

DATE: May 3, 2018**FILE:** 3060-20 / DP 16B 17**TO:** Chair and Directors
Electoral Areas Services CommitteeSupported by James Warren
Acting Chief Administrative Officer**FROM:** James Warren
Acting Chief Administrative Officer*J. Warren***RE:** AMENDMENT Farm Land Protection Development Permit
6269 Whitaker Road (Salo)
Lazo North (Electoral Area B)
Lot 5, Block 29, Comox District, Plan 25363, PID 002-906-872

Purpose

To consider an amendment to Farm Land Protection Development Permit (DP) DP 16B 17. Due to issues with the existing septic, a new septic was installed within an area reserved for a vegetated farmland protection buffer. The applicant is requesting to amend DP 16C 17 to reduce the vegetated buffer requirements (Appendix A).

Recommendation from the Chief Administrative Officer

THAT the board approve the amendment to Farm Land Protection Development Permit DP 16B 17 (Salo) on the property described as Lot 5, Block 29, Comox District, Plan 25363, PID 002-906-872 (6269 Whitaker Road) to allow the farmland protection buffer to be one row of coniferous trees, two rows of trespass inhibiting shrubs and maintenance of a fence with the exception of the area behind the septic tanks where no shrubs will be required;

AND FURTHER THAT the Corporate Legislative Officer be authorized to execute the permit.

Executive Summary

- The 0.23 hectare residential property borders a 22.9 hectare agriculturally designated property to the rear.
- A Farmland Protection DP (DP 16B 17) was approved on November 7, 2017. The DP allowed a residential dwelling to be sited a minimum of 15 metres from an abutting Agricultural Land Reserve (ALR) property. As a buffer, the DP required a 3 metre wide vegetated buffer (one row of coniferous trees and two rows of trespasses inhibiting shrubs) within 4 metres of the rear lot line and maintenance of a fence.
- The applicant has applied for an amendment to the DP. Upon inspection of the existing septic system, the Registered On-Site Wastewater Practitioner (ROWP) determined the existing system could not be utilized due to the proximity to the well. While installation of a septic system does not trigger a farmland protection DP, the new septic tanks were sited in the area reserved for a vegetated buffer required by DP 16B 17 (Appendix B).
- Staff recommend issuance of the amendment to the DP to allow the vegetated area near the septic tanks to be reduced to one row of coniferous trees and no shrubs so as not to interfere with the function of the septic system. The remainder of the farmland protection buffer will be vegetated with one row of coniferous trees and two rows of trespass inhibiting shrubs as per the original DP requirements.

Prepared by:

Concurrence:

B. Labute

A. Mullaly

Brianne Labute
Planner

Alana Mullaly, M.Pl., MCIP, RPP
Acting General Manager of Planning
and Development Services Branch

Stakeholder Distribution (Upon Agenda Publication)

Applicant	✓
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Background/Current Situation

An application has been received to consider an amendment to DP 16B 17 approved on November 7, 2017. The subject property is a 0.23 hectare residential lot abutting an agricultural property to the rear. It is one of six half acre lots that were subdivided from the original farm parcel in 1971 (Figure 1 and 2). DP 16B 17 allowed a residential dwelling to be sited a minimum of 15 metres from an abutting ALR property. As a buffer, the DP required a 3 metre wide vegetated buffer (one row of coniferous trees and two rows of shrubs) within 4 metres of the rear lot line and the maintenance of a fence. For more information, please see staff report attached as Appendix C.

Upon inspection of the existing septic system, the ROWP determined the existing system could not be utilized due to the proximity to the well. To meet septic requirements, the septic system tanks were located within the area reserved for the farmland protection vegetated buffer. The applicant has applied for an amendment to change the vegetated buffer requirements. They request the ability to plant one row of coniferous trees behind the septic tanks (approximately 6 metres along the rear lot line) and no shrubs so as not to interfere with the function of the septic system (Figure 3). The remainder of the farmland protection buffer will be vegetated with one row of coniferous trees and two rows of trespass inhibiting shrubs.

Official Community Plan Analysis

The Rural Comox Valley Official Community Plan (OCP), Bylaw No. 337 being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014”, designates the property as Rural Settlement Area. Section 44 (5) of the OCP directs the Comox Valley Regional District (CVRD) to “*Ensure new development in the rural settlement area maintains the rural character of the surrounding area and supports a functioning working landscape. In circumstances where proposed new development is adjacent to an active working parcel or ALR land consider a buffer to protect the integrity of the working landscape and implement through development permits...*”. The CVRD implements this through the Farm Land Protection DP which is the subject of this amendment.

Proposed Amendment Analysis

DP 16B 17 required a 3 metre wide vegetated buffer consisting of a row of coniferous trees and two rows of trespass inhibiting shrubs be planted within 4 metres of the rear property line. At minimum, this buffer would prevent trespassing by humans, pets or wildlife and provide some visual screening. At the time of application, the applicant was under the impression the existing septic could be used. Staff understand site constraints limited the location of the new septic tanks on the parcel, therefore, an adjustment to the buffering requirements in the area the septic tanks are located is acceptable provided the remainder of the farmland protection buffer is vegetated according to the original DP conditions.

Policy Analysis

Sections 488-491 of the *Local Government Act* (RSBC, 2015, c. 1) (LGA) authorize a local government to designate Development Permit Areas (DPAs) within an OCP and establish guidelines for each DPA for specific purposes, including protection of farming. Section 491(6) allows DPs for the protection of farming to be issued with conditions related to screening, landscaping, fencing and siting of buildings or other structures. Section 86 of Bylaw No. 337 establishes a DPA for the purpose of farm land protection in the area 30 metres from land designated as agricultural area or ALR.

Options

The board may approve the amendment to the DP as presented, amend the conditions, or deny the DP. Based on the analysis above, staff recommend that the amendment of the DP is approved.

Financial Factors

Applicable fees have been collected for this application under Bylaw No. 328 being the “Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014”. Pursuant to Bylaw No. 328, 125 per cent of the cost estimate (\$3,375) was collected as a security deposit. The security deposit will remain unchanged as the amendment does not have a significant impact on the estimated costs.

Legal Factors

This report and the recommendations contained herein are in compliance with the LGA and CVRD bylaws. DPs are permitted in certain circumstances under Sections 488 to 491 of the LGA.

Regional Growth Strategy Implications

The Regional Growth Strategy (RGS), being the “Comox Valley Regional District Regional Growth Strategy, Bylaw No. 120, 2010” designates the subject property within the Rural Settlement Areas. In the RGS, there are two policies (2C-5 and 6A-3) to ensure appropriate buffers and transition zones between agricultural land and rural areas. Adequate buffers will minimize negative impacts arise from the interface between the two land uses, with the intent that the non-farm uses do not impede on agricultural activities within the ALR. The farmland protection development permit provides site specific conditions on buffers and transition zones between the proposed single detached dwelling and the ALR land.

Intergovernmental Factors

As the amendment is minor in nature, it was not referred to external agencies.

Interdepartmental Involvement

As the amendment is minor in nature, it was not referred to internal departments within the CVRD.

Citizen/Public Relations

The amendment will be considered by the Agricultural Advisory Planning Commission on May 3, 2018. The minutes of this meeting will be forwarded to the Electoral Areas Services Committee. The neighbouring ALR property owner provided a letter stating he had no concerns with the proposed change to the vegetated buffer (Appendix D).

