



The Corporation of the District of Central Saanich

SPECIAL COUNCIL REPORT

For the Special Council meeting on Monday, May 29, 2023

Re: Agriculture Land Uses and Accessory Dwellings

RECOMMENDATION(S):

1. *That staff be directed to draft amending bylaws for Council's consideration to:*
 - a. *Amend the Land Use Bylaw as outlined in the report titled "Agriculture Land Uses and Accessory Dwellings" dated May 29, 2023,*
 - b. *Amend the Official Community Plan to introduce a Development Permit Area and Guidelines for the Protection of Farming, including an alternative option to register a Farm Residential Footprint,*
 - c. *Amend the Delegation Bylaw to delegate authority to approve Development Permits for the Protection of Farming to the Director of Planning and Building Services,*
 - d. *Prepare a draft 'on-site services bylaw' to require information pertaining to private systems, and*
 - e. *Amend applicable administrative bylaws as required in response to the proposed land use amendments (eg: fee bylaw, application procedures).*
2. *That once prepared and as an early referral, the draft bylaws be referred to Island Health for comment, with a request to specifically comment on bylaw references to potable water and on-site sewage treatment systems and the proposed lot size requirements.*
3. *That once prepared and as an early referral, the draft bylaws be referred to the Agricultural Land Commission and Ministry of Agriculture for comment.*

PURPOSE:

The purpose of this report is to provide an update to Council on two initiatives related to farming:

- increasing the number of permitted residential dwellings and
- including controlled environment structures (vertical farming) as a permitted use in the Land Use Bylaw.

This report also presents additional bylaw amendments related to detached accessory dwellings, clarification of cannabis production, and other minor housekeeping amendments.

BACKGROUND:

Council had previously received input from both the Advisory Planning Commission (APC) and the Peninsula and Area Agricultural Commission (PAAC) regarding additional dwellings, and input from the APC and PAAC regarding vertical farming systems has been received. Input on the two topic areas from both commissions is attached as Appendices A and B.

Residential Use

A preliminary report on the provincial changes in legislation regarding housing in the Agricultural Land Reserve (ALR) was received by Council on the November 8, 2021 agenda, with a subsequent report on the November 28, 2022 agenda. At the Nov 28 meeting Council passed the following resolutions:

1. *That staff be directed to prepare a bylaw to amend the Land Use Bylaw as follows:*
 - a. *To permit detached accessory dwelling units up to 90m² in the agriculture zones and rural zones in addition to a secondary suite in the principal dwelling;*
 - b. *Include a maximum area for attached accessory uses and building features (eg: decks, porches etc) not captured in floor area regulations for detached accessory dwellings; and*
 - c. *Amend the current prohibitions to no longer restrict the use of modular homes (CSA A-277 standard) throughout the District.*
2. *That staff be directed to prepare amending bylaws to:*
 - a. *introduce development permit guidelines for the protection of farming that would apply to detached accessory dwellings; and*
 - b. *to delegate authority to the Director of Planning and Building Services to approve development permits for the protection of farming for detached accessory dwellings in agriculture zones.*
3. *That staff bring the bylaw amendment to a future Committee of the Whole meeting and include information on:*
 - a. *the number of properties in rural zones; and*
 - b. *consideration of setting a potential minimum lot size in the A-zones related to accessory dwellings.*

Controlled Environment Structures

A preliminary report on Vertical Farming Systems, defined as 'controlled environment structured' by the province, was received by Council on the Nov 14, 2022 agenda, which identified the Agricultural zones, as well as the Light Industrial (I-1), Arterial Commercial (C-2), and two Comprehensive Development zones, Gateway Park and 1970 Keating Cross Road, as zones suitable for allowing this land use. At the Nov 14 meeting Council passed the following resolutions:

1. *That staff be directed to prepare a report on what an amending bylaw would include if a controlled environment structure was a permitted use in the Land Use Bylaw and that the report be referred to the Peninsula and Area Agriculture Commission and the Advisory Planning Commission for input.*
2. *That the Peninsula and Area Agricultural Commission and Advisory Planning Commission be asked to comment on the following:*
 - a. *Drainage concerns; and*
 - b. *If buildings can be regulated in the Land Use Bylaw based on soil type.*

DISCUSSION:

PART A: Residential Use

At the November 2022 meeting Council directed staff to consider bylaw amendments that would allow both a secondary suite and a detached accessory dwelling on rural and agricultural lands, and consider potential minimal lot size requirements as a condition of use. Generally, the bylaw amendments would

affect 1,097 lots, 610 zoned Agriculture and 487 zoned Rural Estate and a data analysis is attached as Appendix C.

Sewerage Systems: A key factor with increasing residential uses in the rural landscape is the reliance on private on-site sewage systems and groundwater wells for potable water. Private sewerage systems are regulated by the BC *Public Health Act*, *Sewerage System Regulation*, and implemented in part through Island Health Subdivision Standards, but there is little to no oversight for the design, installation, and management of private sewage systems. As there are numerous variables depending upon the site conditions that determine specific requirements, such as soil types and depth, slope, separation to wells, watercourses, or area, there is no 'one size fits all' regulations. Currently, more than 95% of the rural and agricultural land base relies on private on-site sewage systems.

Sewage systems have an inherent risk to public health and the environment in the event of a failing or mismanaged system. This risk is exacerbated in the District due to: the number of road side ditches that are, or lead to, fish habitat, all ditches inevitably discharge to the sea, and the average size of our Agricultural and Rural lots is relatively small at 3.8 ha (9.39 ac) and 2.6 ha (6.42 ac) respectively. Should private sewage systems be overloaded, are poorly maintained or fail in the future there would be increased pressure on the District to extend services, potentially resulting in rural sprawl and costly, inefficient municipal infrastructure. In order to reduce this risk, having three lot size thresholds is recommended, 1) to be permitted a suite, 2) to be permitted a suite *or* detached accessory dwelling, and 3) to be permitted a suite *and* detached accessory dwelling. The size thresholds are to ensure there is adequate land area to dedicate for an on-site system that would meet the required separations and for a reserve area in accordance with provincial regulations.

As the information provided with an Island Health septic filing ranges considerably, enacting a separate 'on-site services bylaw' to require information about on-site services be provided to the District by way of a prescribed form is recommended. The form would be required as part of a Building Permit application with the main purpose to review two main aspects:

- Siting of septic systems relative to riparian areas/ watercourses, groundwater wells, sensitive environments, or areas of saturated soils or prone to flooding, and
- Assurance design has adequately considered slope, soil removal and deposit requirements including identifying if located within a nematode quarantine area, and that there are no concerns related to municipal infrastructure.

To be clear, the District would not be reviewing the system design to ensure compliance with provincial regulations as we do not have the expertise or resources. By receiving information in a standard form, the District review would focus on the siting of proposed systems, having adequate information on soil removal/deposit, and to have an opportunity to identify any concerns.

Another safeguard to ensure adequate on-site sewage and water supply is provided is a proposed clause in the Land Use Bylaw that the Director of Engineering and Public Works may refuse a building permit if they are not satisfied that confirmation of private services has been adequately provided.

As the proposed amendments would address on-site services, a recommendation to refer the draft Bylaw to Island Health with a request to specifically comment on bylaw references to potable water and on-site sewage treatment systems and the proposed lot size requirements.

Protecting Farming: As raised during discussion at the Nov 28 meeting, while the changes in provincial legislation offers more flexibility with respect to residential uses, they may lead to further proliferation

of residential estates and land speculation, thereby impacting long term agricultural viability in the District. Therefore, in order to protect land area for farming purposes the lot size thresholds to have a detached accessory dwelling is proposed to be larger for Agricultural lots than Rural Estate lots.

Utilizing residential dwellings to generate income from short-term rentals could potentially exacerbate land speculation since the ALC regulations allow for this use. Short-term rentals are prohibited in the Land Use Bylaw (Part 3, Prohibitions) and retaining this regulation is recommended so that any additional density would directly support farming or serve the community’s housing needs, such as farm worker housing, more rental housing options, smaller housing units etc. In comparison Bed and Breakfast are permitted by both the ALC and in the Land Use Bylaw, however the ALC restricts them to being within the principal dwelling only, therefore an amendment to align our bylaw by inserting a reference to the principal dwelling is recommended and reflected in Part 4, s. 18.

Proposed Lot Size Requirements: Table 1 below outlines the proposed lot size requirements based on the zone classification and whether the property is on municipal services. The bolded number in italics represents the number of applicable lots. As proposed, 53% of rural and agricultural properties combined would be permitted up to three dwellings, 34.2% would be have the option of a suite or detached accessory dwelling, and 12.6% would be limited to a suite only.

Table 1: Proposed Lot Size Thresholds for Accessory Dwellings and Number of Affected Lots (#)

Residential Density Permitted	Minimum Lot Size Required		
	Residence with secondary suite	Residence with a suite OR a detached accessory dwelling	Residence with a suite AND a detached accessory dwelling
Agriculture Zones			
Properties with private onsite sewerage systems	400 m ² to 0.4 ha <i>72</i>	>0.4 ha to 1 ha <i>90</i>	> 1 ha <i>415</i>
Properties on municipal sewer	400 m ² to 0.2 ha <i>3</i>	>0.2 ha to 0.4 ha <i>7</i>	> 0.4ha <i>23</i>
<i>Ag Total</i>	<i>12.3%</i> <i>75</i>	<i>15.9%</i> <i>97</i>	<i>71.8%</i> <i>438</i>
Rural Estate Zones			
Properties with private onsite sewerage systems	400 m ² to 0.2 ha <i>64</i>	>0.2 ha to 1 ha <i>275</i>	> 1 ha <i>128</i>
Properties on municipal sewer	400 m ² to 0.1 ha <i>0</i>	>0.1 ha to 0.4 ha <i>3</i>	> 0.4 ha <i>17</i>
<i>RE Total</i>	<i>13.1%</i> <i>64</i>	<i>57.1%</i> <i>278</i>	<i>29.8%</i> <i>145</i>
COMBINED TOTAL	12.6% 139	34.2% 375	53% 583

Under this proposal there would be approximately 64 Rural Estate properties that would no longer be permitted a detached accessory dwelling as an alternative to a suite, or 13% of RE lots; however almost 30% would now be permitted both a suite and detached accessory dwelling. The affected properties are distributed throughout the District with most are located in small pockets of rural land largely surrounded by agricultural lands. On overview is provided in Table 2 below.

Table 2: Location of Rural Properties Affected (smaller than 0.2 ha)

Neighbourhood	Lots Affected	Neighbourhood	Lots Affected
Mt St. Michael Rd	14 of 18	Island View Rd	5 of 15
Mallard Ave	10 of 15	Lochside Dr	2 of 33
Welch Rd	9 of 19	Mt Newton X Rd	3

Old East Rd	7 of 16	McPhail Rd	1
Highcrest Tce	6 of 7	Benvenuto Ave	1
Nicolas Rd/Oldfield Rd	6 of 12		

Regulations for accessory dwelling units in ten other jurisdictions with a significant agricultural land base were reviewed and generally, 3 local governments supported more housing on smaller properties, whereas 7 are more restrictive either in lot size requirement, limiting accessory units to 1, or restricting occupancy to farm workers. See a summary table attached as Appendix D.

Excerpts from a mark-up version of the Land Use Bylaw is attached as Appendix E.

PART B - Regulatory Control

As discussed in the previous report to Council, utilizing a Development Permit (DP) process using a guidelines approach rather than a more prescriptive regulatory regime would improve flexibility based on unique site conditions; Draft DP guidelines are attached as Appendix F. Included in the guidelines is an alternative approval process for residential uses by identifying a Farm Residential Footprint on the property where all residential uses are contained, which is an approach encouraged by the Ministry of Agriculture and Agricultural Land Commission.

To minimize the approval processing time, the authority to approve development permits (DP) for this purpose could be delegated to the Director of Planning and Building Services, who can also approve covenants for Farm Residential Footprints under the existing delegated authority.

As drafted, the DP guidelines would apply to:

- Detached accessory dwellings,
- Buildings or structures accessory to a residential use, and
- Controlled environment structures larger than a specific size (see discussion below).

Other types of non-farm uses that are permitted by the ALC without requiring an application could also be considered for regulation through DP guidelines, such as seasonal farm camping. To achieve this the use would need to be included in zoning as a permitted use, otherwise they would continue to be regulated through a Temporary Use Permit process.

