

DPA-3 FARM PROTECTION

Justification:

This Development Permit Area is intended to protect agriculture and farming operations from adjacent new development and to reduce conflicts that could arise between agricultural use and non-agricultural uses through the use of possible requirements for screening, landscaping, fencing and siting of buildings or other structures.

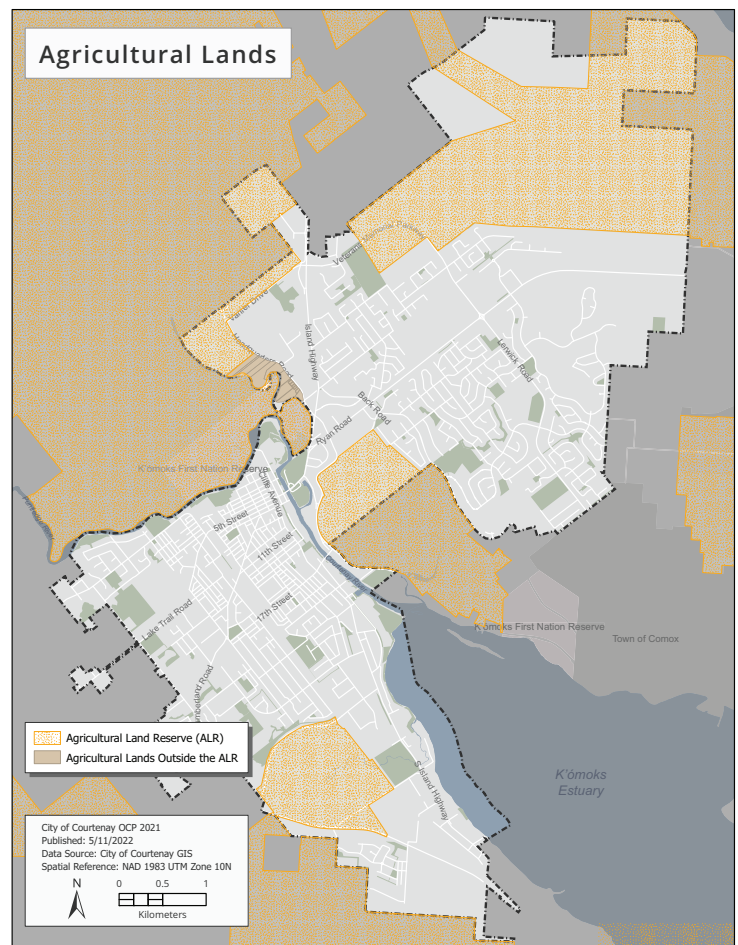
This category applies to all properties adjacent to agriculturally zoned lands, including lands adjacent to those within the Agricultural Land Reserve (ALR) (as shown on Map 4). This includes properties that are within 30 metres of agricultural lands.

The designation and guidelines are in accordance with sections 488 (1) (c) of the Local Government Act.

Objectives:

1. To minimize the conflicts that may arise between agricultural and non-agricultural land uses including as a result of nuisances such as agricultural odor, noise and dust to urban lands, or of urban light, noise and trespass to agricultural lands.
2. To minimize the impact of urban encroachment on agricultural lands.
3. To protect and/or develop effective vegetated buffers along agricultural land boundaries.

Map 4 Agricultural Lands.



Exemptions

A Farm Protection Development Permit will not be required in the following circumstances:

1. The subdivision of land already provides the prescribed agricultural buffer.
2. Subdivision lot line adjustments.
3. Development on an existing lot, that does not require subdivision, and is separated from the ALR due to a slope greater than 30%.
4. A lot that is adjacent to an ALR property that is zoned for public and institutional uses (such as parks, schools, utilities).
5. A lot that has existing vegetation that meets the vegetated buffer requirements in the Development Permit guidelines as long as the intent of the guidelines for all other requirements have been met.
6. A lot separated by a dedicated road right of way of at least 20 metres wide.
7. Construction, addition or alteration of building or structure not exceeding 10m² (100 ft²) in total gross floor area and where no variance(s) of the Zoning Bylaw is required.
8. Interior / exterior building alterations that do not expand the existing building foundation.
9. Repair, maintenance, alteration or reconstruction of existing legal buildings, structures or utilities, providing there is no expansion of the footprint.