Attachments: Appendix A – “Amended Farm Land Development Permit - DP 16B 17”
Appendix B – “Letter from ROWP, dated April 20, 2018”
Appendix C – “Staff Report, dated October 3, 2017”
Appendix D – “Letter from Mr. Fontana, dated May 2, 2018”

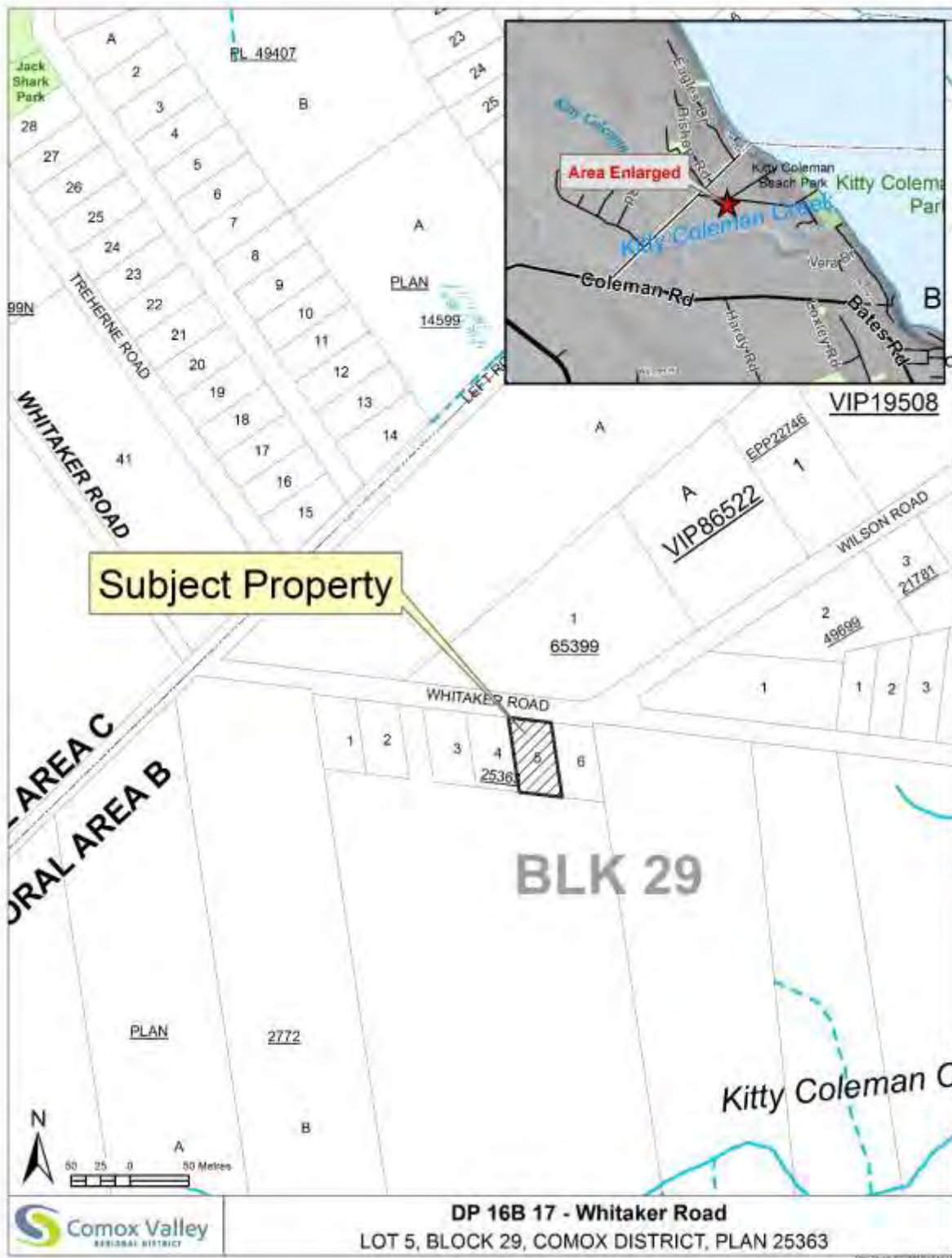


Figure 1: Subject Property Map



Figure 2: Aerial Photo with Farm Land Protection DPA Overlay

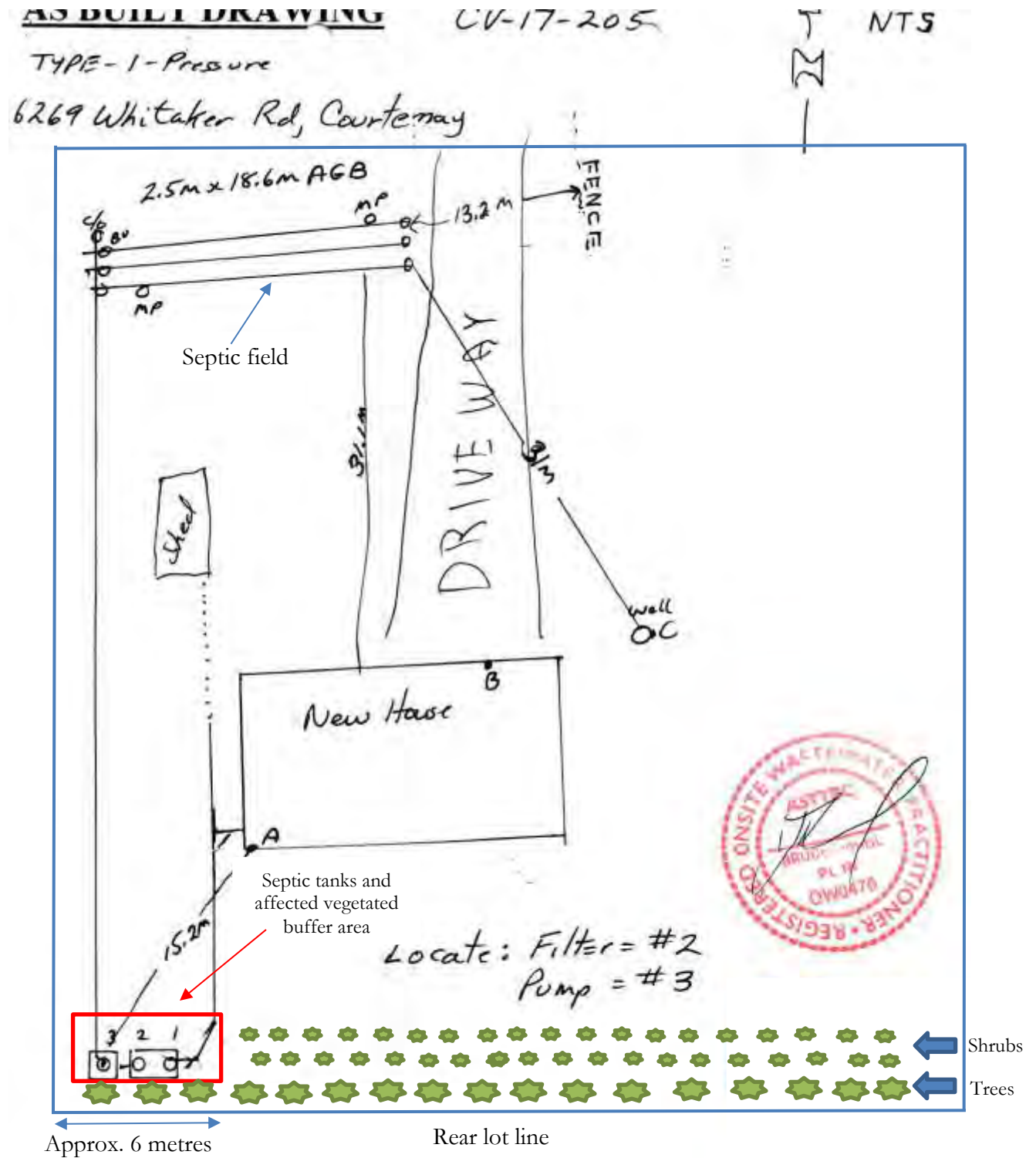


Figure 3: Location of Septic System and Proposed Buffer

DP 16B 17

TO: Maria Salo

1. This Development Permit (DP 16B 17) is issued subject to compliance with all of the bylaws of the Comox Valley Regional District applicable thereto, except as specifically varied or supplemented by this permit for the **construction of a dwelling within the 30 metre Farm Land Protection Development Permit area. The subject property is adjacent to an agricultural operation where normal farm practices may result in noise, dust, odour and/or other disturbances. The *Farm Practices Protection (Right to Farm) Act (FPPA)* protects normal farm practice as defined by the FPPA and protects farmers from nuisance claims.**
2. This Development Permit applies to, and only to, those lands within the Comox Valley Regional District described below:
Legal Description: Lot 5, Block 29, Comox District, Plan 25363
Parcel Identifier (PID): 002-906-872 Folio: 771 04873.120
Civic Address: 6269 Whitaker Road
3. The land described herein (Schedule A and B) shall be developed strictly in accordance with the following terms and conditions and provisions of this permit:
 - i) THAT no building shall be setback less than 15 metres from the rear property line;