PART C - Controlled Environment Structures

Input from both the APC and PAAC indicated support for controlled environment structures (aka Vertical Farming Systems), and their discussion noted this type of farming is more protected from climate impacts and can increase local food production and food security, however they can be quite expensive to set up so uptake would be gradual. Contrary to the issues and challenges to establish larger scale systems, it was noted at the PAAC meeting that small scale operators have repurposed shipping containers and are producing food using automated systems in our region, but rapid growth in this sector is not anticipated. Two more recent articles on Vertical Farming are attached as Appendix G, one outlines some of the financial and technical challenges, the other is a success story from the Fraser Valley.

Consideration of restricting height, regulating the placement, and requiring screening for controlled environment structures was also raised by PAAC. To address these concerns, the Draft Development Permit guidelines would apply to any proposed controlled environment structure 500m² or larger, or more than 8 m in height.

Draft regulations regarding this use are reflected in the A-1 zone in the mark-up Land Use Bylaw (Appendix E), however the same regulations are recommended in the other Agricultural zones when amending bylaws are prepared.

Including controlled environment structures as a permitted use in the C-2 Arterial Commercial, CD-1 Gateway Park, CD-4 1970 Keating Cross Road, and I-1 Light Industrial zones is also recommended. Within these zones existing Development Permit guidelines would apply and they would be regulated in the same manner as other buildings or structures.

PART D - Detached Accessory Dwellings

As discussed in the November 2022 report there are two main issues that have arisen during the Building Permit process for carriage houses:

1. the extent of areas such as decks, covered patios, porches, and balconies that are not counted in floor area but do increase the overall massing, and
2. allowing a mixed-use building with a residential and accessory use in one building.

The attached mark-up Land Use Bylaw includes proposed amendments to address these issues in the General Regulations on Accessory Dwelling Units (Part 4, Section 12) by limited unenclosed floor area to 12m² and including any attached accessory uses within the allocated 90m².

The proposed amendments would continue to allow mobile homes for use as accessory dwellings in the Rural Estate and Agricultural zones as outlined in Part 3, Subsection 2.5.

Staff have sought clarification from the Ministry of Agriculture/ALC regarding how the regulations are applied and interpreted for Building Permit purposes, however responses are still pending. The information and details received from the province will inform how draft bylaws are prepared and although those particular sections are expected to change (Part 4, s. 12) they do not need to delay Council providing direction on next steps.

PART E - Cannabis Production

Recently staff became aware that the original interpretation of ALC legislative changes regarding concrete floors in buildings used for cannabis production was incorrect and that it does not apply across the ALC but rather provides an opportunity for local governments to regulate. Therefore the following amendment is recommended so that concrete floors are not used for such structures by revising the wording from:

Any Cannabis production in the Agricultural Land Reserve shall be designed and operated in accordance with Provincial Acts and Regulations in order to be deemed a farm use permitted in the Agricultural Land Reserve. Cannabis production not deemed a farm use by the Agricultural Land Commission is prohibited.

Information Note: *As of July 2018 the Agricultural Land Commission Act designates cannabis production as a farm use if:*

- *It is produced outdoors in a field, or*
- *It is produced inside a structure that has a base consisting entirely of soil or*
- *It is produced inside a structure that was constructed for growing crops, or under construction, before July 13, 2018.*

To:

Cannabis production as described in Section 8 of the Agricultural Land Reserve Use Regulation as a 'farm use that may not be prohibited' is permitted, and all other forms of Cannabis Production are prohibited.

Information Note: *As of July 2018 the Agricultural Land Commission Act designates cannabis production as a farm use that cannot be prohibited if:*

- *It is produced outdoors in a field, or*
- *It is produced inside a structure that has a base consisting entirely of soil or*
- *It is produced inside a structure that was constructed for growing crops, or under construction, before July 13, 2018.*

Should a proponent wish to grow cannabis within a building containing a floor then a variance would be required.

PART F – Other Amendments

Some relatively minor housekeeping amendments are included in Appendix E, the mark-up LUB as follows:

- Add definition for ‘Authorized Professional’ (Registered Wastewater Practitioner)
- Amend the definition of ‘Carport’ so it is not specifically attached to a principal dwelling
- Add definition for ‘Farm Residential Footprint’
- Amend the definition of ‘Secondary suite’ as within the principal dwelling for clarity
- Add definition for ‘Sewerage System, On-site’
- Amend definition of ‘Urban Containment Boundary’ from Settlement Area
- Amend Prohibitions to allow mobile homes as accessory dwellings on Rural and Agricultural lands in the General Regulations section
- Amend Part 4, Sections 6.3 and 6.4 to explicitly state sewerage system also have to adhere to setbacks to watercourses and the sea
- Amend the General Regulations for Bed and Breakfast to clarify they are permitted in the principal residence only
- Amend Part 5, Section 2 to exempt underground parking structures from setback requirement
- Amend the zone list in Part 5, Section 3 so the short-form is at the front
- Amend the RE zones to replace carriage house with detached accessory dwelling to clarify the regulations apply to 1-level cottages as well
- Amend the reference to an OCP schedule in Part 7, Section 8 for updated OCP
- Amend Part 7, Section 8.10 to update legislative references

Options:

1. Up to Three Dwellings, Restricted: Allow up to three dwellings on rural and agricultural lands based on lot size as outlined in this report.
2. Align Agriculture with Rural: Allow carriage houses or cottages as an alternative to a suite in the principal dwelling as currently applicable in Rural Estate zones, with a maximum of two dwelling units per property. This approach would provide more flexibility without increasing the total number of permitted dwellings and would be the recommended approach should three dwellings not be supported.
3. Up to Three Dwellings, Unrestricted: Allow up to three dwellings on rural and agricultural lands regardless of lot size. This is not recommended due to concerns that it could increase the relative cost of farmland due to property speculation based solely on financial returns from housing without having a direct benefit to farm activities. Additional concerns related to permitting three dwellings include increasing rural sprawl and negatively impacting the rural character and agricultural landscape of the broader community.
4. Status Quo: Retain suites as an option in Agriculture zones and only support additional housing through an application process.

Next Steps:

1. Council to confirm direction on the issues noted in this report.
2. Prepare Draft Bylaws and forward to the Agricultural Land Commission and Ministry of Agriculture as an early referral for comment.
3. Refer the Draft Bylaw to Island Health as an early referral specifically requesting input on references to sewage systems and potable water supply.
4. Return to Council with revised Draft Bylaws in response to early input for consideration of First Reading and a recommended Community Engagement Strategy.
5. Gather public input.
6. Consider companion amendments to administrative bylaws (eg: Delegation, Fees and Charges, Development Application Procedures).
7. Return to Council with recommended revisions, consideration of Second Reading and advancing to a Public Hearing.

CONCLUSION:

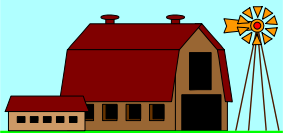
The report is to provide an update to Council on two initiatives related to farming: increasing the number of permitted residential dwellings and including controlled environment structures (vertical farming) as a permitted use in the Land Use Bylaw. This report also presents additional bylaw amendments related to detached accessory dwellings, clarification of cannabis production, and other minor housekeeping amendments.

Early referrals to key provincial agencies is recommended due to the multi-jurisdictional nature of the issues and to ensure there are no conflicts with their respective legislation and regulations prior to consideration of First Reading.

Report written by:	Andrea Pickard, Planner
Report reviewed by:	Dale Puskas, Director of Engineering
Respectfully submitted by:	Jarret Matanowitsch, Director of Planning and Building Services
Concurrence by:	Troy Ziegler, Acting Chief Administrative Officer

ATTACHMENTS:

- Appendix A: PAAC minutes
- Appendix B: APC minutes
- Appendix C: Data Analysis
- Appendix D: Comparison of Jurisdictions
- Appendix E: Mark Up of Land Use Bylaw
- Appendix F: Vertical Farming Article
- Appendix F: Draft Development Permit Guidelines
- Appendix G: Historic FCC Farmland Values Report



Peninsula & Area Agricultural Commission

*c/o Saanich Municipal Hall
770 Vernon Avenue, Victoria, B.C. V8X 2W7
Telephone: (250) 475-1775
Secretary: Isobel Hoffmann, isobel.hoffmann@saanich.ca
Chair: Robin Tunnicliffe*

January 31, 2023

Ms. Andrea Pickard, Planner
District of Central Saanich
1903 Mt. Newton X Road
Saanichton, BC V8M 2A9

Dear Ms.Pickard:

VERTICAL FARMING SYSTEMS

Thank you for attending the Peninsula & Area Agricultural Commission meeting on January 12, 2023 to elaborate on the District's report on Vertical Farming Systems. Although there were a few concerns regarding siting on Class 1 and 2 agricultural lands, and the height and design of any structures, the Commission was generally in support of the forward-thinking proposal. Below is an excerpt of the comment made at the meeting for your consideration.

PAAC comments were noted as follows:

- Concerned about the structures using valuable farmland.
- Caution in using sites that flood regularly; could require large amounts of fill to prevent flooding.
- Having a controlled area to grow greens throughout the winter is ideal.
- Suggest structures not be located on the higher classed soils (1 and 2).
- Questioned if food prices would increase using vertical farming.
- There are advantages with this system: less land and fewer resources required; no evaporation; no damage from climate change; protection from wildlife (geese, deer), reduced labour.
- Use caution with the visual appearance and aesthetics of any permanent structures; no block-concrete styles like the one adjacent to Michells farm seen from the Pat Bay Highway at Mt. Newton Cross Road. Maybe screening (hedges, trees) could be used.
- Height is an issue: keep in scale with greenhouses, perhaps a one level building around 10' or so.
- The population on the Island continues to grow while farms and our ability to grow local food continues to decline.

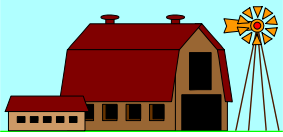
We look forward to hearing more about this proposal in the future.

Sincerely,

Robin Tunnicliffe, Chair
Peninsula & Area Agricultural Commission

cc: Councillor Niall Paltiel, PAAC Rep

**Member Municipalities:
Saanich, Central Saanich, North Saanich, Metchosin**



Peninsula & Area Agricultural Commission

*c/o Saanich Municipal Hall
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Telephone: (250) 475-1775 Fax: (250) 475-5440
Secretary: Isobel Hoffmann, isobel.hoffmann@saanich.ca
Chair: Phil Christie*

November 30, 2021

Pamela Martin
Corporate/Legislative Coordinator
District of Central Saanich
1903 Mt. Newton X Road
Saanichton, BC V8M 2A9

Your File: 3900-20

Dear Ms. Martin:

Housing & Agriculture Zones

At the November 18, 2021, Peninsula Agricultural Commission Meeting, the report from Central Saanich on Housing and Agricultural Zones was considered. A few of our members were unable to attend the ZOOM meeting, so the report and comments from the meeting were circulated for additional comments.

PAAC was asked to comment on four questions:

1. *Whether the status quo should be extended from rural to agricultural lands, as per the staff recommendations (from the report).*
2. *Alternatively, whether consideration should be given for setting the same regulations for rural and agricultural lands related to:*
 - a) *The maximum size limits for the principal dwelling; and*
 - b) *The proximity for accessory dwellings to the primary dwelling*
3. *Whether allowing three dwellings as a maximum in both rural and agricultural lands is supportable.*
4. *Whether an agricultural use, farm development plan, or agricultural intensity test be a condition.*

PAAC discussion at the meeting and additional comments were noted as follows:

- The agricultural community needs flexibility for farmers and the farm workers.
- Yes, for maximum flexibility the status quo should be extended from rural to agricultural lands, as per the staff recommendations, wherein a maximum of 3 dwellings are okay in the form of principal residence with suite and a secondary residence.
- If rules are too prescriptive it becomes limiting for the farmer.

