultural area or an ALR and adjacent land uses. These conflicts may compromise the use of the land for agriculture and aquaculture industries. The incorporation of a 30 metre wide buffer between non-agricultural lands and lands used for food production will protect the food production value of the latter.

Areas

The farmland protection area buffer development permit area is designated as a 30 metre buffer from land designated agricultural area or agricultural land reserve lands on lands within the settlement node, settlement expansion areas, rural settlement area land use designations.

The development permit applies to land within the 30 metre development permit area described above subject to:

- (1) new lots created through subdivision; or
- (2) development of the subject lots.

Exemptions

In the case of a proposed subdivision, the exemption applies to the following situations within the 30 metre wide development permit area:

- (1) Lot line adjustments or where subdivision does not result in the ability to construct a new dwelling unit.
- (2) Where the land subject to a subdivision proposal is not forming a common boundary with designated agricultural area or an agricultural land reserve, but is separated with a dedicated road right of way of at least 20 metre wide.

Guidelines

Development permits shall be issued in accordance with the following guidelines.

Buffer

- (a) Include an assessment of the site to substantiate the need for a buffer and provide design measures that are most appropriate for the site – consider the type and intensity of the proposed adjacent land use and its relationship to agriculture and aquaculture industries.
- (b) The vegetated buffer shall be delineated prior to commencing construction or land alteration.
- (c) A buffer must be maintained and/or established on land within the development permit area parallel to and/or along the common boundary of the adjacent land designated agricultural area or agricultural land reserve.
- (d) Subject to the exemption clause, a total minimum separation distance of 30 metres (of which 15 metres is a vegetative buffer) between a residential dwelling unit and adjacent land designated agricultural area, or agricultural land reserve is required to mitigate the impacts of residential on farming activities. The 30 metre separation distance may include a road or railway line right of way.
- (e) Locate principal structures, accessory buildings and wells a minimum of 30 metres from the common boundary of the land designated agricultural area or agricultural land reserve. If the size of the property cannot accommodate this distance, principal structures and wells shall be a minimum of 50 per cent of the property depth back from the common boundary with land designated agricultural area or agricultural land reserve.
- (f) Notwithstanding the guidelines E.6(a) to E.6(d) above, when a buffer is required in this development permit area, the applicant must provide and maintain a continuous minimum 15 metre wide vegetated buffer between any development and the land designated agricultural area or ALR. No buildings, structures or wells shall be allowed within this 15 metre buffer area.
- (g) If paths and/or passive recreational uses are part of the landscaped buffer, the recreational features will not take up more than five metres of the buffer and they will be located away from the common boundary with land designated agricultural area or agricultural land reserve.
- (h) For the purpose of providing additional separation from the land designated agricultural area or agricultural land reserve and reducing potential conflicts, consider locating an open space next to the edge of the landscape buffer. The open space can be designed with water retention capacity and adequate rain water drainage features.
- (i) All buffer areas shall be generally designed and sized in accordance with section 10 - urban side buffer design criteria of the [Ministry of Agriculture and Lands Guide to Edge Planning: Promoting Compatibility Along Urban-Agricultural Edges \(June 2009\)](#).
- (j) Plant layout, spacing, and support shall be generally in accordance with the B.C. Agricultural Land Commission’s report [Landscaped Buffer Specifications](#) (1993) and the [Ministry of Agriculture and Lands Guide to Edge Planning: Promoting Compatibility Along Urban-Agricultural Edges \(June 2009\)](#).

- (k) To create a filtered view of agriculture and aquaculture practices on the land designated agricultural area and/or agricultural land reserve from the development permit area, preserve existing and supplement vegetation that meets the British Columbia landscape standard published by the BC Landscape Architects Society/BC Landscape and Nursery Association as amended from time to time.

Buffer maintenance

A buffer maintenance plan shall be developed and will include the following: maintenance procedures for all buffer plantings on a regular basis during the first two growing years including a weed management schedule or plan.