 - ii) THAT a fence shall be maintained along the rear property line;
 - iii) THAT a 3 metre wide vegetated buffer consisting of one row of coniferous trees and two rows of trespass inhibiting shrubs shall be planted within 4 metres of the rear property line;
 - iv) THAT notwithstanding condition iii.), the area directly behind the septic tanks shall contain only one row of coniferous trees and no shrubs;
 - v) THAT shrubs have a maximum spacing of 1 metre between plantings and trees a maximum spacing of 5 metres;
 - vi) AND THAT a security deposit in the form of an irrevocable letter of credit or a security bond in the amount of \$3,375 be provided for the fencing and landscaping. The security deposit will be released in accordance with Bylaw No. 328 being the “Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014”.
4. This Development Permit is issued following the receipt of an appropriate site declaration from the Property Owner.
5. This Development Permit (DP 16B 17) shall lapse if construction is not substantially commenced within two (2) years of the Comox Valley Regional District Board’s resolution regarding issuance of the development permit (see below). Lapsed permits cannot be renewed; however, a new application for a second development permit can be applied for in

order to complete the remainder of the work.

- 6. This Development Permit is *not* a Building Permit.

CERTIFIED as the **DEVELOPMENT PERMIT** issued by resolution of the board of the Comox Valley Regional District on _____.

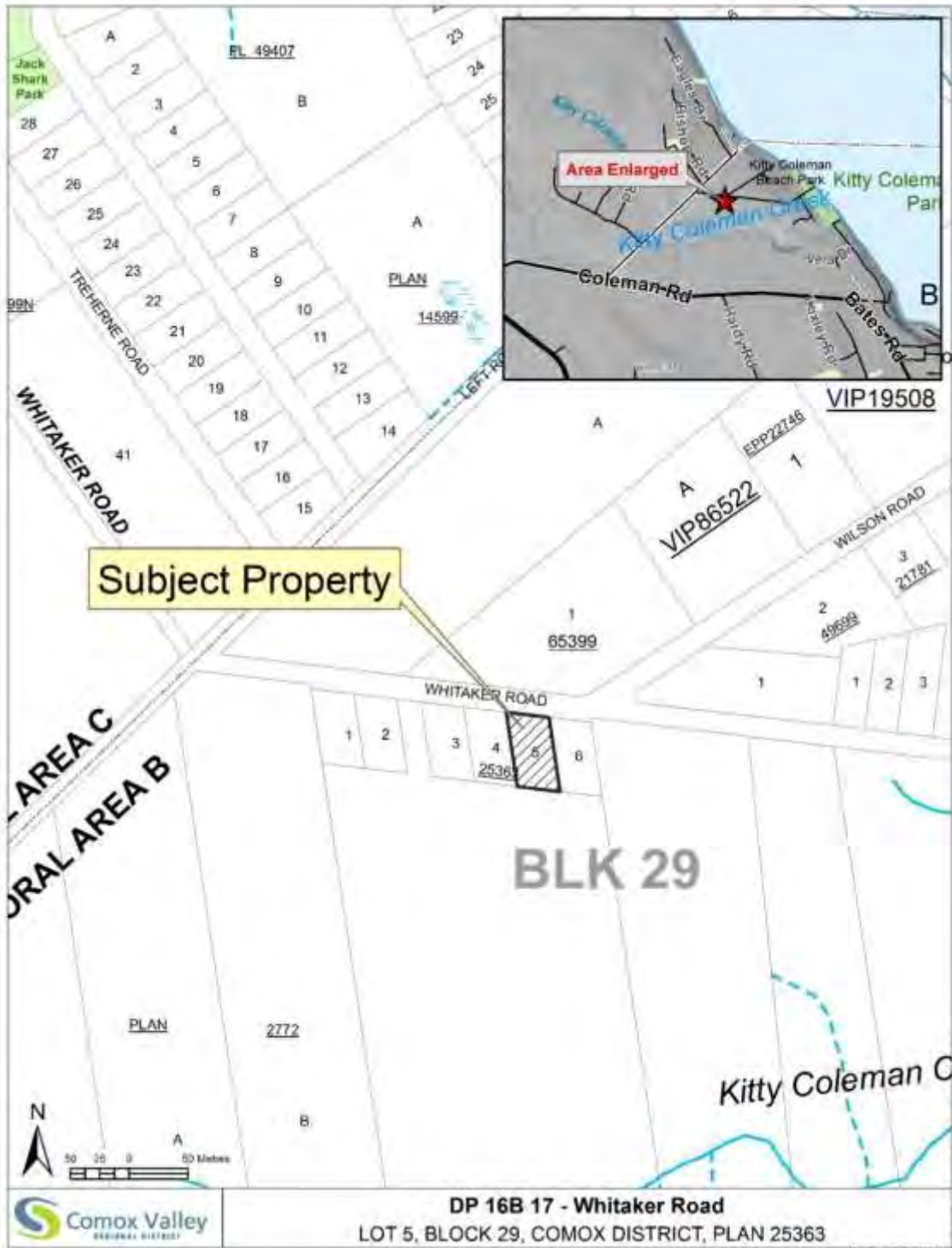
James Warren
Corporate Legislative Officer

Certified on _____

Attachments: Schedule A – “Subject Property Map”
Schedule B – “Site Plan”