- Flexibility is the key: perhaps include a land use planning report depending on the proposed accommodation location, access, topography, trees and vegetation, for example dwellings should not be placed on high-quality arable land, where avoidable and where it is not avoidable the dwelling should be placed on the lowest agricultural capability class lands within that farm unit or parcel.
- With respect to "clustering farm plates at the main road " a "one size fits all" policy does not work. Many farm parcels on Vancouver Island have lowlands that have high capability soils lying along the main road and often have forested high ground that is bedrock or stony in the back part of the parcel, which would be preferred location for housing, with the buildings spread out in forested areas in order to not exacerbate the fire hazard.
- Most members agree with the provincial restrictions placed on the overall footprint of the additional accommodations which are 90 sq. meters for parcels less than 40 ha and 186 sq. meters for parcels over 40 ha.
- The majority of PAAC members are opposed to additional restrictions on rental dwellings. however, if they are to be tied to the intensity of the farming. One member asked if there could be a mechanism to reward the farm owner who leases their land to a farm worker or other farmer.

Thank you for the opportunity to comment on this issue. We look forward to hearing the outcome of Council's decision. Please advise if you have any questions.

Yours truly,

“Phil Christie”

Phil Christie, Chair
Peninsula & Area Agricultural Commission

cc: Mayor and Council, District of Central Saanich
Councillor Chris Graham, Central Saanich PAAC Rep
Jarret Matanowitsch, Director of Planning, Central Saanich
Andrea Pickard, Central Saanich Planning

**Municipalities:
Saanich, Central Saanich, North Saanich & Metchosin**

Excerpt



**THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH
Minutes of the Advisory Planning Commission Meeting**

**December 7, 2022, 4:00 p.m.
Council Chambers**

Present: Jim Rondeau (Chair), Reg Nordman, Kathryn Parfitt, Shauna Sundher, Megan van Campen, Susan Zedel

Absent: Megan Parrish and Ritch Primrose

Staff Present: Jarret Matanowitsch, Director of Planning and Building Services; Ivo Van der Kamp, Acting Manager of Development Services; Andrea Pickard, Planner; Pamela Martin, Deputy Corporate Officer

6. NEW BUSINESS

6.1 Vertical Farming Systems

The Planner provided a presentation on the report and responded to questions from the Commission.

The Commission discussed the following:

- How vertical farming could save ALR land space.
- Whether soil regulation is necessary and questioned how soil is classified.
- How this system would be supportable in Central Saanich.
- The need for the farm to have best practices for drainage needs.

MOVED

That the Advisory Planning Commission recommends that staff report back to Council after three years on any issues with vertical farming, where the system is going, and any concerns staff or neighbours may have on the system.

CARRIED UNANIMOUSLY

EXCERPT



THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **ADVISORY PLANNING COMMISSION** Meeting
Wednesday, November 17, 2021, at 7:00 PM
Council Chambers

PRESENT:

Members:

Denise Tidman (Chair), Allison Habkirk (Zoom), Kathryn Parfitt (Zoom), Megan Parrish (Zoom), Richard Primrose (Zoom), Jim Rondeau (Zoom), Ron Spelt (Zoom), and Susan Zedel (Zoom)

Council Liaisons:

Councillor Thompson (Zoom)
Councillor Newton (Zoom)

Staff:

Ivo van der Kamp, Planner
Andrea Pickard, Planner
Pamela Martin, Corporate/Legislative Coordinator

ABSENT:

John Hannam

1. CALL TO ORDER

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

5.2. Housing and Agriculture Zones

The Planner presented on the report from the Director of Planning and Building Services.

The Commission discussed the following:

- Whether it is appropriate for rural and agricultural zones to have similar rules.
- Concerns with a second dwelling encroaching onto agricultural land that should be used for farming.
- That a secondary dwelling could be used for farm worker accommodation.
- Whether having an intensity test as a condition for housing is appropriate.

MOVED

The Advisory Planning Commissions supports that the status quo be extended from rural to agricultural lands, as per the two staff recommendations in the Housing and Agricultural Zones report.

CARRIED UNANIMOUSLY

MOVED

That the Advisory Planning Commission recommends a maximum of 500 square meters for all residential dwellings on agricultural land.

CARRIED

Opposed: Megan Parrish

MOVED

That the Advisory Planning Commission are not advising any changes to rural lands.

CARRIED UNANIMOUSLY

MOVED

That the Advisory Planning Commissions supports allowing three dwellings as a maximum in both rural and agricultural lands.

CARRIED

Opposed: Allison Habkirk, Jim Rondeau, and Susan Zedel

Data Analysis

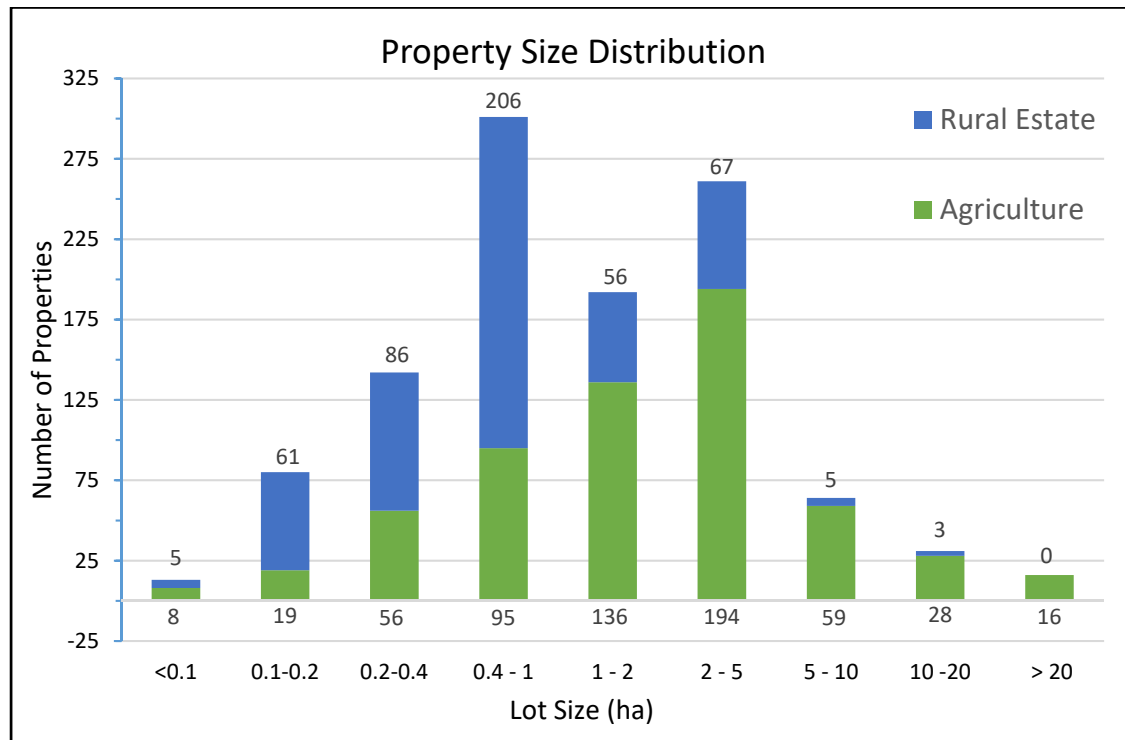


Figure 1: Distribution of Agriculture and Rural Estate Lot Sizes (excludes RE-5 and RE-6)

Table 1: Rural and Agricultural Lot Size Range and Average

Zone	Number of Lots	Smallest Lot (ha)	Largest Lot (ha)	Average Lot Size (ha)
Rural Estate-1	127	0.09	13.99	2.43
Rural Estate-2	229	0.02	3.95	0.48
Rural Estate-3	68	0.04	10.66	1.36
Rural Estate-4	64	0.40	1.41	0.70
Rural Estate-5 ⁱ	25	0.14	0.23	0.15
Rural Estate-6 ⁱⁱ	1	12.97	-	-
Agriculture ⁱⁱⁱ	611	0.02	77.76	3.80 (9.39 ac)
Total	1,124			
Average Lot Size for the RE-1 to 4 and Agricultural zones combined				2.6 (6.42 ac)

ⁱ The RE-5 Zone does not permit secondary suites

ⁱⁱ The RE-6 Zone is undeveloped but has potential for 57 lots

ⁱⁱⁱ Any lots split zoned Agriculture and Rural Estate are captured in the Agriculture lot count

Table 2: Rural and Agricultural Lot Size and Type of Sewage Service

Lot size (ha)	Total Lots	Ag zones	RE zones	Sewage Services
0.04-0.2	91	26	65	
		23	64	On septic
		(3)	(1)	On municipal sewer
> 0.2 – 0.4	145	56	89	
		49	87	On septic
		(7)	(2)	On municipal sewer
> 0.4-1	297	95	202	
		90	188	On septic
		(5)	(14)	On municipal sewer
> 1 -2	192	136	56	
		130	54	On septic
		(6)	(2)	On municipal sewer
> 2	372	297	75	
		285	74	On septic
		(12)	(1)	On municipal sewer
Total	1097 (53)	610 (33)	487 (20)	

Table 3: Proposed Lot Size Requirements with Number of Applicable Lots

Residential Density Permitted	Minimum Lot Size Required		
	Residence with secondary suite	Residence with a suite OR a detached accessory dwelling	Residence with a suite AND a detached accessory dwelling
Agriculture Zones			
Properties with private onsite sewerage systems	400 m ² to 0.4 ha 72	>0.4 ha to 1 ha 90	> 1 ha 415
Properties on municipal sewer	400 m ² to 0.2 ha 3	>0.2 ha to 0.4 ha 7	> 0.4ha 23
Ag Total	12.3% 75	15.9% 97	71.8% 438
Rural Estate Zones			
Properties with private onsite sewerage systems	400 m ² to 0.2 ha 64	>0.2 ha to 1 ha 275	> 1 ha 128
Properties on municipal sewer	400 m ² to 0.1 ha 0	>0.1 ha to 0.4 ha 3	> 0.4 ha 17
RE Total	13.1% 64	57.1% 278	29.8% 145
TOTAL	12.6% 139	34.2% 375	53% 583

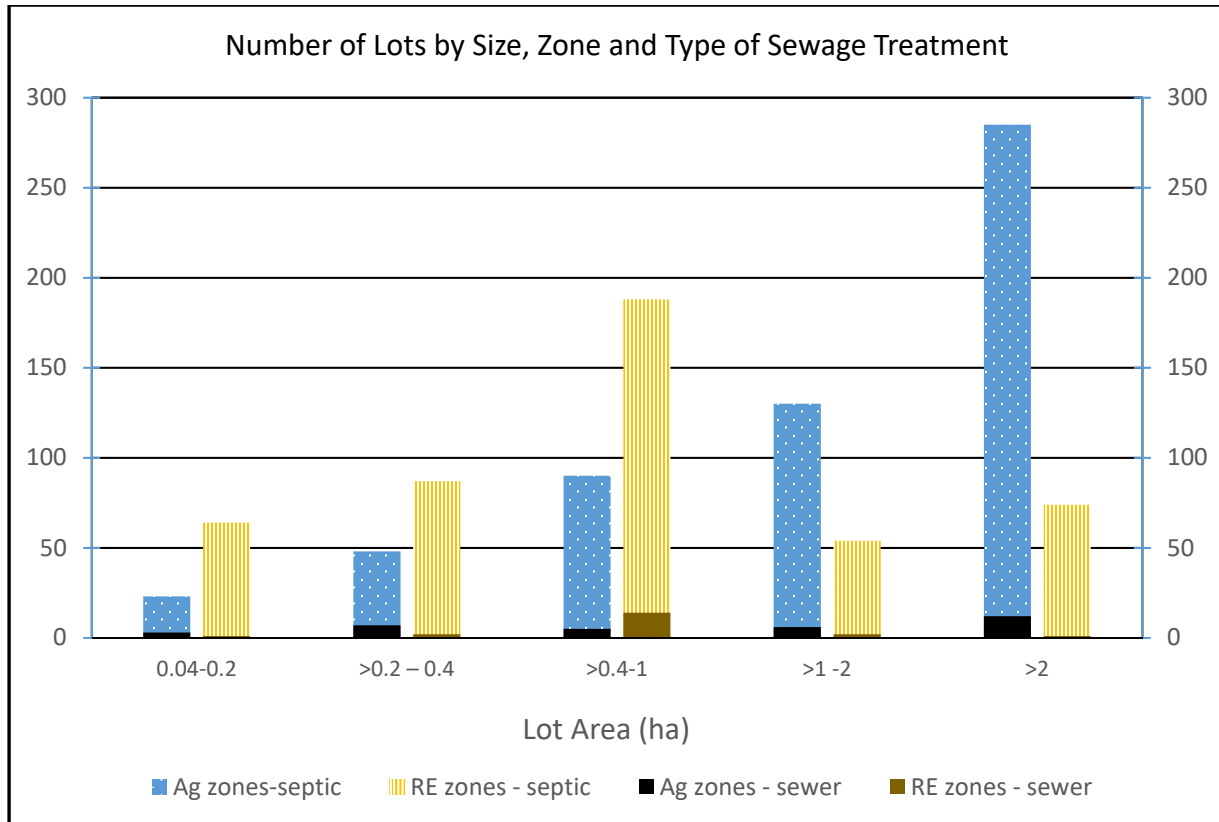


Figure 2: Lot sizes and Type of Sewage Treatment

Notes:

- RE-5 excluded as secondary suites are not permitted
- RE-6 excluded as undeveloped
- Lots split zoned Ag and RE were included in the Agriculture data
- 2 lots less than 400m² were excluded, 1 Ag and 1 RE
- Properties within the proposed A-2 Maber Wetlands zone were excluded

Comparison of Jurisdictions

Local Government	Dwellings Permitted	Conditions of Use	ALC Change Status
Pitt Meadows	only permits one second residence (suite or detached accessory)	1 accessory unit on lots 8 ha or larger	Followed consideration of ALC changes
North Saanich	LUB includes guest cottage as a permitted use, but included a clause that within the ALR only one is permitted for farm worker housing approved by the ALC.	1 accessory unit A minimum lot area of 0.4 ha is required for a guest cottage and they cannot occur if there is an existing accessory dwelling in place (secondary suite, carriage house, caretaker's house) An approval process would be required to allow them for general occupancy	Followed consideration of ALC changes – no changes were made
Campbell River	Currently allows one SFD per ha to a maximum of two dwellings per lot Note: Minimum lot size for subdivision is 32 ha – indicates they have much larger farm properties	1 accessory unit	Bylaw updates may be considered following completion of an OCP update
District of Methcosin	allows for secondary suite or a detached secondary suites	1 accessory unit Detached suites only permitted on lots 0.8 ha or larger with a maximum separation of 15 m from the principal dwelling	No plans to allow for 3 dwellings at this time
Comox Valley Regional District	Aligns with ALC regulations based on an existing clause that the permitted residential density is as permitted by the ALC	2 accessory units	No action / review was required
City of Abbotsford	allows for a secondary suite and a detached accessory if the lot is 0.4 ha or larger	2 accessory units	Was considered as part of overall AgRefresh project
Kelowna	Only one of B&B, secondary suite, or carriage house is permitted Carriage houses require lots of 2 ha	1 accessory unit Secondary suites only permitted if serviced with community water, Carriage houses require municipal services (sewer and water) unless over 1 ha	Followed consideration of ALC changes Use DP or Residential Footprint covenant to regulate
North Cowichan	SFD and a suite OR detached	1 accessory unit Lots 2 ha or larger to have detached accessory	Followed consideration of ALC changes

Local Government	Dwellings Permitted	Conditions of Use	ALC Change Status
		Previous policy re: specific consideration for 2 nd dwelling used 1 ha if no services, 0.4 ha no sewer, of 0.2 ha on municipal water and sewer	
CRD	Ag zones allowed for 1 SFD and 2 dwellings for employees subject to ALC approval	2 accessory unit 4 ha or larger	Changes to the zoning were not made following new ALC regs as they aligned with CRD zoning
RD Central Kootenay	SFD, suite, farm worker dwelling (accessory dwelling), temp farm worker housing	2 accessory units – restricted 90m ² or less Farm status and farm business min of 3 years Lot area 2 ha min Note: farm residential footprint with max 2,000m ² and 60 m setback Principal dwellings max at 185m ² , (min lot area 2ha) 300m ² , (min lot area 4 or 8 ha) 375m ² , (min lot area 30 ha) - all sizes less than ALC max	Part of ag review project

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PART 1 INTERPRETATION

1 DEFINITIONS

In this Bylaw,

"Accessory" means a use, building or structure, which is customarily incidental, subordinate, and exclusively devoted to the principal use, building or structure on the same lot.

"Accessory Dwelling Unit" means a self-contained dwelling unit which is secondary to a principal residential dwelling; includes secondary suites within the principal dwelling or detached units in the form of cottages or carriage houses.

"Affordable Housing" means subsidized dwelling units provided in a multi-unit development rented at below market rates to low or moderate income households in accordance with a Housing Agreement, and for the purposes of the density benefit provisions of this bylaw, includes detached accessory dwelling units contributing to the supply of dwelling units for market rental.

"Agriculture" means the use of land for the husbandry of plants and livestock and includes:

- storage and sale of agricultural products as permitted by Orders 726/95 and 556/98 of the B.C. Agricultural Land Commission on the date of adoption of this Bylaw; and,
- storage and repair of farm machinery and implements used on the individual farm on which the storage and repair is taking place, but does not include the use of land, buildings or structures for the growing of mushrooms.

"Agricultural Composting" means the production and storage of compost from agricultural wastes produced on the farm for farm purposes in accordance with the Agricultural Waste Control Regulation B.C. Reg. 131/92 or the production and storage of Class A compost in compliance with the Organic Matter Recycling Regulation B.C. Reg. 18/2002.

"Agricultural Equipment" means equipment used exclusively in the conduct of an agricultural use, but does not include a vehicle used primarily for the transportation of persons on a highway.

"Agricultural Exhibition Ground" means an area used for the display of agricultural products, arts, crafts, livestock or anything of an agricultural theme.

"Agricultural Fairground Use" means a commercial use of lands for purposes and events normally associated with agricultural expositions.

"Agricultural Processing Centre" means the use of land for the cleaning, sorting, and packaging of agricultural products.

"Agri-tourism" means a tourism related activity on agricultural land classified as a farm under the BC Assessment Act and as described in the Agricultural Land Reserve and Use Regulation to which members of the public are ordinarily invited and includes: agricultural heritage exhibits; farm operation tours and

educational activities; cart, sleigh or tractor rides; livestock related activities; dog trials; harvest or agriculture festivals; and corn mazes.

"Art Gallery" means the use of premises for the display of paintings, drawings or other works of art.

"Assembly Use" means a use providing for the assembly of persons for religious, charitable, philanthropic, cultural, and private educational purposes; includes auditoriums, youth centres, social halls, and churches.

"Audio/Visual Production Facility" means the use of a building or buildings to produce sound and visual recordings, and includes studios for animation, film, sound, special effects, television, video and related activities.

"Authorized Professional" means a registered onsite wastewater practitioner or a professional as defined in the BC Public Health Act, Sewerage System Regulation.

"Automobile Service Station" means any building or land used for the retail sale of motor fuels and lubricants, the servicing and repair of motor vehicles and the sale of automobile accessories, but does not include motor vehicle body work, painting or structural repairs.

"Automobile Wrecking" means the use of land or buildings for storing, disassembling and sale of automobiles and automobile parts.

"Bachelor Apartment" means a dwelling unit having no room designed to be used exclusively as a bedroom.

"Backyard Composting" means the composting of food waste or yard waste generated by the residents of a residential dwelling unit, the annual production of which does not exceed 20 cubic meters.

"Balcony" means a partially enclosed extension of an above grade floor.

"Barber and Beauty Shop" means the use of premises for washing, cutting, drying and styling hair, and associated personal grooming uses.

"Bed and Breakfast" means the commercial use of a single-family residential dwelling for the overnight accommodation of travellers and the serving of a breakfast meal only by an occupant of the dwelling unit in the dwelling.

"Breezeway" means a roofed passageway, with open sides, or sides that are partially enclosed, which is designed, built and used as a connection between two buildings, such as a Dwelling Unit and garage.

"Building" means a structure located on the ground, which is designed, erected or capable of providing support, enclosure or protection for persons, animals or property.

"Building Inspector" means the person appointed as such from time to time by the Council and includes any person designated by the Inspector to act on his behalf.

"Business Office" means the occupancy or use of a building for the purpose of carrying out business or

professional activities, but specifically excludes retail stores and service businesses.

"Cannabis Production, Agriculture" means a federally licenced facility, permitted as Agricultural use, located in the Agricultural Land Reserve, used solely for the purpose of growing, cultivation, drying, testing, packaging, storage, or distribution of cannabis or any products containing or derived from cannabis.

"Cannabis Production, Industrial" means a federally licenced facility, used solely for the purpose of growing, cultivation, drying, testing, packaging, storage or distribution of cannabis or any products containing or derived from cannabis.

"Cannabis Retail" means the use of land or buildings providing for the sale of cannabis or any products containing or derived from Cannabis, and is not included in any other type of commercial or retail use permitted in the Land Use Bylaw.

"Caretaker's Dwelling" means residential accommodation for an employee providing on-site services.

"Carport" means an open-sided structure used or intended to be used for the storage of vehicles and attached to ~~the principal a~~ building and enclosed on no more than two sides, or as a standalone roof structure on post and beams open on a minimum of three sides.

"Carriage House" means a Detached Accessory Dwelling Unit located within a two storey building.

"Car Wash" means the use of a structure or area providing for the cleaning of motor vehicles.

"Child Care Facility" means a facility licensed and used as such under the *Community Care and Assisted Living Act*.

"Church" means a building in which persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship.

"Civic Use" means a use providing for public functions under the auspices of a government body and includes offices, public schools and colleges, public hospitals, community centres, libraries, museums, fire halls, police stations and courts of law.

"Class A Bio Solids" means Bio Solids that meet the requirements of the Organic Material Recycling Regulation.

"Cold Storage Facility" means the use of a building or space specifically designed for the storage of goods that require refrigeration.

"Combined Commercial and Residential Use" means a commercial use combined on the same site or building with a dwelling unit.

"Combustible Liquid" means any liquid having a flash point at or above 37.8 degrees Celsius (100 F) and below 93.3 degrees Celsius (200 F).

Appendix E

"Commercial Vehicle" means a vehicle upon which is displayed or required to be displayed a commercial number plate issued pursuant to the *Commercial Transport Act* and, except in the case of a farm vehicle as defined in the Commercial Transport Regulations, a license plate issued pursuant to the *Local Government Act*

"Community Care Facility" means a care facility licensed pursuant to the *Community Care and Assisted Living Act*.

"Community Centre" means a community facility used for social, educational and cultural activities without purpose of gain, providing meeting space, instruction in arts, crafts, culture, health, life skills or other programs designed to promote individual wellness.

"Community Institutional use" means the use of land for parks; playgrounds; playing fields, change rooms, washrooms, meeting rooms, sports equipment storage facilities, score booths and bleachers ancillary thereto; police and fire halls; community centres; schools; universities; colleges; kindergartens; pre-schools; Daycares, and libraries.

"Community Sewer System" means a sewage collection and disposal system that is owned and operated by a municipality or regional district.

"Community Water System" means a system of waterworks owned and operated by a water district, municipality, regional district, improvement district or a water utility.

"Composting" means the controlled biological oxidation and decomposition of organic matter to a state in which it is potentially beneficial to plant growth when used as a soil conditioner.

"Condominium Hotel" means a building consisting of three or more dwelling units, which units may be used for residential purposes or for travel accommodation.

"Controlled Environment Structure" means a structure that provides a controlled environment intended to intensify crop production, including, without limitation,

- a) a vertical farming system,
- b) a rotating tray system, or
- c) any other structure that minimizes the use of land, controls the use of light, air, water or nutrients or relies in whole or in part on automation, but does not include
- d) a greenhouse,
- e) a structure for mushroom production, or
- f) a structure for cannabis production.

"Convenience Store" means a retail store providing for the sale of items regularly used by households, including food, beverages, books, magazines and household accessories.

"Cooking Facility" means an area or room equipped or constructed so as to be capable of being equipped as a kitchen for the storage and preparation of food within a Dwelling Unit, containing equipment, devices and appliances or facilities for their installation including a kitchen sink, gas or electric range or stove, cabinetry for the storage of food or any other such cooking facility or any combination of such cooking

provision for living, sleeping and sanitary facilities and containing not more than one cooking facility, and

- arranged such that the all areas of the dwelling unit are accessible from a single exterior entrance.
- A dwelling unit does not include a recreational vehicle, tents, yurts, or other similar structures.

“Electric Vehicle” (EV) means an automotive vehicle that uses electricity for propulsion, and that can use an external source of electricity to charge the vehicle’s batteries.