Fencing

Barrier fencing, designed to limit encroachment into agricultural land reserve lands by materials and pets, must be constructed in accordance with appendix C of the [Ministry of Agriculture and Lands Guide to Edge Planning: Promoting Compatibility Along Urban-Agricultural Edges \(June 2009\)](#).

Subdivision layout

- (a) Subdivision design must minimize potential negative impacts that may occur between farm and non-farm land uses. Avoid road endings or road frontage next to land designated agricultural area or agricultural land reserve except as may be necessary for access by farm vehicles.
- (b) Subdivision design and construction will minimize erosion through consideration of topography that will not result in neighbouring properties becoming the catchment area for additional runoff from roads and driveways.

Section 87 removed for ease of reading

There are currently two buildings on this segment of the property which is zoned RU-8 unlike the rest of the lot which is zoned RU-ALR. The first is the current principal residence that was in disrepair when we took possession of the property over 3 years ago. The second is an old pole barn that's currently being used to store tools used on the farm (tractors, mowers, etc). Attempting to repair, refresh, or otherwise improve these structures is not worth the investment and as such we intend to tear both buildings down to be replaced with the plan as described in the attached site plan. The site plan includes layout, footprint, and elevation drawings for the replacement structures. It also includes a design and planting plan for appropriate screening along the property lines to the north and south. One final inclusion is drive lane and parking sufficient to accommodate potential uses to which the non-residential structure could be put. We trust the plans provided are sufficient to illustrate the proposed design and layout of the replacement structures we intend to build.

The future small residence is intended as a residence for my mother. The garage is currently intended to house a small farm store which will enable us to sell the products of the farm as well as a commercial/demonstration/teaching kitchen that would enable us to perform value add work using farm products. It's possible we may run a small cider making operation out of this space once the planned small orchard is producing sufficiently to allow such an enterprise. We will work with Island Health and an engineer to ensure a septic design appropriate for intended current, and potential future uses. The design of the structure is intended to enable flexibility as we determine the type of farm related businesses we can legally undertake on this segment of the property. As such the internal layout of the building has yet to be determined.

PROJECT:
Siefert / Lamberts Residence
8376 N. Island Hwy
Comox Regional District, BC