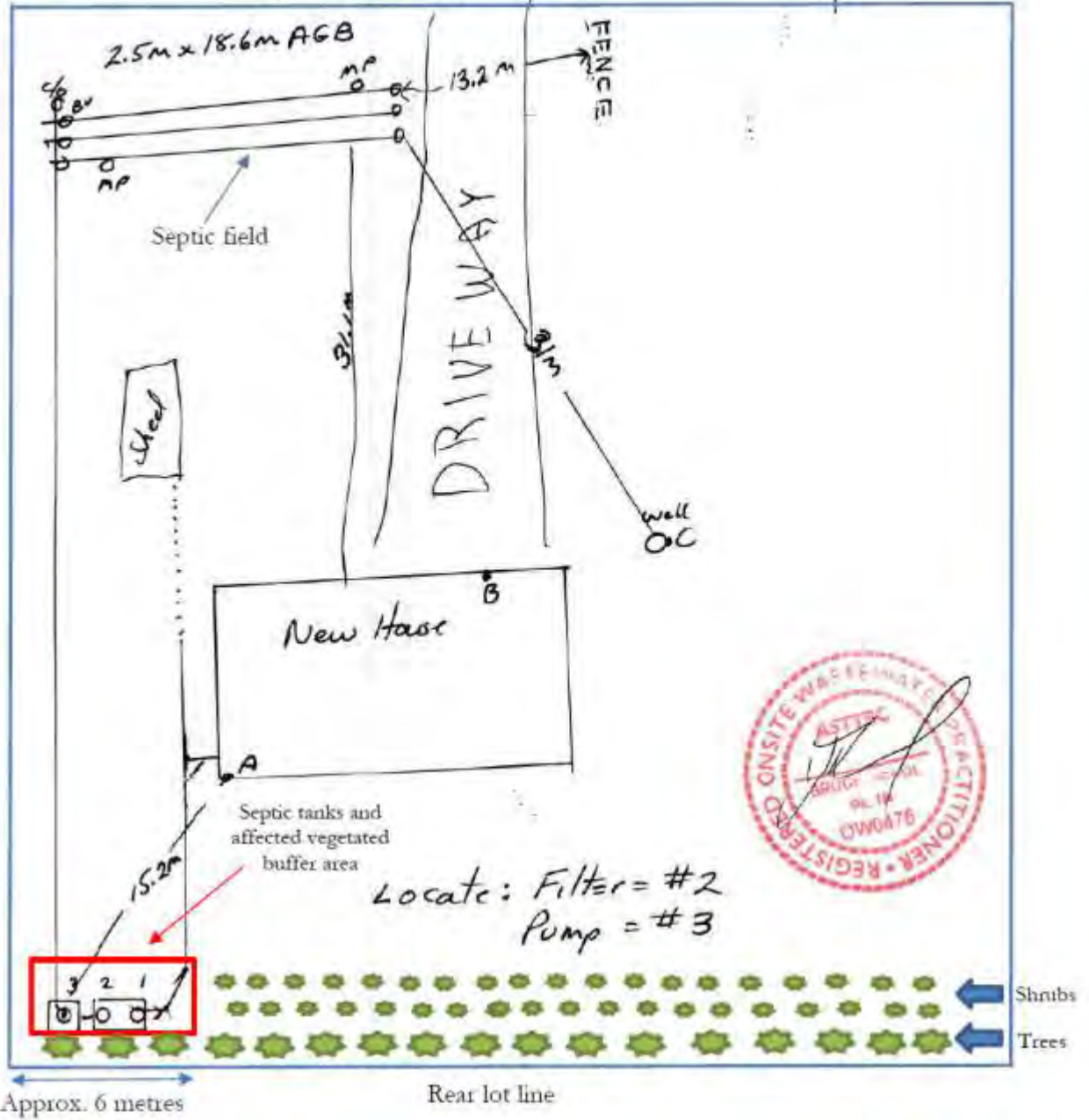
DRAFT

Schedule A Subject Property Map



Schedule B Site Plan

AS BUILT DRAWING CV-17-205 NTS
TYPE-1-Pressure
6269 Whitaker Rd, Courtenay





**ACCELERATED EXCAVATION
BRUCE NICHOL ROWP**
2885 CALEDON CRESCENT, COURTENAY, BC V9N 7E1

Ph. Number 334-4001
Fax Number 334-4059
Accexc@shaw.ca

April 20, 2018

Re: Sewerage System 6269 Whitaker Rd., Courtenay.

ALR protection zone

To: Brianna CVRD

The septic system I installed CV 17/203 required septic tanks to be placed 30m from well. The tanks and field have to be located outside of the 30m circle. This is a health hazard issue and should never be reduced as my standard practice guidelines state. The impact into the ALR setback is only three 24" circles of un-plantable area for ALR protection. The tank lids are buried 18" down and are sealed units. Roots are not able to penetrate the concrete tanks for the required re-planting

Bi-annual maintenance is required for this septic system, and grade access is code.

Any Questions or concerns contact me @ 250-897-4012 cell
Bruce Nichol ROWP
License # OW0475 ASTTBC certified

DATE: October 3, 2017

FILE: 3060-20 / DP 16B 17

TO: Chair and Directors
 Electoral Areas Services Committee

FROM: Russell Dyson
 Chief Administrative Officer

Supported by Russell Dyson
 Chief Administrative Officer

R. Dyson

RE: Farm Land Protection Development Permit
 Lot 5, Plan 25363, Whitaker Road (Salo)
 Lazo North (Electoral Area B)
 Lot 5, Block 29, Comox District, Plan 25363, PID 002-906-872

Purpose

To consider a Farm Land Protection Development Permit (DP) that would establish a buffer between a rural residential property and an agricultural property.

Recommendation from the Chief Administrative Officer

THAT the board approve the Farm Land Protection Development Permit DP 16B 17 (Salo) on the property described as Lot 5, Block 29, Comox District, Plan 25363 (Lot 5, Plan 25363, Whitaker Road) for the construction of a principal dwelling with the condition that the dwelling be setback a minimum of 15 metres from the agriculturally designated property, a fence along the rear property line be maintained and a 3 metre wide vegetative buffer consisting of one row of coniferous trees and two rows of trespass inhibiting shrubs is planted within 4 metres of the rear property line;

AND FURTHER THAT the Corporate Legislative Officer be authorized to execute the permit.

Executive Summary

- The 0.23 hectare residential property borders a 22.9 hectare agriculturally designated property to the rear.
- The applicants have applied to situate a modular home within the 30 metre Farm Land Protection Development Permit Area (DPA). To accomplish the objectives of the DPA, the applicants propose a 13.1 metres setback from the rear of the dwelling to the abutting agricultural property.
- Around the perimeter of the residential property there is a wire fence and a few trees. The applicants are not proposing any additional buffering measures.
- The neighbouring farm owner was consulted and is supportive of the proposal, as presented.
- The Regional Agrologist and the Agricultural Advisory Planning Committee (AAPC) recommend a 3 metre wide vegetative buffer along the rear property line to mitigate any future changes in agricultural use. The AAPC also recommended the dwelling be setback a minimum of 15 metres from the agricultural property.
- Staff recommend issuance of the DP (Appendix A) for the construction of a principal dwelling with the condition that the dwelling be setback a minimum of 15 metres from the agriculturally designated property, a fence along the rear property line be maintained and a 3 metre wide vegetative buffer is planted within 4 metres of the rear property line. This buffering meets the intent of the DP guidelines, the Ministry of Agriculture's *Guide to Edge Planning* and the Agricultural Land Commission's *Landscaped Buffer Specifications*.

Prepared by:	Concurrence:	Concurrence:
<i>B. Labute</i>	<i>A. Mullaly</i>	<i>A. MacDonald</i>
Brianne Labute Planner	Alana Mullaly, M.Pl., MCIP, RPP Manager of Planning Services	Ann MacDonald, MCIP, RPP General Manager of Planning and Development Services Branch

Stakeholder Distribution (Upon Agenda Publication)

Applicants	✓
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Background/Current Situation

An application has been received to consider a Farm Land Protection DP to enable a modular home to be situated within 30 metres of an agricultural property. Pursuant to Section 491(6) of the *Local Government Act* (RSBC, 2015, c. 1) (LGA), farm land protection DPs are restricted to conditions relating to screening, landscaping, fencing and siting of buildings or other structures.

The subject property is a 0.23 hectare (0.58 acre) rural residential lot abutting an agricultural property to the rear. It is one of six half acre lots that were subdivided from the original farm parcel in 1971 (Figure 1 and 2). The property currently has a shed, well and septic. The applicants propose to situate a modular home within 13.1 metres of the abutting agriculturally designated property (Figure 3). The application form cites increased traffic noise from Whitaker Road and location of existing well and septic as a rationale for decreasing the recommended 30 metre setback. The existing buffer is a wire fence and a few trees along the perimeter of the property (Figure 4). The applicants are not proposing any further buffering measures.

Official Community Plan Analysis

The Rural Comox Valley Official Community Plan (OCP) designates the property as Rural Settlement Area. Section 44 (5) of the OCP directs the Comox Valley Regional District (CVRD) to “*Ensure new development in the rural settlement area maintains the rural character of the surrounding area and supports a functioning working landscape. In circumstances where proposed new development is adjacent to an active working parcel or ALR land consider a buffer to protect the integrity of the working landscape and implement through development permits...*”. The CVRD implements this through the farm land protection DP which is the subject of this application.