“Electric Vehicle Energy Management System” (EVEMS) means a system used to control EVSE loads through the process of connecting, disconnecting, increasing, or reducing electric power to the loads, and consisting of any of the following: a monitor(s), communications equipment, a controller(s), a timer(s), and other applicable device(s).

“Electrical Vehicle Supply Equipment” (EVSE) means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an EV.

“Energized” means electrically connected to, or is, a source of voltage.

“Equestrian or Riding Stable” means the use of premises for the keeping, breeding, raising, training, boarding and riding of horses.

“Exhibition Ground” means an area used for the display and demonstration of arts, crafts, livestock, or industrial products, and includes an area for trade fairs.

“Family” means one person or two or more persons related by blood, marriage, common-law relation, adoption or foster care, or up to six unrelated persons, jointly occupying a dwelling unit.

“Family Resource Centre” means a centre providing counselling services to the residents of the community, including offices and meeting space.

“Farm camping” means the use of a portion of a lot on which an agriculture use is being conducted, for the temporary accommodation of the travelling public in tents, on a seasonal basis, and for this purpose “temporary” means for not more than 30 consecutive days in one calendar year.

“Farm Residential Footprint” means a defined area within an agricultural property that is registered on title by covenant where all structures associated with a residential uses are to be located, including but not limited to outdoor living areas, pools, tennis/sport courts, accessory garages, driveways, parking areas, on-site sewerage systems, and buildings for a home occupation use not related to the farm operations.

“Fence” means a vertical barrier of wood, masonry, wire, metal or other materials erected to enclose, screen or separate areas, and includes a railing, retaining wall, gate, pickets, trellis, tower or other screening.

“Fence Height” in respect of fences means the vertical distance between the top of any part of a fence and highest natural ground elevation within 1 metre in every direction of all parts of the fence, or from

Appendix E

distribution of such technologies, including, but not limited to: electronics, electrical products; computer hardware, programming and software development; telecommunications' systems including devices or similar equipment; precision engineering and robotics; pharmaceutical preparations or materials; medical devices; and, batteries and fuel cells.

"Residential Apartment" means a building used for residential occupancy only, which consists of three or more dwelling units, each with individual principal access from an interior corridor, and which share external access to the building at grade or having direct access to the exterior.

"Residential Attached" means a building used for residential occupancy only, which consists of three or more dwelling units with each dwelling unit having its principal access at ground level,

"Residential Single Family" means a detached building consisting of only one principal Dwelling Unit used for residential occupancy only, which may include a secondary suite where permitted by this Bylaw.

"Residential Two Family" means a building consisting of two principal dwelling units used for residential occupancy only.

"Restaurant" means an eating establishment providing for the sale of prepared foods and beverages to be consumed on the premises.

"Retail" means the selling of goods and services directly to the consumer.

"Retail Store" means a sales outlet contained under one roof providing for the retail sale and display of goods, other than gasoline.

"Retaining Wall" means a vertical structure of brick, stone, rock, timbers, concrete masonry or any other material constructed to hold back, stabilize or support an earthen bank due to differences in lot grades.

"Rural Tourism Use" means an organized activity, facility or enterprise in a rural setting, intended to promote agricultural operations and local farm products to the travelling public through educational exhibits and programmes and private or public special occasion events, and may include the seasonal accessory retail sale of agricultural products grown, raised or processed on local farms.

"Salvage Yard" means the use of land or buildings for the keeping or sale of used building products, rags, bottles, automobile tires, metal, other scrap or salvage materials but does not include recycling facilities.

"School" means an institution with no residential component, providing a curriculum of academic instruction up to completion of Grade 12, and which consists of a body of students organized as a unit for educational purposes under the direction of a principal, vice-principal, headmaster or director of instruction, including the teachers and other staff members associated with the unit.

"Seasonal" means May 01 to September 30 of each year.

"Secondary Suite" means an ~~additional-accessory~~ Dwelling Unit that is contained within a principal Residential Single Family building which is a single real estate entity. No portion shall be located in an accessory structure or building either detached from a Residential Single Family building or attached only

by a passageway.

"Service Business" means a business providing a service to persons and their pets including barber and beauty shops, tailors, shoe repairs, dressmakers, photographers, pet grooming, dry cleaning, optical or watch repair, florists, laundromats, gift shops, book and stationery, small appliance repairs, and licensed professional practitioners.

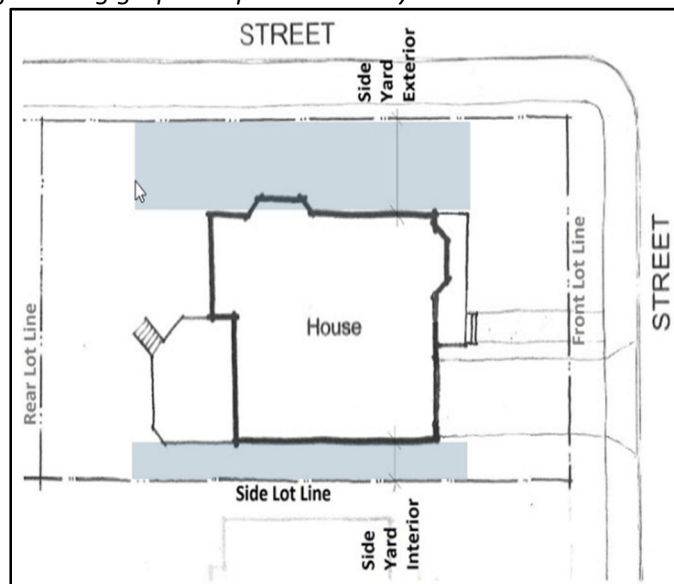
"Sewerage System, On-site" means a private system for treating domestic sewage that uses one or more treatment methods and a discharge area, but does not include a holding tank or privy and excludes municipal wastewater systems.

"Shopping Centre" means a group of retail stores in one or more buildings designed as an integrated unit.

"Side Lot Line" means a lot line other than a front or rear lot line.

"Side Yard" means that portion of the lot extending from the front yard to the rear yard and lying between the side lot line and the nearest structure or building on the lot.

Information Note: The following graphic represents side yards:



"Side Yard Exterior" means any side yard that abuts a highway or access road in a bare land strata plan.

"Side Yard Interior" means any side yard that does not abut a highway or access road in a bare land strata plan.

"Sight Triangle" means a corner of a lot located between abutting streets and a line connecting points on the centre lines of intersecting streets abutting the lot located 25 m from the intersection of said centre lines.

Information Note: The following graphic represents the sight triangle

"Trades' Workshop" means the use of enclosed premises for the storing, maintenance, and assembly of equipment and material for audio, electrical, plumbing, construction and related trades, including welding and machine shops, and indoor sign painting shops.

"Transient Moorage" means moorage at a wharf for a maximum duration of five consecutive days in any 30-day period.

"Travel Accommodation" means a building or buildings that have a common area for reception services that is used, or capable of being used, for the temporary accommodation of the travelling public for not more than 30 days continuously, of which each sleeping unit has its own contained washroom and bathing facility, and excludes bed and breakfasts or accommodation in a tent, camper vehicle, recreation vehicle or trailer.

"Tree Nursery" means the use of land for agriculture or horticulture and accessory product sales and garden supply sales, but specifically excludes the sale of agricultural or horticultural machinery.

"Truck Terminal or Courier Services" means the use of premises for the parking and servicing of trailers, containers, trucks and other motor vehicles involved in commercial transport, cartage, moving, delivery or related goods movement.

"~~Urban Settlement Area~~ Urban Containment Boundary " means those lands within the ~~Urban Settlement Area~~ Urban Containment Boundary shown on ~~Schedule A – the~~ Land Use Plan ~~to~~ in the Official Community Plan that identifies areas within the District where residential, commercial, industrial, institutional and other urban uses are permitted.

"Veterinary Practice" means the business carried out by a professional person licensed by, and in good standing with the B.C. Veterinary Medical Association, to carry out the profession of caring for the health and welfare of animals of all species.

"Visitor Attraction Use" means facilities, which operate as entertainment, or passive recreational attractions primarily for visitors and tourists by exhibiting objects of historical, cultural or educational interest or are associated with hobby or leisure-time pursuits, and may include the accessory retail sale of merchandise directly related to the use.

"Warehouse" means a building or structure in which goods are stored, or a repository for wholesale or retail merchandise.

"Watercourse" means any natural drainage course or surface source of water, whether usually containing water or not, and includes any lake, river, stream, creek, spring, ravine, swamp or gulch.

"Wholesalers" means establishments or places of business primarily engaged in selling merchandise to other businesses, including: retailers; industrial, commercial, institutional, or professional businesses; and, other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such businesses.

"Width" in respect of a building means the lesser of the two horizontal dimensions of a building or structure and in the case of a mobile home means the width of the mobile home exclusive of any structural

PART 3 PROHIBITIONS

1 PERMITTED USES

- 1 Land including the surface of water, airspace, buildings and structures in any zone shall be used only for the uses specifically permitted in the applicable zoning provisions of this Bylaw.
- 2 With the exception of areas for display, loading, parking and outdoor storage uses, all operations and processes associated with a permitted use shall occur within a building or structure designed and intended for such use, unless the permitted use is otherwise defined to principally occur outdoors. This does not prohibit the outdoor use of land accessory to the principal use.

2 PROHIBITED USES

- 1 Drive-through Services are prohibited in all zones.
- 2 Cannabis Retail is prohibited in all zones unless specifically authorized through a Temporary Use Permit and provincially licensed under the Cannabis Control and Licensing Act, or by a zoning amendment to approve Cannabis Retail as a permitted use.
- 3 Short-term vacation rental to the travelling public is only permitted in those zones that specifically include Travel Accommodation, Condominium Hotel, or Bed and Breakfast as a permitted use.
- 4 No person shall park a commercial vehicle having a gross vehicle weight in excess of 5,500 kilograms, or a length in excess of seven meters, or a height in excess of 2.4 meters, on a property within the General Residential Zones (R or RCH), or Multi-Unit Residential Zones (RM or RP).
- ~~5 The siting, erection or moving of a mobile or modular home into the municipality, or from one lot to another within the Municipality, shall be prohibited except in the Rural Estate, Industrial and Agriculture zones.~~

3 PERMITTED NUMBER OF BUILDINGS

No lot shall have constructed or placed upon it more buildings or structures of any kind than are specified in this Bylaw for the zone in which it is located.

4 SITING, SIZE AND DIMENSIONS OF BUILDING AND STRUCTURES

No building or structure shall be constructed, reconstructed, placed, erected, altered, moved or extended and no sign shall be erected so as to contravene the requirements of this Bylaw.

- (3) Processing equipment may be operated only between the hours of 8 a.m. and 5 p.m. Monday to Saturday, excluding statutory holidays.
 - (4) Equipment for the shredding or grinding of materials must be located within a structure having solid walls and a roof so that any noise generated by the equipment is attenuated.
- 5 Every composting operation permitted by this Bylaw must comply with the Organic Matter Recycling Regulation under the Waste Management Act and any Bylaw of the Capital Regional District dealing with the operation of composting facilities.
 - 6 Nothing in Section 4.5 of this Bylaw restricts the nature of compost or other materials that may be applied to land in the Agricultural Land Reserve as a soil conditioner.

6 ADDITIONAL SETBACKS

- 1 All buildings and structures for housing or enclosing livestock and all buildings, structures and areas used for the storage of manure shall be a minimum of 30.0 m from any lot line adjoining a residential zone.
- 2 Where a building for a residential occupancy is proposed to be constructed on a lot directly abutting a parcel designated as Agricultural Land Reserve, the minimum yard requirements specified in the applicable zoning provisions are increased by 5 metres to maintain a physical buffer between the residential use and the agricultural uses which may occur.
- 3 On a lot adjacent to or containing a watercourse, ~~other than a fence~~ no person shall construct or place or erect a building or structure, including on-site sewerage systems, ~~other than a fence~~ or place fill material on the bed of the watercourse, nor on any portion of the lot that is within 15 metres measured horizontally from the natural boundary of the watercourse nor within 10 metres measured horizontally from the top of the bank of the watercourse. For the purposes of this Subsection, the top of the bank is the point nearest the natural boundary of the watercourse where a break in the slope of the land occurs such that the grade inland of the break is less than 3:1 for a minimum distance of 15 metres measured perpendicularly to the watercourse as shown in Figure 1.

