



Making a difference...together

**Minutes of a Meeting of the Shirley/Jordan River Advisory Planning Commission  
Held November 7, 2018, at the Shirley Community Hall,  
2795 Sheringham Point Road, Shirley, BC**

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**PRESENT:** Pascale Knoglinger (Chair), Dominique Bernardet, Sonja De Wit, Fiona McDannold,  
**Staff:** Emma Taylor, Planner; Wendy Miller, Recorder  
**ABSENT:** Brenda Mark  
**PUBLIC:** 18

The meeting was called to order at 7:00 p.m.

**1. Elections**

Emma Taylor called for nominations for the position of Chair of the Shirley/Jordan River Advisory Planning Commission (APC) for 2018 and Pascale Knoglinger's name was put forward. Emma Taylor called a second and third time for further nominations and, as there were none, Pascale Knoglinger was acclaimed Chair.

The Chair called for nominations for the position of Vice Chair of the Shirley/Jordan River APC for 2018 and Fiona McDannold's name was put forward. The Chair called a second and third time for further nominations and, as there were none, Fiona McDannold was acclaimed Vice Chair.

**2. Approval of the Agenda**

**MOVED** by Dominique Bernardet, **SECONDED** by Fiona McDannold that the agenda be approved. **CARRIED**

**3. Approval of the Supplementary Agenda**

**MOVED** by Fiona McDannold, **SECONDED** by Dominique Bernardet that the supplementary agenda be approved. **CARRIED**

**4. Adoption of the Minutes of August 2, 2017**

**MOVED** by Sonja De Wit, **SECONDED** by Dominique Bernardet that the minutes of August 2, 2017, be adopted. **CARRIED**

**5. Planner's Report**

- a) A thank you was extended to the membership for their work over the last four years. Attention was directed to the certificates of appreciation issued to the membership by the CRD Board Chair.
- b) The CRD Board adopted the Regional Growth Strategy Bylaw, Bylaw No. 4017, at its March 14, 2018 meeting.
- c) The CRD Board adopted the Shirley – Jordan River Official Community Plan (OCP), Bylaw No. 4001, at its July 11, 2018.

- d) The CRD Board adopted Bylaw No. 4188 at its meeting of March 14, 2018, rezoning lands in Jordan River to the Restricted Development – Flood Hazard Area (RD-1) zone. At the APC's request, Director Hicks met with residents in Jordan River prior to first reading of the bylaw. Also at the APC's request, the retail sales use for the RD-1 zone does not include gas bars, gas stations, or bulk fuel sales, auto repair and car wash, or any use for which a permit is required under the *Environmental Management Act or Regulation*. The OCP also reflects the APC's request that the lands be designated Commercial and included in the Commercial and Industrial Development Permit Area.
- e) Proposed Bylaw No. 4179, which would have added agriculture as a permitted use in the Forestry (AF) zone, was withdrawn by the CRD Board at its meeting of March 18, 2018, due to comments received through the public consultation process and at the public hearing. At the time of the bylaw's review, there was public support for considering small-scale agricultural operations, on a case-by-case basis, on smaller AF zoned parcels used for residential purposes.

## 6. Rezoning Application

### a) **RZ000259 - That Part of Lot 2, Section 90, Renfrew District, VIP6764 Lying to the North of the 66 Foot Road Dedicated by Said Plan (9330 Invermuir Road)**

Emma Taylor spoke to the staff report and the request to rezone the property from the Rural (A) and Forestry (AF) zones to Agricultural (AG) for the purpose of permitting farming.

Emma Taylor confirmed that the applicant and agent were present.

Attention was directed to the supplementary submission from Curtis Helgesen, Shirley, stating concern regarding the impact of agricultural zoning on his drinking water licence on Killiecrankie Creek. The Chair confirmed that the writer was not present.

