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**JUAN DE FUCA
AGRICULTURAL ADVISORY PLANNING COMMISSION**

Notice of Meeting on Monday, **May 5, 2014 at 5:00 p.m.**

Juan de Fuca Local Area Services Building, #3 – 7450 Butler Road, Otter Point, BC

SUPPLEMENTARY AGENDA

1. Correspondence received to be dealt with under the following agenda item:
 - a) Agenda Item 5 a) Bylaw No. 3819, "Otter Point Official Community Plan Bylaw No. 1, 2014"
 - Heather Phillips, Otter Point

Heather Phillips

Sooke, B.C. V9Z 0R3

Juan de Fuca Agricultural Advisory Planning Commission
by email to jdfinfo@crd.bc.ca

May 2, 2014

Re: Proposed Bylaw No. 3819, "Otter Point Official Community Plan Bylaw No. 1, 2014"

Dear Commissioners,

You are probably aware that in the most recent Otter Point Official Community Plan, Bylaw N. 3719, there was a Development Permit Area titled "Protection of Farming." The designated area was a 15 metre strip adjacent to any land identified as Agricultural Land Reserve.

As far as I know, the JDF Planning Department was only called on twice to consider the consequences of this DP. In both cases I am aware of, land was being proposed to be included in the ALR which had not previously been a part of the ALR. The owners of property adjacent to the parcels realized that the 15 metre DP area would affect their properties and objected strongly. Owners of ALR land also objected to the DP area as being unnecessary. Consequently, the proposed new Otter Point OCP Bylaw No. 3819 to be considered on May 5 does not include the "Protection of Farming" DP area. This is not a concern to me.

I am concerned that in the desire to correct the excessive requirement of the DP area for protection of farming, a long standing provision in the OCP has been re-worded.

In OCP Bylaw No. 3719, it is found at 4.2.4.2 Agricultural Land Reserve Policies

1] b. "There must be a buffer used between the proposed land use and the agricultural parcels of land."

In the new OCP Bylaw No. 3819, it is found at 4.2.1.5 Agricultural Land Reserve,

2.b. "a buffer between the proposed land use and the agricultural parcels of land should be considered."

I strongly recommend rewording this statement to reflect the policy of the Agricultural Land Commission and the Ministry of Highways when considering development on land adjacent to ALR parcels. I believe a better statement of the requirement to protect farming is

"a buffer between the proposed land use and the agricultural parcels of land may be required."

The difference is that with the wording "May be required", it is clear that it is not the proponent's choice to "consider" whether or not a buffer is needed. "May be required" does not impose a buffer where local area planning and the subdivision approving officer do not think one is necessary. The planners and approving officer, who represent a public interest, will have flexibility in deciding what type of buffer may be required.

Yours sincerely,

Heather Phillips.