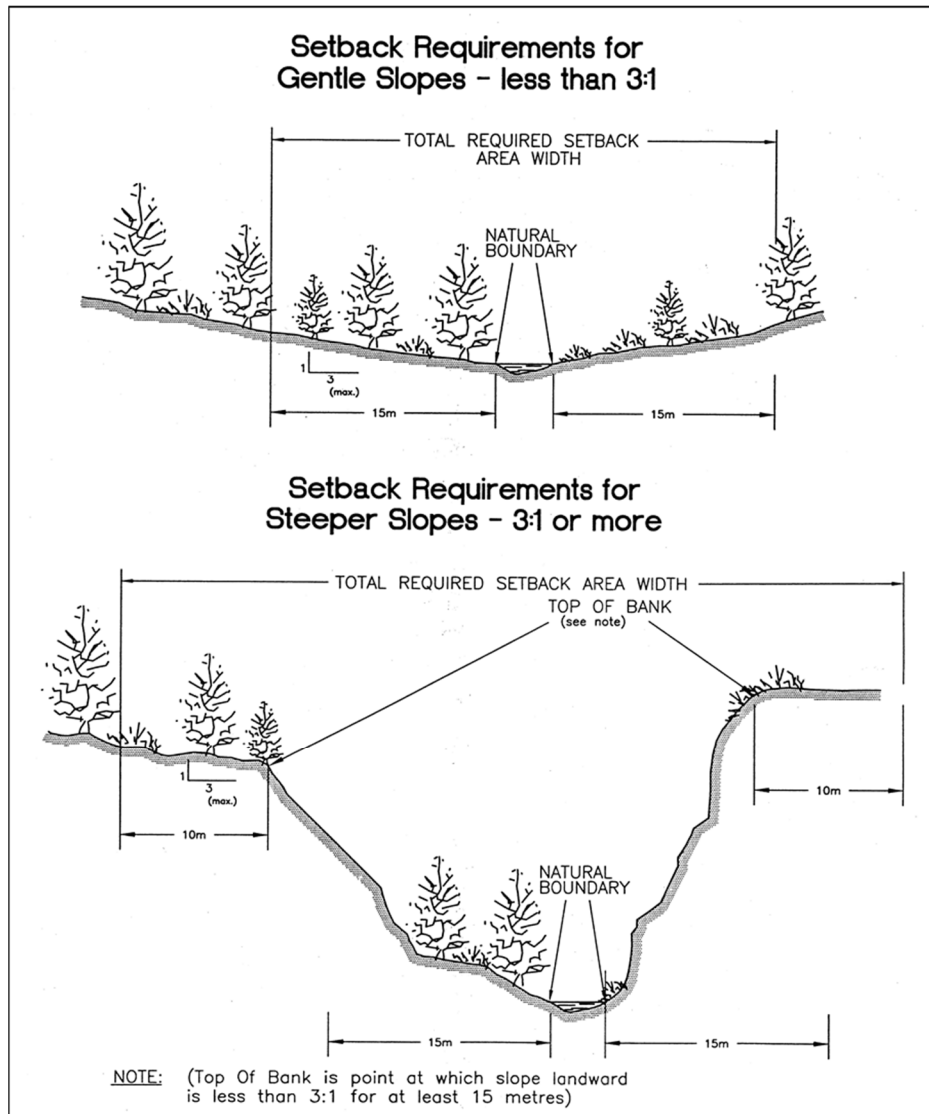


Figure 1: Watercourse Setback Requirement

- 4 No person shall construct, erect or place a building or structure, including on-site sewerage systems, other than: fences; docks, ramps and walkways; stairs; or, geothermal heating and cooling systems; within 10 metres measured horizontally inland from the natural boundary of the sea nor within 10 metres measured horizontally inland from the top of a slope of 3:1 or more adjacent to the sea, other than: fences; docks, ramps and walkways; stairs; or, geothermal heating and cooling systems.
- 5 No person shall construct or erect a building or structure for housing animals other than pets, or construct, erect or use any building, structure or area for the storage of manure, within 30 metres measured horizontally inland from the natural boundary of any watercourse or the sea.
- 6 For the purposes of Subsections 4.6.3 and 4.6.54 paved driveways and motor vehicle parking areas are "structures".

- 8 not involve storage of materials outside the dwelling unit or accessory building, which are used directly for the processing or result from the processing of any product of the home occupation;
- 9 not require delivery of materials or commodities in such bulk or quantity as to require regular or frequent delivery by commercial vehicles or trailers;
- 10 not generate any increase in on-street vehicle parking attributable to the use of the premises for a home occupation;
- 11 not involve alterations to the dwelling that would change the character of the building as a dwelling except that a dwelling used for a home occupation involving the preparation of food may, despite any other provision of this Bylaw and where required by the Capital Health Region, include a second food preparation facility;
- 12 when sited within a dwelling unit, occupy no more than 25% of the gross floor area of the dwelling, with the exception of day cares;
- 13 when sited within an accessory building, occupy no more than 90 m² of the floor area and sited within a defined space, separated from other accessory uses within the same building by a constructed wall; and,
- 14 not involve cannabis retail in any form.

11 ADDITIONAL DWELLING UNITS-REPEALED

~~In Agricultural zones, notwithstanding the zoning provisions of this bylaw, more than one single family residential building may be permitted on any one parcel where:~~

- ~~1 the agricultural parcel is within the Agricultural Land Reserve, and~~
- ~~2 the additional dwelling has been approved by the Agricultural Land Commission, or~~
- ~~3 the dwelling meets any specified conditions, regulations or policies under the Agricultural Land Reserve Use Regulation.~~

12 ACCESSORY DWELLING UNIT

Information Notes:

- An Intensive Residential Development Permit is required prior to issuance of a Building Permit for a Detached Accessory Dwelling located within the Urban Containment Boundary.

1 Where an Accessory Dwelling Unit is a permitted use in a General Residential, Rural Estate, or Agricultural zone in this Bylaw, the accessory dwelling unit may be permitted subject to compliance with Sections 12 and 13 of this Part.

2 Detached accessory dwellings shall be serviced as accessory structures from the

principal dwelling and upgrades to the existing services may be required due to the increased demand, including to private sewerage systems or potable water supply. Confirmation of adequate services is required as part of the Building Permit application process and secondary service connections from municipal systems to serve a Detached Accessory Dwelling are prohibited.

3 Within the Agricultural zones a Detached Accessory Dwelling is permitted subject to the following conditions:

- (1) The principal dwelling and all buildings accessory to a residential use combined have a total floor area of 500 m² or less, and
- (2) No other form of detached dwelling is located on the property, including mobile homes, or farm worker housing, and
- (3) Where the removal of soil or placement of fill is required, confirmation of it being exempt or having received an approved Notice of Intent from the Agricultural Land Commission is obtained prior to issuance of a Building Permit, or
- (4) Where these conditions cannot be met, an approved application from the Agricultural Land Commission, such as a Non-Adhering Residential Use or Soil or Fill Use Permit, is obtained prior to issuance of a Building Permit.

4 Where a zone permits accessory dwelling units, the number and type permitted shall be as follows:

<u>Residential Density Permitted</u>	<u>Minimum Lot Size Required</u>		
	<u>Residence with secondary suite</u>	<u>Residence with a suite OR a detached accessory dwelling</u>	<u>Residence with a suite AND a detached accessory dwelling</u>
<u>Agriculture Zones</u>			
<u>Properties with private on-site sewerage systems</u>	<u>400 m² to 0.4 ha</u>	<u>>0.4 ha to 1 ha</u>	<u>> 1 ha</u>
<u>Properties on municipal sewer</u>	<u>400 m² to 0.2 ha</u>	<u>>0.2 ha to 0.4 ha</u>	<u>> 0.4ha</u>
<u>Rural Estate Zones</u>			
<u>Properties with private on-site sewerage systems</u>	<u>400 m² to 0.2 ha</u>	<u>>0.2 ha to 1 ha</u>	<u>> 1 ha</u>
<u>Properties on municipal sewer</u>	<u>400 m² to 0.1 ha</u>	<u>>0.1 ha to 0.4 ha</u>	<u>> 0.4 ha</u>
<u>General Residential Zones</u>			
	<u>400 m²</u>	<u>500 m²</u>	<u>n/a</u>

5 No Accessory Dwelling Unit may be stratified, subdivided, or otherwise legally separated from the principal Residential Single Family dwelling.

6 Accessory Dwelling Units are not permitted within, or on properties containing any portion of a Residential Two Family building (duplex).

7 Accessory Dwelling Units are not permitted on panhandle lots within the Urban Containment Boundary.

8 Accessory Dwelling Units shall be occupied for residential purposes only and shall not be rented for an occupancy period less than 30 days.

9 An Accessory Dwelling Unit shall not be used as a Bed and Breakfast or short-term vacation rental.

Secondary service connections from municipal systems to serve a Detached Accessory Dwelling is prohibited.

10 Off-street parking for Accessory Dwelling Units shall be provided in accordance with this Bylaw.

11 Accessory Dwelling Units in the form of Secondary Suites shall:

(1) An Accessory Dwelling Unit in the form of a secondary suite is be permitted on lots 400 m² in area or greater;

Where permitted, a secondary suite shall:

(2) have no exterior building elements which are generally inconsistent with the form and appearance of a Residential Single Family buildings in the area;

(3) have a maximum floor area of 90 m²; and

(4) be included within the maximum allowable Floor Area Ratio, Gross Floor Area, and Lot Coverage calculations for the principal residence as applicable; and

(5) contain at least two rooms including a bedroom, cooking facility and bathroom.

12 Detached Accessory Dwellings shall:

(1) be permitted on lots 500 m² in area or greater where located inside the Urban Containment Boundary;

(2) be in the form of a one-storey cottage within the Urban Containment Boundary;

(3) be in the form of a one-storey cottage or two-storey carriage house outside of the Urban Containment Boundary;

(4) not include any basement area;

(5) provide a maximum 12m² for any combination of covered or uncovered attached decks, balconies, porches, verandas, and covered outdoor areas and other extensions of useable area otherwise not captured in floor area;

(6) the floor area of any attached accessory use shall be included in the permitted floor area for the Detached Accessory Dwelling, except where otherwise expressly permitted in this Part,

(7) provide a covenant in accordance with Section 13 of this Part; and

(8) obtain any necessary approvals from the Agricultural Land Commission prior to issuance of a Building Permit as applicable.

13 Despite the above (13.6) within Agricultural zones a Detached Accessory Dwelling in the form of a carriage house may be sited within a building containing a one level garage no larger than 42m² in floor area subject to the following conditions:

NOTE: SUBJECT TO REVISION BASED ON PROVINCIAL CLARIFICATION

- (1) There is no internal connection between the residential and non-residential areas, and
- (2) The floor area of the garage is captured within the maximum permitted floor area for the principal dwelling and structures accessory to a residential use.

14 Despite the above (13.6) within Rural Estate zones a Detached Accessory Dwelling in the form of a carriage house may be sited within a building containing a one level garage no larger than 90m² in floor area subject to the following conditions:

- (1) There is no internal connection between the residential and non-residential areas, and
- (2) The floor area of the garage is captured within the permitted lot coverage for the principal dwelling and structures accessory to a residential use.

15 The conversion of an existing building that cannot comply with Subsections 13 or 14 above as applicable may be permitted under the following conditions:

- (1) The existing building was constructed prior to January 1, 2023,
- (2) The existing building complies with the applicable setback and height regulations for a Detached Accessory Dwelling,
- (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,
- (4) There is no internal connection between the residential and non-residential areas,
- (5) The floor area of the non-residential portion is captured within:
 - a. the permitted lot coverage for the principal dwelling and structures accessory to a residential use as applicable within Rural Estate zones,
 - b. the maximum permitted floor area for the principal dwelling and structures accessory to a residential use within Agricultural zones, and
- (6) For lands within the Agricultural Land Reserve, the conversion has been approved by the Agricultural Land Commission as applicable.