Farm Land Protection Development Permit Guidelines

The intention of the farm land protection DP is to mitigate potential for land use conflicts between agricultural and residential uses (e.g. farm trespass, vandalism to crops and equipment, disturbance to farm animals, capture 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*.

When a building is proposed within 30 metres of an agricultural parcel, this DP is triggered to create a buffer between farm uses and non-farm development in accordance with the above noted guide and specifications. These guides identify the agricultural side as a working landscape and recommend the landscaped buffer to be placed on the non-agricultural side during subdivision and development.

The specifications provide a variety of options regarding the type and height of fencing and vegetation to accommodate proposed development while achieving particular objectives.

The minimum recommended specifications, which provides protection from trespass and vandalism, is a 3 metre wide vegetated buffer consisting of a double row of trespass inhibiting shrubs with wire fencing at least 1 metre in height. Solid fences (wood or chain link with privacy slats) and evergreen hedges or trees are also acceptable and would provide visual screening. Should movement of dust or pesticide spray be a factor, the specifications recommend increasing the vegetated buffer width to at least 6 metres with a row of trees (2.5 metres in height if coniferous or 6 centimetre caliper if deciduous), as well as the screening hedges and a triple row of trespass inhibiting shrubs. Should airborne particles, odours, light, or higher density development be a factor, the specifications recommend a minimum of 15 metre buffer with a double row of trees, as well as a double row of screening hedges, a triple row of trespass inhibiting shrubs, and additional ground cover shrubs, as necessary. Other features that may be integrated into the buffer area include berms, ditches, and water features.

Proposed Buffer Analysis

The neighbouring agricultural parcel is 22.9 hectares (56.5 acres) in area. A large portion of the property is forested. Other than a personal orchard, there are no agricultural activities on the property. A majority of the agricultural parcel has a Canada Land Inventory Soil (Improved) Classification of 3AP. Class 3 soils have moderate limitations that restrict the range of crops or require special conservation practices. Subclass A refers to soil moisture deficiency and subclass P refers to stoniness. A number of other farms are in the vicinity, which suggests this property is viable for agricultural use. On the six residential lots that were subdivided from the original agricultural property, the setback from the dwellings to the agricultural parcel ranges from 15 to 35 metres.

The applicants would like to locate the modular home 13.1 metres from the agriculturally designated property. Despite some constraints on the property (existing water line, septic and well), the setback from the dwelling to the agricultural property could be increased. The applicants have not proposed a vegetative buffer, but are willing to plant what is necessary to site their dwelling within the DPA. The neighbouring agricultural property owner does not feel a buffer is necessary, as his property is heavily forested. However, the buffer recommendation needs to take into consideration future property owners and potential changes in agricultural use. A farm land protection development permit is only triggered at time of development or subdivision within 30 metres of an agriculturally designated property, therefore, creating a buffer now is an opportunity to prevent future issues.

There is an existing wire fence and a few trees around the perimeter of the residential property. The recommended buffer needs to balance the potential of the agricultural parcel, the existing non-farm interface (six abutting residential lots), existing constraints, applicants' preferences and comments from the adjacent owner, AAPC and Regional Agrologist. Staff recommend increasing the minimum setback from the agricultural property to the dwelling to 15 metres to create greater separation between the parcels, that a fence be maintained along the rear property line, and that a 3 metre wide vegetative buffer consisting of a row of coniferous trees and two rows of trespass inhibiting shrubs be planted within 4 metres of the rear property line. At minimum, this buffer will prevent trespassing by humans, pets or wildlife and provide some visual screening. As the current owner of the agricultural property has no intentions to use the property for agriculture while he owns the property, a height requirement for the trees at time of planting is not recommended. The recommended buffering meets the intent of the DP guidelines, the Ministry of Agriculture's *Guide to Edge Planning* and the Agricultural Land Commission's *Landscaped Buffer Specifications*.

Zoning Bylaw Analysis

The property is zoned Country Residential One (CR-1) The CR-1 zoning allows for a single detached dwelling and secondary residential use (e.g. carriage house) and accessory buildings. The proposed development of the property is consistent with Zoning Bylaw No. 2781, being the “Comox Valley Zoning Bylaw, No. 2781, 2005”.

Policy Analysis

Sections 488-491 of the LGA authorize a local government to designate DPAs within an OCP and establish guidelines for each DPA for specific purposes, including protection of farming. Section 491(6) allows DPs for the protection of farming to be issued with conditions related to screening, landscaping, fencing and siting of buildings or other structures.

Section 86 of Bylaw No. 337 being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014”, establishes a DPA for the purpose of farm land protection in the area 30 metres from land designated as agricultural area or Agricultural Land Reserve (ALR). Construction of a building within the DPA requires the issuance of a DP prior to the issuance of a building permit.

Options

The board may approve the DP as presented, amend the conditions, or deny the DP. Based on the analysis above, staff recommend that the DP is approved with the condition that the dwelling be setback a minimum of 15 metres from the agriculturally designated property, the fence be maintained, and a 3 metre wide vegetative buffer be planted within 4 metres of the rear property line.

Financial Factors

Applicable fees have been collected for this application under Bylaw No. 328 being the “Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014”. The cost estimate for the recommended landscaping is \$2,700. Pursuant to the CVRD procedures and fees bylaw, 125 per cent of the cost estimate (\$3,375) is recommended to be retained by the CVRD as a security deposit, paid by the applicants prior to the issuance of the permit to ensure the completion of the landscaping.

Legal Factors

This report and the recommendations contained herein are in compliance with the LGA CVRD bylaws. DPs are permitted in certain circumstances under Sections 488 to 491 of the LGA.

Regional Growth Strategy Implications

The Regional Growth Strategy (RGS), being the “Comox Valley Regional District Regional Growth Strategy, Bylaw No. 120, 2010” designates the subject property within the Rural Settlement Areas. In the RGS, there are two policies (2C-5 and 6A-3) to ensure appropriate buffers and transition zones between agricultural land and rural areas. Adequate buffers will minimize negative impacts arise from the interface between the two land uses, with the intent that the non-farm uses do not impede on agricultural activities within the ALR. The farmland protection development permit provides site specific conditions on buffers and transition zones between the proposed single detached dwelling and the ALR land.

Intergovernmental Factors

A referral was issued to the Ministry of Agriculture for comment. The Regional Agrologist from the Ministry of Agriculture recommended a 3 metre wide vegetative buffer on the residential property to mitigate issues if the abutting property increases its agricultural intensity (Appendix B).

Interdepartmental Involvement

This DP application was referred to relevant internal departments. No concerns were identified.

Citizen/Public Relations

The adjacent property owner was contacted. Other than a personal orchard, there are no agricultural activities on the property and he has no intention of using the property for agriculture. As such, he does not see the need for any additional buffering on the subject property.

The AAPC met on-site on September 27, 2017 to review the proposal. They recommended the dwelling be setback a minimum of 15 metres from the agricultural property and a 3 metre wide vegetative buffer be planted along the rear property line.

