

Development Permit Area for the Protection of Farming

1. Designation:

Pursuant to Section 488 of the Local Government Act, properties designated, or proposed to be designated Agricultural as identified on Schedule F Land Use Plan are designated as an Agriculture Development Permit Area for the following purposes:

- 1.1. 488.1(c) Protection of farming, and
- 1.2. 488.1(a) Protection of the natural environment, its ecosystems and biological diversity.

Where this development permit area overlaps with other development permit areas, all relevant guidelines apply.

2. Objectives and Applicability:

- 2.1. To protect the agricultural land base for present and future production of food and agricultural products and retain agriculture as the highest and best use of the land.
- 2.2. To support farming activity and strengthen the farm economy.
- 2.3. To minimize and mitigate impacts from residential uses on current farm operations and future farm potential.
- 2.4. To protect soils, particularly those areas with the highest agricultural capability classification or that have potential to improve capability through soil amendments/ treatments.
- 2.5. To ensure that non-farm uses are sited outside of environmentally sensitive areas, avoid habitat fragmentation, would not compromise the agricultural capability of the property, and would not increase surface water run-off.

Prior to undertaking any land alterations, or the construction of or alterations to a building or structure, the following types of development shall require a Development Permit, unless otherwise exempt:

- 2.6. Construction, repair, alteration, or reconstruction of any detached accessory dwelling on a property, which includes proposals for a second dwelling that would cause an existing dwelling to be reclassified as the detached accessory dwelling unit.

3. Development Permit Exemptions:

- 3.1. Agricultural buildings or structures used exclusively for agriculture.
- 3.2. Construction, repair, alteration, or reconstruction of the first residential dwelling (principal dwelling) on a property.
- 3.3. Where a property is split zoned and the proposed development would occur entirely outside of an agricultural zone.
- 3.4. When sited within a 3000m² Farm Residential Footprint, the conversion of an existing building in its entirety for use as a Detached Accessory Dwelling where that building meets the size, siting, and height regulations for a residential use.
- 3.5. The construction, installation or placement of utilities and services necessary for a residential or agriculture use, including pump houses and electrical sheds up to 20m² in floor area.
- 3.6. The placement of temporary structures for no more than 30 days, or used for Gathering for an Event in accordance with Agricultural Land Commission Regulations.
- 3.7. The demolition of buildings or structures.
- 3.8. Repair, maintenance, alteration or reconstruction of existing legal, or legal non-conforming buildings, structures or utilities, providing there is no increase in building footprint.
- 3.9. Improvements to the Saanich Fairground within the Fairground Agriculture A-3 zone boundary.

Development Permit Area for the Protection of Farming

- 3.10. Improvements to Heritage Acres within the Historical Artifacts Agriculture A-5 zone boundary.
- 3.11. Improvements to Michell Airpark within the Agriculture A-7 zone boundary.
- 3.12. Improvements to the two existing veterinary clinics located at 2263 Mt Newton Cross Road and 1782 Stelly's Cross Road.

General Guidelines:**4. Mitigate Conflict with Farm Operations:**

- 4.1. Proposals for detached accessory dwellings should demonstrate that the proposed siting and design would mitigate conflict with current and future farm operations, with consideration to operations both on the property and adjacent farm lands.
- 4.2. Surrounding livestock operations, agricultural exhaust fans, manure storage areas or other odour sources should be considered when siting residential uses, as well as the predominant wind direction.
- 4.3. Measures to buffer farm operations from a residential use through landscaping, fencing, hedgerows, spatial separation, and utilizing natural topography to enhance separation are encouraged, both within the property and to adjacent farm operations.
- 4.4. Areas designed for outdoor living should be oriented away from farm operations and include landscaped screening, privacy fencing, or other means to buffer farm operations.

5. Protect Soils:

- 5.1. The siting of detached accessory dwelling units should be within an area previously approved for the removal of soil or placement of fill for residential purposes where possible.
- 5.2. New development should avoid placement in locations with the highest agricultural capability on the property as demonstrated by:
 - 5.2.1. Soil classifications based on BC Ministry of Environment Soil Survey: Soils of Southern Vancouver Island, and/or
 - 5.2.2. An assessment report prepared by a Professional Agrologist, and/or
 - 5.2.3. Based on existing Farm Operations or a Farm Business Plan, and/or
 - 5.2.4. Based on topography, bedrock exposure, or previous land disturbance and confirmed by District staff that the proposed siting selected for the property would have minimal impact relative to alternative locations based on a site visit and available information.
- 5.3. The amount of impervious surfaces should be minimized and include stormwater run-off management to reduce peak flows and improve infiltration.

6. Cluster Development and Residential Use:

- 6.1. The fragmentation of agricultural land should be avoided and all residential uses including principal dwelling units, detached accessory dwelling units, parking areas, pools, tennis/sport courts, and non-habitable residential accessory buildings (Farm Residential Footprint) should generally be sited close to roadways and services such as septic systems and potable water sources, such that the total Farm Residential Footprint is no more than 3,000m².
- 6.2. New residential development should be accessed via a shared driveway or use of an existing access and be sited no further than 50 m from the closest lot line.
- 6.3. Unless a benefit to agriculture can be demonstrated, detached accessory dwellings should be sited to provide a maximum separation from the principal dwelling no more than:
 - 6.3.1. 30 m on properties less than 1 ha in size, or
 - 6.3.2. 50 m on properties 1 ha or larger.

Development Permit Area for the Protection of Farming

- 6.4. Detached accessory dwellings should avoid placement within any development permit area for protection of the natural environment (riparian, marine, and terrestrial sensitive ecosystems) and would not be exempt from requiring a Development Permit for protection of the natural environment where applicable.
- 6.5. The siting of residential buildings and structures should retain existing trees, hedgerows, and significant vegetation to buffer farm operations and mitigate effects from wind, heat exposure, storm run-off, dust, noise and odours.

7. Guidelines for Residential Conversion:

In addition to other guidelines, the following guidelines apply to the partial conversion of an existing building that exceeds the floor area allowance for a detached accessory dwelling and would retain a portion of the building as a residential accessory or agricultural use:

- 7.1. The existing building was constructed prior to January 1, 2025.
- 7.2. The existing building complies with the current setback and height regulations for a residential use.
- 7.3. There would be no increase in building size, footprint, or height, with the exception of 3m² for weather protection where a new entrance is required.
- 7.4. There is no internal connection between the residential and non-residential areas.
- 7.5. The proposed conversion has been approved by the Agricultural Land Commission as applicable.

Note: Nothing in these guidelines would prevent any person from applying to the Agricultural Land Commission for a Non-Adhering Residential Use and/or a Development Variance Permit from Council as required.