NOTE: SUBJECT TO REVISION BASED ON PROVINCIAL CLARIFICATION

~~Where an accessory dwelling unit is permitted in a single family residential zone in this Bylaw, only one accessory dwelling unit is permitted per lot in the form of a secondary suite wholly contained within the principal single family dwelling, or as a Detached Accessory Dwelling unit in accordance with Sections 12 and 13 of this Part.~~

Information Notes:

- These information notes and the regulations above are provided to ensure proposals are consistent with the provincial Agricultural Land Commission (ALC), but are not intended to replace a comprehensive review process to ensure compliance with ALC regulations. Proponents should review the Agricultural Land Commission regulations, as may be amended from time to time, when preparing their proposal.
- With respect to structures accessory to a residential use, only those necessary for a residential use are permitted unless approved by the ALC. Necessary structures include those supporting services, such as pump houses, electrical sheds. Detached garages, workshops, pools/ pool houses, tennis courts, sport courts etc would require approval from the ALC.
- ALC regulations stipulate that where attic space is constructed with rafters or attic trusses, the attic space is included in the calculations of floor area.

- ~~1 — Where permitted within the Urban Settlement Area, a Detached Accessory Dwelling is permitted in the form of a one-storey cottage only.~~
- ~~2 — Where permitted outside of the Urban Settlement Area, a Detached Accessory Dwelling is permitted in the form of a one-storey cottage or two-storey carriage house.~~
- ~~3 — Accessory Dwelling Units are not permitted within, or on properties containing any portion of a Residential Two-Family building (duplex).~~
- ~~4 — An Accessory Dwelling Unit in the form of a secondary suite is permitted on lots 400 m² in area or greater.~~
- ~~5 — A Detached Accessory Dwelling Unit is permitted on lots 500 m² in area or greater.~~
- ~~6 — An Accessory Dwelling Unit is not permitted on a panhandle lot within the Urban Settlement Area.~~
- ~~7 — Accessory Dwelling Units shall be occupied for residential purposes only and shall not be rented for an occupancy period less than 30 days.~~
- ~~8 — An Accessory Dwelling Unit shall not be used as a Bed and Breakfast or short term vacation rental.~~
- ~~9 — Secondary service connections from municipal systems to serve a Detached Accessory Dwelling is prohibited.~~
- ~~• **Information Note:** upgrades to the existing services may be required due to the increased demand, including to private septic systems or potable water supply. Confirmation of adequate services will be required as part of the Building Permit application.~~
- ~~10 — Off street parking for an Accessory Dwelling Unit shall be provided in accordance with this Bylaw.~~

~~Detached Accessory Dwellings shall not include any basement area.~~

- ~~11 — Where a Detached Accessory Dwelling is permitted and the accessory dwelling unit is sited within a building containing another accessory use, there shall be no internal connection between the accessory use and dwelling unit and each use shall have its' own separate entrance.~~
- ~~12 — No Accessory Dwelling Unit may be stratified, subdivided, or otherwise legally separated from the principal Residential Single Family dwelling.~~

~~**Information Note:** An Intensive Residential Development Permit is required prior to issuance of a Building Permit for a Detached Accessory Dwelling located within the Urban Settlement Area.~~

- ~~13 — Where permitted, a secondary suite shall:~~

- ~~(1) have no exterior building elements which are generally inconsistent with the form and appearance of Residential Single Family buildings in the area;~~
~~(2) have a maximum floor area of 90 m²; and~~
~~contain at least two rooms including a bedroom, cooking facility and bathroom.~~

13 DENSITY BENEFIT

- 1 Where a Detached Accessory Dwelling is permitted in this Bylaw, the density benefit may be permitted provided that prior to issuance of a building permit a covenant is registered on title that would:
- ~~(1)~~ Require the detached accessory dwelling unit is used to provide rental housing under a tenancy agreement in accordance with the Residential Tenancy Act,
- ~~(2)~~~~(1)~~ Specify that no other accessory dwelling unit is permitted on the property,
- ~~(3)~~~~(2)~~ Prohibit the Detached Accessory Dwelling from being stratified, subdivided, or legally separated from the principal dwelling in any way, and
- ~~(4)~~~~(3)~~ Clarify that residential occupancy may include any property owners, family members, or caregivers, caretakers, or employees serving the property.

14 VETERINARY PRACTICE

- 1 Except where expressly prohibited a Veterinary Practice may include the accessory retail sale of goods. Except in a C-1 or C-3 zone, the gross floor area designated for such retail use, including storage areas for retail goods, shall not exceed the lesser of 60 m² or 15% of the building area.
- 2 Kennels, runs, or wards shall be entirely inside a building and there shall be no provisions for animals to be confined outside the building.

15 CANNABIS PRODUCTION, AGRICULTURE USE

- 1 ~~Any Cannabis production in the Agricultural Land Reserve shall be designed and operated in accordance with Provincial Acts and Regulations Cannabis production as described in Section 8 of the Agricultural Land Reserve Use Regulation as a 'farm use that may not be prohibited' is permitted, and all other forms of Cannabis Production are in order to be deemed a farm use permitted in the Agricultural Land Reserve. Cannabis production not deemed a farm use by the Agricultural Land Commission is prohibited.~~

Information Note: As of July 2018 the Agricultural Land Commission Act designates cannabis production as a farm use that cannot be prohibited if:

- It is produced outdoors in a field, or
- It is produced inside a structure that has a base consisting entirely of soil or
- It is produced inside a structure that was constructed for growing crops, or under construction, before July 13, 2018.

This information note is provided for convenience only and proponents should review the Agricultural

- 5 No structure, float, or walkway shall be constructed or placed so as to impede free pedestrian access along the waterfront.

17 WASTE AND RECYCLING

Where a lot is used for commercial, industrial, multi-unit residential or a combined mixed-use, area for the collection and storage of waste and recycling bins shall be provided on site and shall:

- 1 be screened in accordance with this bylaw,
- 2 not be sited to occupy a parking space,
- 3 not be sited to occupy and landscape area, and
- 4 not be sited within a front yard.

18 BED AND BREAKFAST

- 1 A Bed and Breakfast business is limited to a maximum of three bedrooms within the principal a single family dwelling.
- 2 Bedrooms for Bed and Breakfast use shall not include any form of cooking facility.

19. MANUFACTURED BUILDINGS

- 1 Manufactured buildings in the form of Mobile Homes for a residential use are prohibited in all zones, except for Rural Estate and Agricultural zones as a Detached Accessory Dwelling, subject to compliance with all other provisions of this Bylaw. Other forms of manufactured buildings are permitted where they can be demonstrated to meet the BC Building Code and the District's Building Bylaw.

20. ON-SITE SERVICES

- 1 Every Building Permit application for a property serviced by an on-site sewerage system must complete a "On-site Services Information Form" (Bylaw #####) as may be amended from time to time.

NOTE: SUBJECT TO REVISION IF SEPARATE BYLAW FOR ON-SITE SERVICES SUPPORTED

- 2 Issuance of a Building Permit may be refused if:
 - (1) Confirmation of compliance with Provincial Acts and regulations for the installation of on-site sewerage system has not been accepted by the Director of Engineering and Public Works; or
 - (2) Confirmation of compliance with the BC Water Sustainability Act and Guidelines for Canadian Drinking Water Quality has not been accepted by the Director of Engineering and Public Works; and
 - (3) If the Director considers that the information provided by the applicant, or any portion of it, is insufficient in scope, level of detail, accuracy or in any other

respect to approve the sewerage system or water supply, the Director may require the applicant to provide an independent review. The Director may specify the methodology to be used and the review is subject to the District's acceptance that the person conducting the review is suitably qualified and without prejudice.

- 3 On-site sewerage systems must demonstrate they have adequate capacity and are designed in a manner consistent with Provincial Sewerage System Regulations and Island Health Standards, including adequate soil depths and the provision of a reserve area; and

 - a. Where a Type 2 system is proposed, a covenant may be registered to secure that the maintenance schedule recommended by an Authorized Professional be adhered to, and that maintenance records be maintained for a minimum of 10 years, and be made available to potential purchasers of the land and the District upon request; and
 - b. The use of holding tanks for domestic sewage should be avoided and shall only be accepted at the discretion of the Director of Engineering and Public Works. Where accepted, a covenant may be required to secure that maintenance schedules are adhered to and mitigation measures to protect the natural environment and public health are implemented.
- 4 On-site sewerage systems shall not be sited in areas prone to flooding, environmentally sensitive areas, or within 30 m of a watercourse or the natural boundary of the sea.
- 5 On-site sewerage systems shall be sited a minimum of 30 m from any domestic groundwater well.
- 6 Domestic water provided from on-site or community water systems shall provide proof that the water supply meets the Guidelines for Canadian Drinking Water Quality;

 - a. where treatment systems are required to meet water quality standards, a covenant shall be provided to secure the installation of such systems prior to issuance of an Occupancy Permit and include recommended maintenance schedules.

PART 5 ZONING REGULATIONS

1 ESTABLISHMENT AND EXTENT OF ZONES

- 1 For the purposes of this Bylaw, the area within the boundary of the Municipality is hereby divided into the zones depicted on Schedule 1 attached to and forming part of this Bylaw.
- 2 The extent of each zone is shown on Schedule 1.
- 3 When a zone boundary is designated on Schedule 1 as following a highway or any watercourse, the centre line of such highway or watercourse shall be the zone boundary.
- 4 Where a zone boundary shown on Schedule 1 does not follow a legally defined line and where distances are not specifically indicated, the location of the boundary shall be determined by scaling from Schedule 1.

2 INTERPRETATION OF ZONE REGULATIONS

- 1 Uses of land, buildings and structures listed under the heading "Permitted Uses" in this Part-Bylaw are permitted in the zone in question and all other uses are prohibited in that zone, and where a particular land use is expressly permitted in a zone or zones, such land use is prohibited in all other zones
- 2 Where minimum distances from lot lines are specified in ~~this Part zone regulations, in respect of front, rear and side yards,~~ buildings and structures must be sited at least that distance from the applicable front, rear and side lot lines respectively. Except for Residential Single Family and Residential Two Family Single Family, an underground parking structure may apply a 0 m setback to any property line except where a property line abuts a watercourse or the marine shoreline. ~~Where total minimum distances are specified in respect of two side yards, the total of the distances of every building or structure from the respective lot lines must equal or exceed the specified total.~~
- 3 Where maximum heights of buildings and structures are specified for a zone in this Part bylaw, no building or structure in that zone may exceed that height.
- 4 Where maximum lot coverage of buildings and structures is specified for a zone in this Part bylaw, all buildings and structures on a lot in the zone may not cover a greater proportion of the area of the lot than the proportion specified.
- 5 Where minimum lot area and frontages are specified for a zone in this Part bylaw, land in the zone shall not be subdivided so as to create a lot having a lesser area or frontage than that specified, and where a minimum average lot area is specified land shall not be subdivided such that the lots in the subdivision have an average area less than that specified.

6 Where a maximum floor area ratio is specified for a zone in this ~~Part~~ bylaw, the gross floor area of all buildings and structures on a lot in the zone shall not exceed the product of the specified floor area ratio and the area of the lot.