Attachments: Appendix A – “Farm Land Development Permit DP 16B 17”
Appendix B – “Comments from the Regional Agrologist”

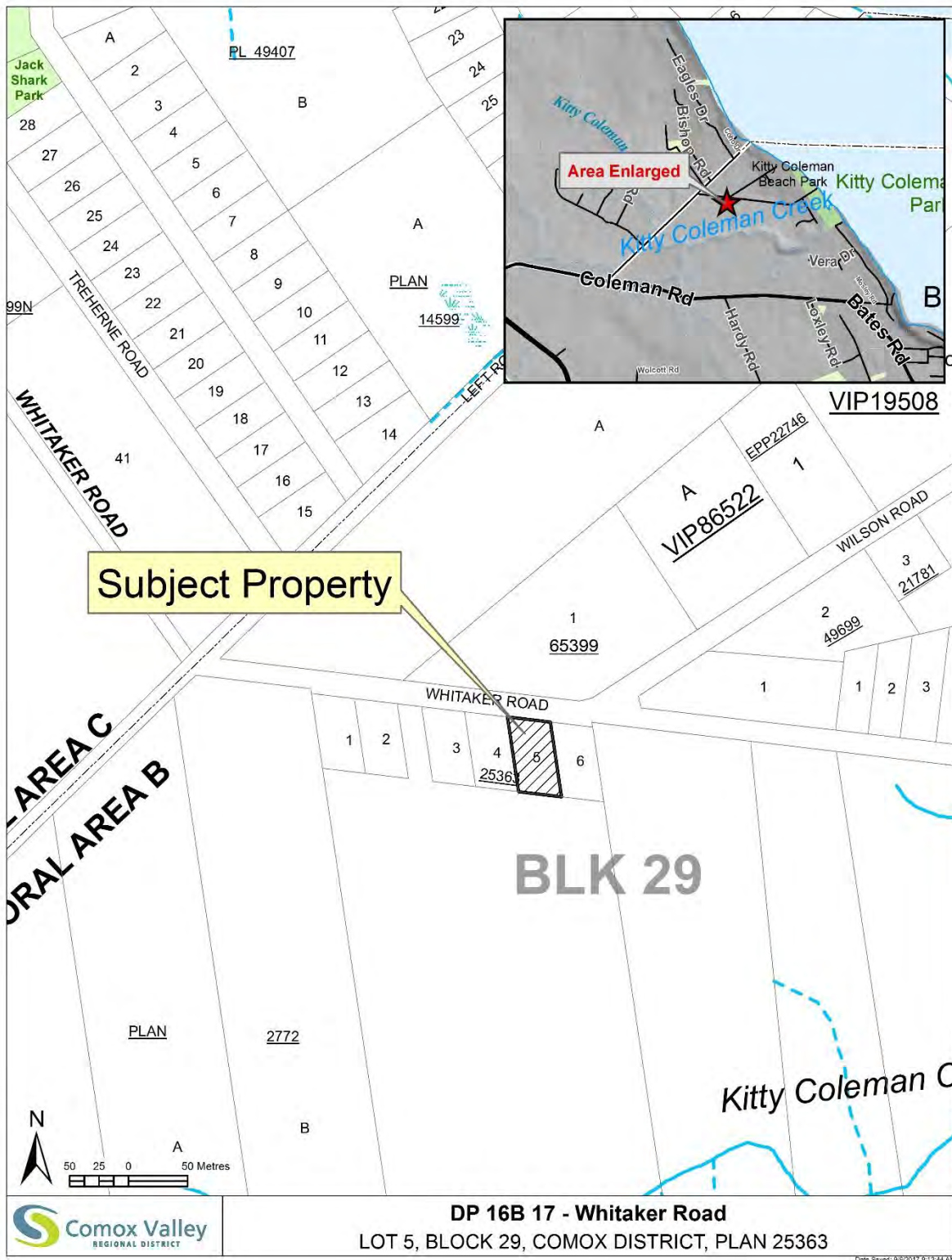


Figure 1: Subject Property Map

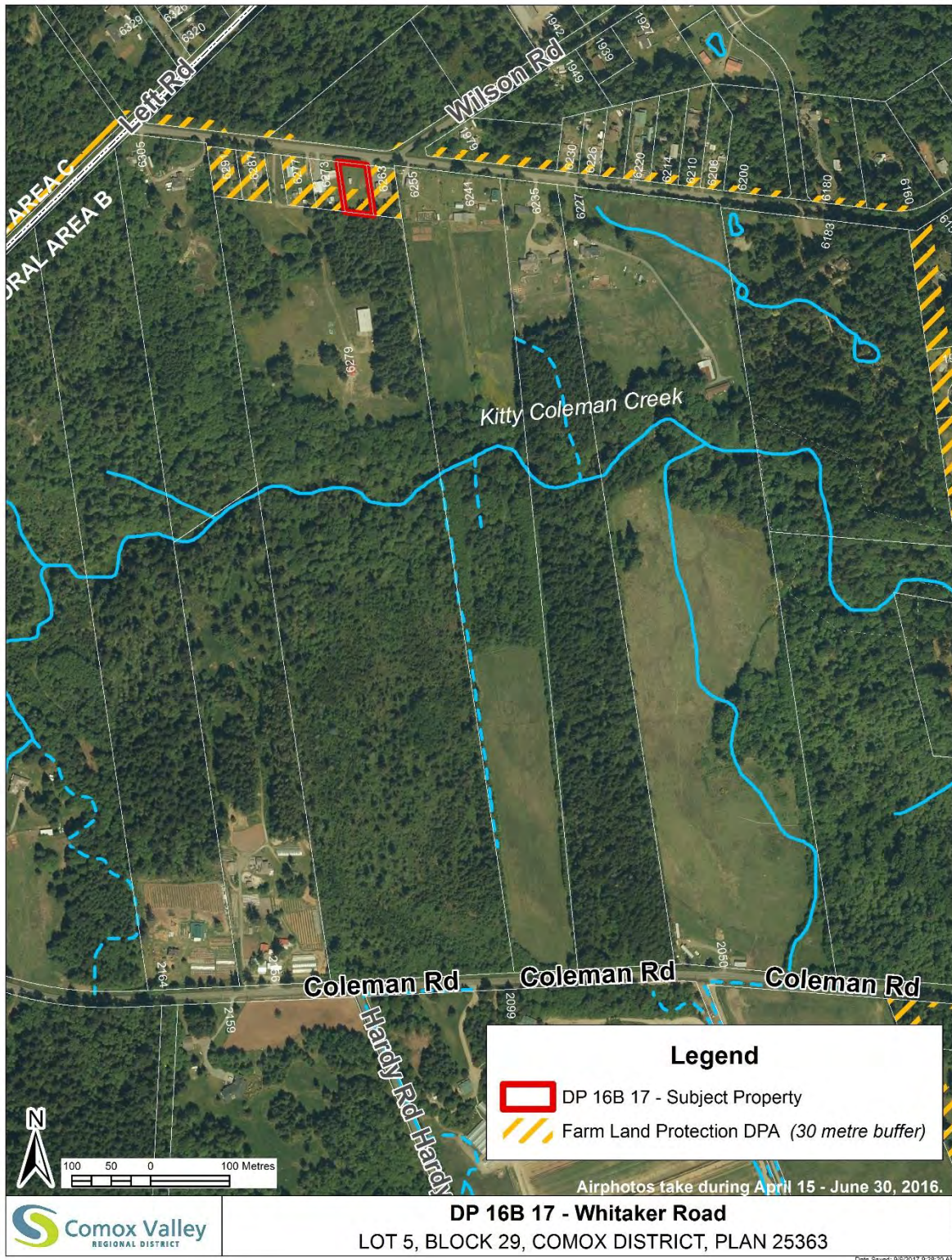


Figure 2: Aerial Photo with Farm Land Protection DPA Overlay

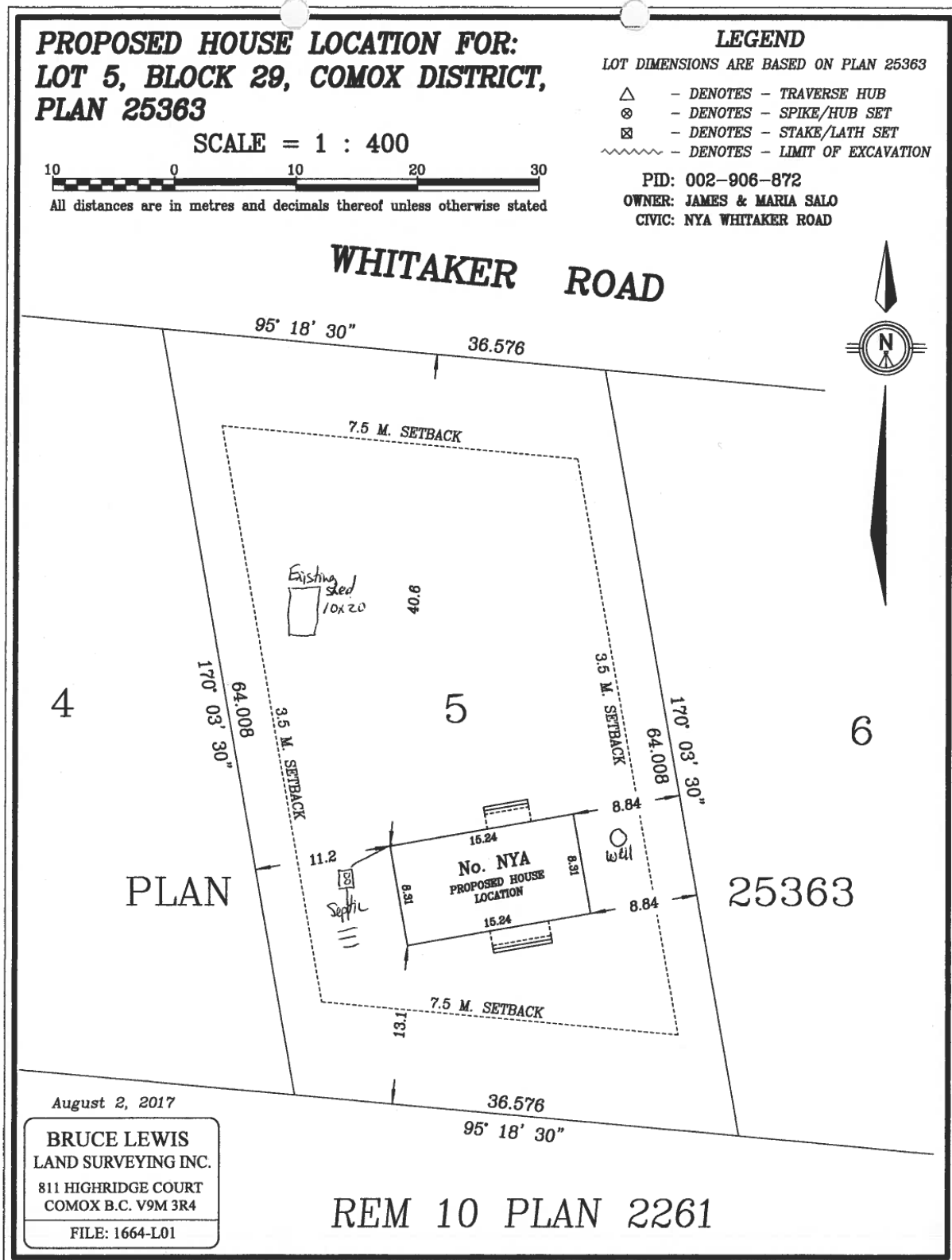


Figure 3: Site Plan, as Submitted by Applicants



Figure 4: Wire Fencing Along the Side and Rear Property Line and Flagged Location of Proposed Modular Home



Appendix A
Development Permit

DP 16B 17

TO: Maria Salo

OF: PO Box 1307, Barriere, BC V0E 1E0

1. This development permit (DP 16B 17) is issued subject to compliance with all of the bylaws of the Comox Valley Regional District applicable thereto, except as specifically varied or supplemented by this permit for the **construction of a dwelling within the 30 metre farm land protection development permit area. The subject property is adjacent to an agricultural operation where normal farm practices may result in noise, dust, odour and/or other disturbances. The *Farm Practices Protection (Right to Farm) Act (FPPA)* protects normal farm practice as defined by the FPPA and protects farmers from nuisance claims.**

2. This development permit applies to, and only to, those lands within the Comox Valley Regional District described below:

Legal Description: Lot 5, Block 29, Comox District, Plan 25363

Parcel Identifier (PID): 002-906-872 **Folio:** 771 04873.120

Civic Address: Lot 5, Plan 25363, Whitaker Road

3. The land described herein (Schedule A) shall be developed strictly in accordance with the following terms and conditions and provisions of this permit:

- i) THAT no building shall be setback less than 15 metres from the rear property line;
- ii) THAT a fence shall be maintained along the rear property line;
- iii) THAT a 3 metre wide vegetative buffer consisting of one row of coniferous trees and two rows of trespass inhibiting shrubs shall be planted within 4 metres of the rear property line;
- iv) THAT shrubs have a maximum spacing of 1 metre between plantings and trees a maximum spacing of 5 metres;
- v) AND THAT a security deposit in the form of an irrevocable letter of credit or a security bond in the amount of \$3,375 be provided for the fencing and landscaping. The security deposit will be released in accordance with Bylaw No. 328 being the "Comox Valley Regional District Planning Procedures and Fees Bylaw No. 328, 2014".

4. This development permit is issued following the receipt of an appropriate site declaration from the Property Owner.

5. This development permit (DP 16B 17) shall lapse if construction is not substantially commenced within two (2) years of the Comox Valley Regional District board's resolution regarding issuance of the development permit (see below). Lapsed permits cannot be renewed; however, a new application for a second development permit can be applied for in order to complete the remainder of the work.

6. This permit is **NOT** a building permit.

CERTIFIED as the **DEVELOPMENT PERMIT** issued by resolution of the board of the Comox Valley Regional District on October XX, 2017.

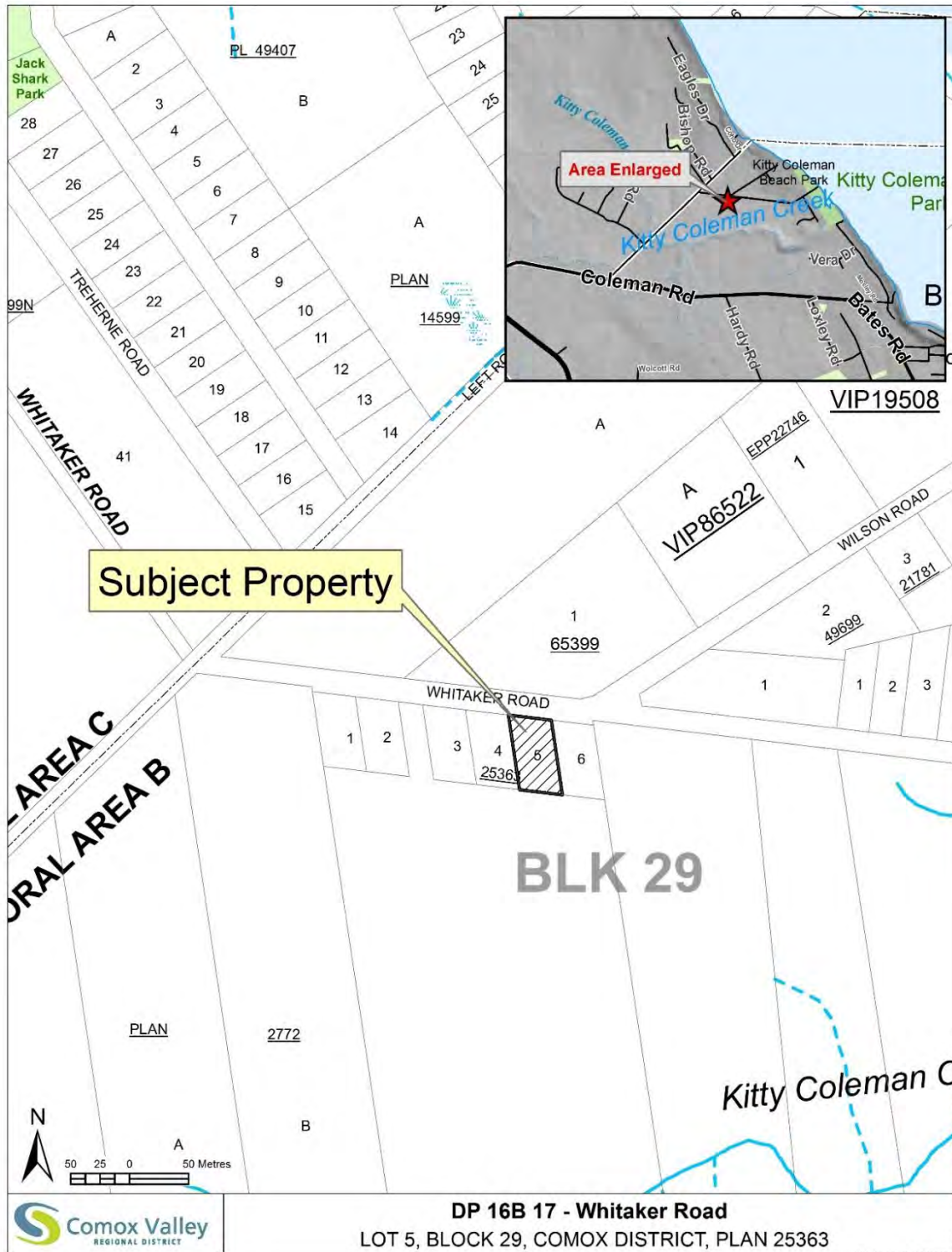
James Warren
Corporate Legislative Officer