Guidelines

General

1. Developments should generally follow, unless otherwise specified otherwise in the guidelines below, the guidelines and specifications provided in the Ministry of Agriculture Guide to Edge Planning and Agricultural Land Commission Landscaped Buffer Specifications.
2. The subdivision shall be designed to minimize the impacts that may occur between agricultural and urban uses on lands adjacent to agricultural lands.
3. Lots, buildings and structures should be clustered away from the agricultural lands to the maximum extent possible.
4. Topography shall be considered to minimize additional runoff from developed land onto agricultural land and minimize erosion.
5. A minimum 30 metre setback shall be established between future buildable areas and the agricultural land boundary. The 30 metre separation distance may include a watercourse, road, rail, or utility right of way.
6. A minimum 15 metre continuous vegetated buffer width shall be established parallel to the agricultural land boundary.
7. Exceeding a minimum 15 metre wide continuous vegetated buffer parallel to the agricultural land boundary is strongly encouraged to achieve the vegetated buffer widths outlined in the Ministry of Agriculture's "Guide to Edge Planning" most recent edition. When multiple uses occur on the lot, the most stringent vegetation buffer width should be used.

8. A minimum of 5 meter setback between vegetation buffer and the future buildable area shall be established to provide for sufficient access to the building(s).
9. Designing passive open space, including rainwater management infrastructure, next to the edge of any vegetated buffers is encouraged to add additional separation from agricultural and urban uses.
10. Development shall be designed to protect the vegetated buffer from potential negative impacts related to on-site activities (e.g. drainage, recreational pathways, driveways).
11. The road pattern shall be planned in such a way to direct urban traffic away from routes used by farmers to move equipment.
12. Utility extensions into agricultural land shall be avoided.
13. Lighting impacts on to agricultural land shall be avoided.
14. The vegetated buffer shall be located entirely on the non-agricultural side of the property boundary.
15. The vegetated buffer shall be designed, established and maintained to: filter noise, dust, airborne particulates and chemical spray drift from activities on adjacent agricultural land.
16. Existing native vegetation within the buffer shall be protected wherever possible; existing vegetation may serve as the entire buffer provided it meets the objectives of these Development Permit guidelines.
17. Vegetation buffer planting material shall be selected from the Ministry of Agriculture's "Guide to Edge Planning", most recent edition, appropriate for Courtenay's climate zone by following the criteria below:
 - a. Non-invasive;
 - b. Not harmful to nearby crops and do not harbor insects or diseases;
 - c. Drought tolerant or require minimal irrigation;
 - d. Low maintenance and require little or no fertilizer;
 - e. Native to the area where possible;
 - f. Adaptable to climate change;
 - g. Beneficial pollinator plants, wherever possible;
 - h. A deterrent to prevent trespass onto farms.
18. The vegetated portion of the buffer shall be a 'no build zone'. The area shall be free of buildings, parking, paved areas, lawn, paths, active and/or passive recreational activities.

19. A fence and educational signage about the boundary shall be installed along the agricultural land boundary and/or property line that meets the following criteria:
 - a. Up to the maximum height permitted by the Zoning Bylaw;
 - b. Solid wood, chain link, or wire mesh fabric;
 - c. According to the fencing specifications found in the Ministry of Agriculture's "Guide to Edge Planning", most recent edition;
 - d. Existing fencing may be utilized provided it is in good condition and meets the fencing guidelines.
20. The vegetated buffer shall be delineated and protected prior to the issuance of building permit.
21. A Statutory 219 Covenant shall be registered on title in order to secure the landscaping and fencing measures prescribed, including maintenance, and ensure adherence to recommendations outlined in professional reports, and/or to notify land owners of the potential for land use conflicts due to active farm operations on the adjacent agricultural lands.