REVISIONS

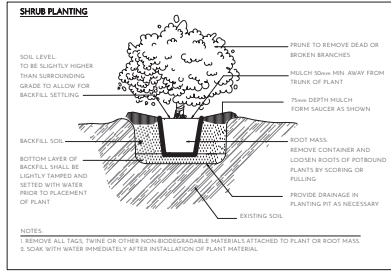
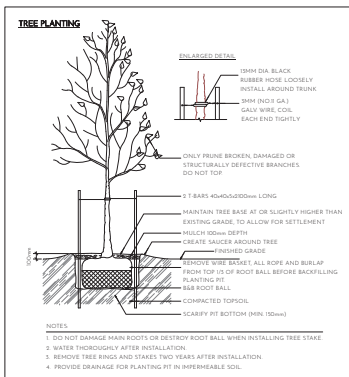
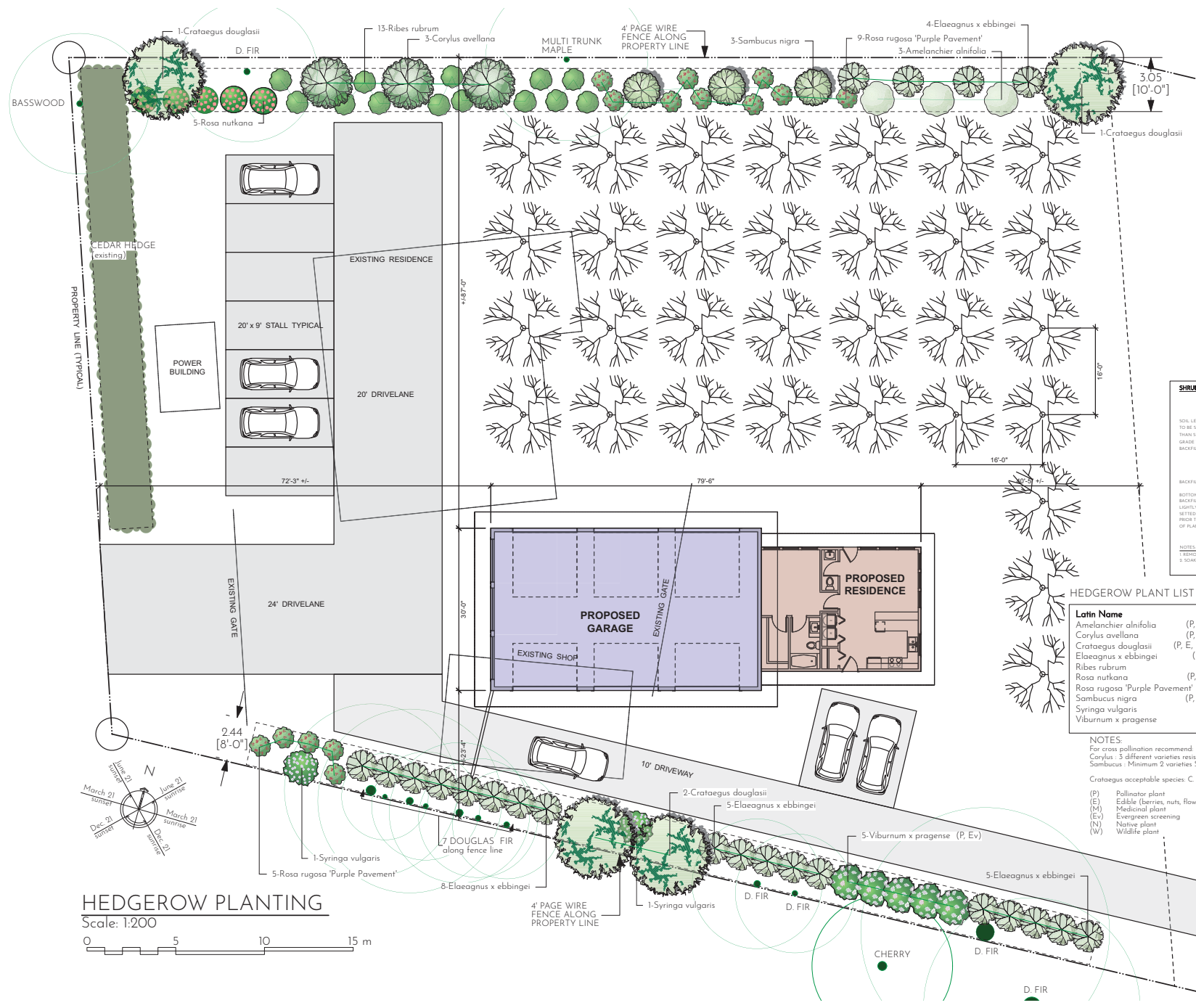
MELISSA BARON LANDSCAPE DESIGN
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MELISSA BARON LANDSCAPE DESIGN
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Melissa Baron, 2022
Designed & Drawn by Melissa Baron

MB

BUFFER
PLANTING
November, 2020

L1



HEDGEROW PLANT LIST

Latin Name	Common Name	Scheduled Size	Quantity
Amelanchier alnifolia	(P, E, N, W) Saskatoon Serviceberry	7 gal	3
Corylus avellana	(P, E, N, W) Hazelnut	7 gal	3
Crataegus douglasii	(P, E, M, N, W) Douglas Hawthorn	2 m	4
Elaeagnus x ebbingei	(E, W) Silverberry	5 gal	22
Ribes rubrum	(P, E, W) White Currant	5 gal	13
Rosa nutkana	(P, E, M, N) Nootka rose	5 gal	5
Rosa rugosa 'Purple Pavement'	(P, E, M) Purple Pavement Beach Rose	5 gal	14
Sambucus nigra	(P, E, M, W) Black Elder	7 gal	3
Syringa vulgaris	(P, E) Common Lilac	5 gal	2
Viburnum x pragensis	(P, Ev) Prague Viburnum	5 gal	5