Certified on _____

Attachments: Schedule A – “Subject Property Map”

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Schedule A Subject Property Map



AAPC Referral – File: DP 16B 17 (Salo)

MoA Referral Response Summary Form

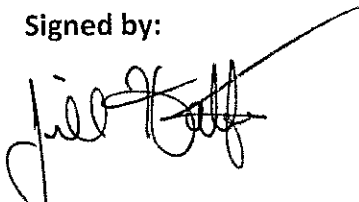
**File: 3060-20 / DP 6B 17– Lot 5, Whitaker Road (Salo)
(Planner: Brianne Labute)**

- | | | | |
|-------------------------------------|--|--------------------------|--|
| <input type="checkbox"/> | General comments | <input type="checkbox"/> | Interests unaffected |
| <input checked="" type="checkbox"/> | Issues requiring attention – see comments below | <input type="checkbox"/> | Opposed due to reasons outlined below |

Comments:

Two issues flagged on this application; First, what are the concerns, if any, from the owner of the adjacent agricultural property related to this application. The other factor is the absence of a vegetated buffer on the residential property. The incorporation of a 3 metre buffer with the existing fence should be sufficient to mitigate issues if the property increases in agricultural intensity in the future.

Signed by:



Jill Hatfield P.Ag

Title: . Regional agrologist
BC Ministry of Agriculture

Date: September 15, 2017

MR. FONTANA

MAY 2, 2016.

(250) 338-8523

TO - BRIANNE LABUTE (PLANNING)

HELLO

I AM WRITING THIS LETTER IN RESPONSE TO YOUR LETTER TO MARIA SALO. I, THE OWNER OF PROPERTY, LOT 10 BK 29, 6279 WHITTAKER RD., CONFIRMING THAT I AM OK WITH PROPOSED CHANGE TO THE BUFFER AS SHOWN IN YOUR DRAWN UP SITE PLAN.

CV-17-205

THANK YOU

MR. Fontana

Development Permit amendment

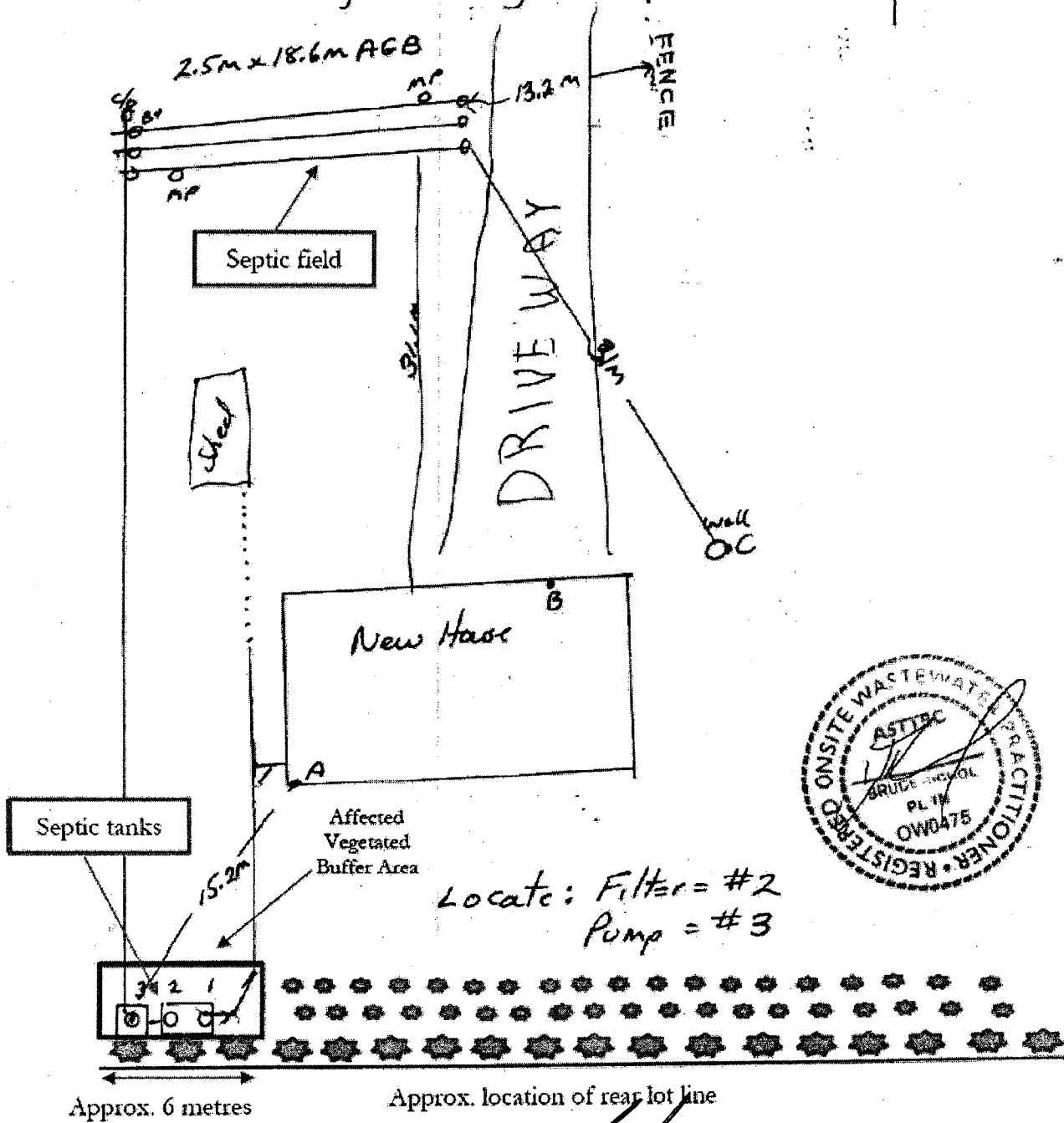
AS BUILT DRAWING

CV-17-205

TYPE-1-Pressure

6269 Whitaker Rd, Courtenay

NTS
1
2
3



Thank you,

Brianne Labute, M.Sc (Planning)
Planner
Planning and Development Services Branch
Comox Valley Regional District
600 Comox Road, Courtenay, BC V9N 3P6
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