The applicant responded to questions from the APC regarding the proposed farming use and water advising that:

- the intent of the application is to support a small, organic family farm
- agricultural will be small scale, not intensive
- products produced will be for market and restaurant sales
- livestock will include wool and meat sheep
- the property has been mined and logged
- approximately 50% of the property is covered by trees
- Scotch broom covers the rest of the property
- the intent is to clear the broom for farming
- the water licence referred to in the supplementary submission is on the adjacent property
- a biologist has done an assessment of the property to map the setbacks required under the *Riparian Areas Regulation (RAR)*
- a well will be constructed for domestic use and water collection will be used for farming

Emma Taylor confirmed that the Ministry of Forests, Lands and Natural Resource Operations and Rural Development has been advised of the application and the water licence located in the vicinity of the subject property. It was further advised that the Ministry has authority to respond to suspected water contamination or threats of water contamination.

The agent stated that:

- the applicant is aware of concerns related to water contamination as the applicant farmed in Colorado where there are known water contamination issues
- the applicant recognizes the importance of protecting water resources
- there are zoning setback requirements from the property line and Ministry of Agriculture setback requirements relative to watercourses
- water collected will be rain water

The applicant responded to questions from attendees confirming that, at any time of the year, there will be 20 – 40 sheep. Other animals will be limited to personal use such as a cow or chickens. No animal processing will be done on site.

A member of the public stated support for the scale proposed by the applicant but noted that the Rural A zoning permits limited intensive agricultural uses and that rezoning to permit intensive agriculture would allow a future owner to pursue this use.

Emma Taylor confirmed that a small portion of the subject property is zoned Rural A and that rezoning to Rural A is not supported by the OCP.

Emma Taylor responded to the APC confirming that the APC can recommend the creation of a site specific zone for the property or that specific restrictions apply or request a covenant to limit uses.

The APC acknowledged that unique zones have been created for properties in Shirley and Jordan River and that non-conforming properties have been rezoned to bring properties into conformity.

A member of the public stated support for retaining intensive agriculture as a permitted use on the subject property even though it is not feasible as the land cannot support a greater amount of livestock.

The agent stated that:

- the property cannot be organic and intensive
- intensive farming is normally one concentrated use
- the organic designation establishes a certain market for property re-sale
- the seller of an organic farm would want to pass on their work
- it is understood that a provincial Environmental Farm Plan is becoming a best practice, although not currently a legal requirement

The APC stated that the Rural A intensive agricultural use, which states exceptions, could be applied to the subject property.

The APC asked if there are other mechanisms to control the scale of agriculture on the property.

Emma Taylor responded advising that:

- the APC can recommend to the Land Use Committee that more information be provided by the applicant
- the APC can recommend to the Land Use Committee that a restrictive covenant be registered on title

APC comments included:

- sometimes the zone category is too broad
- sometimes creation of a site specific zone is more appropriate
- there is opportunity to rezone at a later date to add uses
- support for striking intensive agriculture and intensive agriculture – medical marihuana production as these uses are not proposed by the applicant

The agent stated that the AG zone is appropriate and that zoning is the clearest method of regulating use of land as opposed to a covenant.

The owner stated that the land carrying capacity limits use and that there are regulatory safeguards and recourse for nuisance properties.

The APC noted that there are limited enforcement resources available in the community.

A member of the public noted that there is community support for small scale agriculture but that the majority of large parcels are zoned AF and that there are a limited number large Rural A zoned properties.

Emma Taylor noted that there are AG zoned properties in the community and that the AG zone has generally been applied to properties in the Agricultural Land Reserve.

A member of the public stated support for the proposal noting the property has been mined and is now covered in Scotch broom. Development to improve the health of the land is welcomed.

**MOVED** by Sonja De Wit, **SECONDED** by Dominique Bernardet that the APC recommends to the Land Use Committee that the rezoning application be approved with 4.01 (b) Intensive Agriculture and 4.01 (c) Intensive Agriculture Medical Marihuana Production on lands within the Agricultural Land Reserve being removed as permitted uses on the subject property. **CARRIED**

## **7. Adjournment**

The meeting adjourned at 7:55 p.m.

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Chair