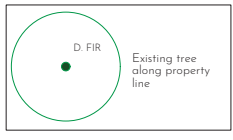
NOTES:

For cross pollination recommend
Corylus - 3 different varieties resistant to Eastern Filbert Blight
Sambucus - Minimum 2 varieties S. nigra

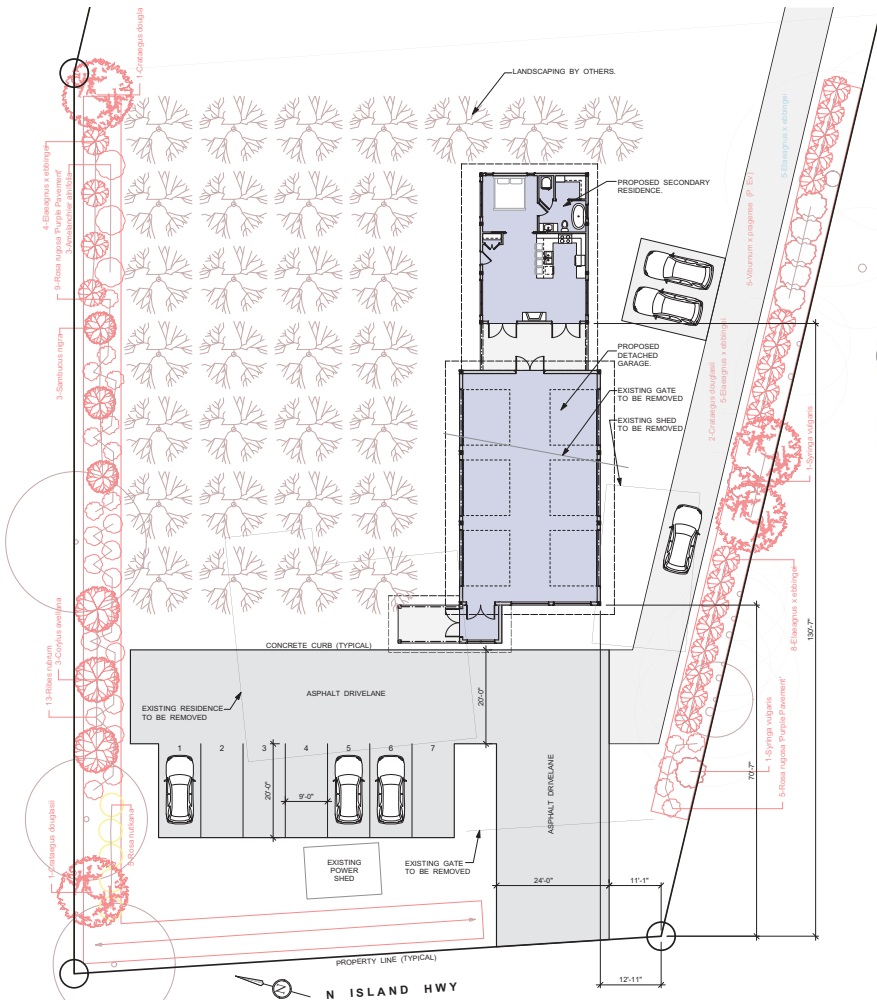
Crataegus acceptable species: C. douglasii (native), C. ellwangeriana (best fruit), C. magnoana

(P) Pollinator plant
(E) Edible (berries, nuts, flowers)
(M) Medicinal plant
(Ev) Evergreen screening
(N) Native plant
(W) Wildfire plant

HEDGEROW PLANTING
Scale: 1:200

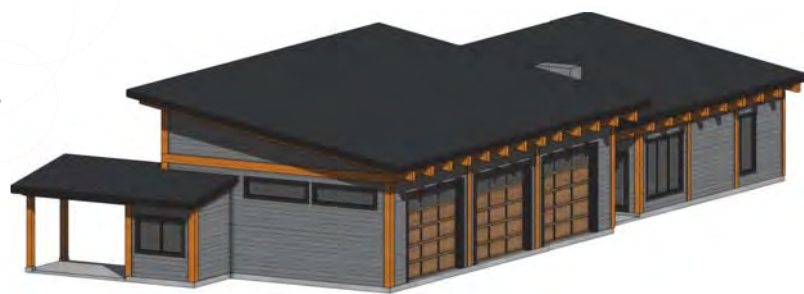


8376 NORTH ISLAND HIGHWAY, CVRD, BC



2 PARTIAL SITE PLAN
Scale: 1:150

1 FULL SITE PLAN
Scale: 1:1600



4 SOUTHWEST ISOMETRIC



3 NORTHWEST ISOMETRIC

LIST OF DRAWINGS	
A1	SITE PLAN & ISOMETRICS
A2	ELEVATIONS
A3	PERSPECTIVES
A4	FLOOR PLAN
A5	ROOF PLAN

GENERAL NOTES

- THESE ARCHITECTURAL DRAWINGS ARE BASED ON THE 2018 BRITISH COLUMBIA BUILDING CODE (BCBC).
- OWNER RESPONSIBLE FOR SURVEY, ELECTRICAL, STRUCTURAL TRUSS DESIGN, MECHANICAL, ETC.
- SITE LOT GRADING IS APPROXIMATE ONLY FOR ILLUSTRATIVE PURPOSES. SURVEY, GRADING AND SITE SLOPE DESIGN BY OTHERS. BUILDING HEIGHTS SHOWN ARE TO THE BEST OF THE ARCHITECTURAL DESIGNERS KNOWLEDGE USING APPROPRIATE GRACE.
- PLEASE ADVISE HELM DESIGN IMMEDIATELY OF ANY ERRORS OR OMISSIONS.
- WORK TO BE COMPLETED IN ACCORDANCE WITH APPLICABLE CODES AND REGULATIONS.
- IF IT IS THE OWNER'S & CONTRACTOR'S RESPONSIBILITY TO REVIEW AND VERIFY ALL DIMENSIONS AND DETAILS AND ACCEPT FULL RESPONSIBILITY FOR THEM.
- THESE DRAWINGS SHOULD NEVER BE SCALED. CONTACT HELM DESIGN TO CONFIRM ANY MISSING OR QUESTIONED DIMENSIONS TO ENSURE ACCURACY.
- THESE ARCH DRAWINGS WERE PREPARED WITH CONSIDERATION OF OTHER BUILDING SYSTEMS (ELEC, MECH, ETC). CONTRACTOR TO ADVISE HELM DESIGN IF ANY DESIGN/LEMENT RESTRICTS OR SERIOUSLY CHALLENGES THEIR ABILITY TO PERFORM WORK.

FOOTPRINT:

- DETACHED GARAGE = 1,573 SF
- RESIDENCE AREA = 736 SF
- FRONT ENTRY PATIO = 106 SF
- PATIO BETWEEN = 230 SF

TOTAL FOOTPRINT = 2,645 SF

TIMBER DESIGNER

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 Drawn By: TH Project No: #195

ISSUE LOG

No.	Description	Date
1	CLIENT REVIEW	JAN 18, 2021
2	CLIENT REVIEW	JAN 27, 2021
3	CLIENT REVIEW	FEB 08, 2021

PROJECT INFORMATION

Client: **SIEFERT FRONT**

Project Address: **8376 N. ISLAND HWY, COMOX REGIONAL DISTRICT, BC**

Sheet Title: **SITE PLAN**

Sheet Number: **A-1**

NOTE: TIMBER DESIGN FOR CONCEPTUAL PURPOSES ONLY