3 ~~ALPHABETICAL LISTING OF ZONE CATEGORIES REGULATIONS~~

The following zones are specified in this Bylaw and detailed zoning provisions are found in Part 5 in the following ~~in alphabetical~~ order:

Agricultural Zones:

- A-1 - Agriculture ~~A-1~~
- A-3 - Fairground Agriculture ~~A-3~~
- A-5 - Historical Artifacts Agriculture ~~A-5~~
- A-6 - Veterinary Agriculture ~~A-6~~
- A-7 - Agriculture ~~A-7~~

Commercial Zones:

- C-1 - Core Commercial ~~C-1~~
- C-2 - Arterial Commercial ~~C-2~~
- C-3 - Neighbourhood Commercial ~~C-3~~
- C-3A - Neighbourhood Commercial (Restricted) ~~3A~~
- C-4 - Service Station Commercial ~~C-4~~
- C-5 - Tourist Commercial ~~C-5~~
- C-6 - Marina Commercial ~~C-6~~
- C-6A - Brentwood Lodge Marina ~~C-6A~~
- C-8 - Tourist Display Garden ~~C-8~~

Comprehensive Development Zones:

- CD-1 - Comprehensive Development Zone 1 ~~CD-1~~ (Gateway Park)
- CD-2 - Comprehensive Development Zone 2 ~~CD-2~~ (Carriage Pointe)
- CD-3 - Comprehensive Development Zone 3 ~~CD-3~~ (Brentwood Bay Shopping Centre)
- CD-4 - Comprehensive Development Zone 4 ~~CD-4~~ (1970 Keating Cross Road)
- CD-5 - Comprehensive Development Zone ~~CD-5~~ (Casa Projects)
- CD-7 - Comprehensive Development Zone 7 ~~CD-7~~ (6871 Central Saanich Road)
- CD-8 - Comprehensive Development Zone 8 ~~CD-8~~ (The Generation)
- CD-9 - Comprehensive Development Zone 9 ~~CD-9~~ (Marigold Lands)
- CD-10 - Comprehensive Development Zone 10 ~~CD-10~~ (Harvest Ridge)

Industrial Zones:

- I-1 - Light Industrial ~~I-1~~
- I-2 - Extraction Industrial ~~I-2~~

Institutional Zones:

- P-1 - General Institutional ~~P-1~~
- P-1A - Neighbourhood Institutional ~~P-1A~~
- P-1C - Community Institutional ~~P-1C~~
- P-1F - Fire Hall Institutional ~~P-1F~~
- P-2 - Parks and Open Space ~~P-2~~
- P-3 - Public Utility ~~P-3~~

General Residential Zones:

- R-1 - Large Lot Single Family Residential ~~R-1~~
- R-1M - Medium Lot Single Family Residential ~~R-1M~~
- R-1S - Small Lot Single Family Residential ~~R-1S~~
- R-1XS - Single Family Residential Infill ~~R-1XS~~
- R-1Z - Zero Lot Line Single Family Residential ~~R-1Z~~
- R-2 - Residential Two Family ~~R-2~~
- R-2S - Small Lot Two Family Residential ~~R-2S~~
- RCH - Residential Carriage House ~~RCH~~

Rural Estate Zones:

- RE-1 - Rural Estate Acreage ~~RE-1~~
- RE-2 - Rural Estate ~~RE-2~~
- RE-3 - Rural Estate Water ~~RE-3~~
- RE-4 - Rural Estate (Variable Lot Size) ~~RE-4~~
- RE-5 - Rural Estate ~~RE-5~~
- RE-6 - Rural Estate Residential ~~RE-6~~

Multi-Unit Zones:

- RM-1 - Residential Attached ~~RM-1~~
- RM-1G - Residential Attached (Ground Oriented) ~~RM-1G~~
- RM-2 - Residential Apartment ~~RM-2~~
- RM-3 - Residential Attached ~~RM-3~~
- RM-4 - Residential Attached ~~RM-4~~
- RM-5 - Residential Attached ~~RM-5~~
- RP-1 - Residential Institutional ~~RP-1~~
- RP-2 - Residential Institutional ~~RP-2~~

Water Zones:

- W-1 - Water Area ~~W-1~~
- W-1BH - Water Area Boat House Zone ~~W-1BH~~
- W-2 - Water Area ~~W-2~~
- W-2A - Water Area ~~W-2A~~

4 AGRICULTURE: A-1

Permitted Uses

- 1 The following uses are permitted as principal uses of the land:
- (1) Residential Single Family
 - (2) Agriculture
 - (3) Agricultural processing centre
 - (4) Aquaculture
 - (5) Bed and Breakfast, in accordance with Part 4, Section 18
 - (6) Equestrian or riding stable
 - ~~(7) Greenhouse~~
 - ~~(7) Controlled environment structure~~

Information Notes:

- Controlled environment structures having 500m² or more in gross floor area or 8m or more in height are required to obtain a Development Permit for the Protection of Farming.

Permitted Accessory Uses

- 2 The following uses are permitted as accessory uses only:
- (1) Home Occupation, in accordance with Part 4, Section 10
 - (2) Accessory Dwelling Unit, in accordance with Part 4, Section 12 & 13 Secondary Suite
 - ~~(3) Tree Nursery~~
 - ~~(4) Buildings and structures necessary for a residential use are limited to pump houses and electrical sheds 20m² or less in area, and infrastructure servicing~~

Information Notes:

- Buildings and structures accessory to a residential use are not permitted unless they are deemed necessary for a residential use as determined by the Agricultural Land Commission (ALC). Structures such as detached garages, workshops, pools/ pool houses, tennis courts, sport courts, or structures for a home-based occupation use not related to farm operations would require approval from the ALC.
- Structures, other than residential structures, necessary to support a residential use such as a pump house or electrical shed, are permitted in addition to the 500m² allocated for a residential use.
- The floor area of buildings and structures accessory to a residential use are counted toward the total floor allowable for the residential structure.

Siting of Buildings and Structures

- 3 Siting of Residential buildings and structures accessory to a residential use shall be as follows:
- | | | | |
|-----|--------------------|------------|------------------------|
| (1) | Front Yard | minimum of | 7.5 m |
| (2) | Rear Yard | minimum of | 7.5 m |
| (3) | Side Yard Interior | minimum of | 1.5 m, one side |
| (4) | Side Yard Interior | minimum of | 4.5 m, total two sides |
| (5) | Side Yard Exterior | minimum of | 6.0 m |

- | | | | |
|-----|-------------------------------|------------|----------------------|
| (6) | Accessory Separation building | minimum of | 3.0 m from principal |
|-----|-------------------------------|------------|----------------------|
- 4 Siting of Agricultural buildings and structures shall be as follows:
- | | | | |
|-----|--------------------|------------|-------|
| (1) | Front Yard | minimum of | 7.5 m |
| (2) | Rear Yard | minimum of | 1.5 m |
| (3) | Side Yard | minimum of | 1.5 m |
| (4) | Side Yard Exterior | minimum of | 6.0 m |
- 5 Additional Siting Regulations for Controlled Environment Structures shall be as follows:
- (1) A maximum setback of 30 m from road frontage providing access to said structures, and
- (2) Shall be accessed using an existing driveway serving the property and not require an additional access from a Highway.
- 6 A minimum building separation shall be provided as follows:
- (1) 2.5 m between habitable buildings and other buildings
- (2) 1.0 m between non-habitable buildings

Information Note: *building separation must also comply with the BC Building Code requirements, which consider exterior wall openings and material combustibility for fire separation.*

Size of Buildings and Structures

- 57 The maximum size of buildings and structures shall be as follows:
- (1) Gross floor Area for Principal Residence and all buildings or structures accessory to a residential use combined _____ maximum of 500 m²
- (2) The gross floor area for an accessory dwelling (suite or detached) _____ maximum of 90 m²
- ~~(1)~~(3) Height for Agricultural use _____ maximum of 13.0 m
- (4) Height for Principal Residence and non-habitable building or structures accessory to a residential use _____ maximum of 8.0 m
- ~~(2)~~(5) Height for Detached Accessory Dwelling _____ maximum of 6.5 m, however not portion of the roof may extend above 7.5 m

Information Note: *As of February 22, 2019 the Agricultural Land Commission Act was amended to limit the maximum size of the principal residence to 500 m², and includes the floor area of buildings accessory to a residential use. Any proposal to increase the permitted size must be approved by the Agricultural Land Commission for a non-adhering residential use.*

This information note is provided for convenience only and proponents should review the Agricultural Land Commission regulations, as may be amended from time to time.

Subdivision Requirements

- 68 Requirements for subdivision shall be as follows:
- | | | | |
|-----|------------------------------|------------|---------|
| (1) | Minimum and Average Lot Area | minimum of | 4.0 ha. |
|-----|------------------------------|------------|---------|

- (2) Lot Frontage minimum of 10% of lot perimeter

Site Specific Regulations

79 In the A-1 zone, the following regulations apply on a site-specific basis only:

- (1) Despite the minimum lot area requirement in the A-1 zone, the A-1 zoned portion of Lot 28, Block E, Section 13, Range 1 West, South Saanich District, Plan 1314 Except that Part included within the boundaries of Plan 31385, PID 003-595-412 (**1231 Greig Avenue**) may be subdivided from the portion of Lot 28 lying to the south of Benvenuto Avenue.
- (2) In addition to the permitted uses in the A-1 zone, on land legally described as Strata Lot 2, Strata Plan VIS3427, Section 14, Range 3 East, South Saanich District, parking is permitted to serve permitted uses located on the northern portion of the same parcel zoned I-1 Light Industrial, and such parking is exempted from the surfacing provisions of Section 42(5).
- (3) Despite the minimum lot size requirement in the A-1 zone, the minimum lot size requirements for subdivision for Lots 29 and 30, Block E, Section 13, Range 1 West, South Saanich District, Plan 1314, are 0.7ha and 1.0ha respectively.
- (4) Despite the size restrictions for a Detached Accessory Dwelling, the land legally described as Lot 1, Plan VIP36362, Section 11/12, Range 4E, South Saanich District, PID 000-387-142 (**2598 Island View Road**) the maximum size of a Detached Accessory Dwelling is 186 m², subject to complying with all other conditions.
- (5) Despite the size restrictions for a Detached Accessory Dwelling, the land legally described as Lot 1, Plan VIP42861, Section 4/5/6, Range 1&2W, South Saanich District, Except Part in Plan 48248 and VIP78509, PID 002-406-772 (**7779 West Saanich Road**) the maximum size of a Detached Accessory Dwelling is 186 m², subject to complying with all other conditions.

Temporary Farm Camping

810 The following conditions shall apply to Temporary Farm Camping Uses:

- (1) Farm Camping Use may be permitted on lots with an area of 0.8ha or more located in the provincially-designated Agricultural Land Reserve.
- (2) Farm Camping may comprise the use of land for up to ten tent camping sites occupying in total not more than 2% of the area of the lot, and for this purpose the area of every tent camping site is deemed to be 48 m².
- (3) The combined total number of Bed and Breakfast bedrooms and Farm Camping tent sites shall not exceed ten on any lot.
- (4) The minimum setbacks for any farm camping use, including tent camp sites, sanitation facilities, and parking, shall be:
 - a. From public highway 10 m
 - b. Side yard 10 m
 - c. Side yard abutting residential zone 15 m
 - d. Rear yard 10 m
 - e. Rear yard abutting residential zone 15 m
- (5) Only one tent is allowed per tent camping site. No other structures or site alterations, including removable ground level decks or landings, are permitted.

5 FAIRGROUND AGRICULTURE: A-3

Permitted Uses

- 1 The following uses are permitted as principal uses of the land:
 - (1) Agriculture
 - (2) Exhibitions and events of an agricultural theme
 - (3) Community Assemblies
 - (4) Sale of farm stock, farm equipment, home craft products, farm produce
 - (5) Agricultural trade shows and trade fairs
 - (6) Educational events
 - (7) Sports activities
 - (8) Games, rides and commercial exhibits during an agricultural fair
 - (9) Residential Single Family
 - (10) 4H Events (Agricultural Source)
 - (11) Highland Games/Square Dances
 - (12) Cycling events
 - (13) Car displays and car shows (typically weekend events) within the contained area (A-3 zone)
 - (14) Temporary parking of air stream trailers (maximum one week per year)
 - (15) Hobby and craft shows
 - (16) Country fairs - similar to "Saanich Fair" but not to include a midway or outdoor commercial exhibits
 - (17) Picnics, political rallies (Indoors)
 - (18) Dog and cat, cage bird, poultry, rabbit and horse shows
 - (19) Bazaars and craft sales weekends which is restricted to not more than four days
 - (20) Dog training
 - (21) Church services, wedding receptions
 - (22) Dances (indoors)
 - (23) Banquets, meetings
 - (24) Controlled environment structure

Information Notes:

- Controlled environment structures having 500m² or more in gross floor area or 8m or more in height are required to obtain a Development Permit for the Protection of Farming.

Permitted Accessory Uses

- 2 The following uses are permitted as accessory uses only:
 - (1) Accessory fairground structures and uses which may be used only during the operation of an agricultural fair; detached structures, parking, food and beverage outlets, tack rooms, outdoor stage (generally located between main hall and RCMP barn), outdoor plaza area, transportation amenities
 - (2) Stabling and boarding of animals in conjunction with events (no long term boarding)
 - (3) Limited on-site parking for R.V.'s for exhibitors, contestants and event staff

Siting of Buildings and Structures

6 HISTORICAL ARTIFACTS AGRICULTURE: A-5

Permitted Uses

- 1 The following uses are permitted as principal uses of the land:
 - (1) Agriculture
 - (2) Equestrian or riding stable
 - (3) Game Farm
 - (4) Historical Artifacts Museum
 - (5) Residential Single Family
 - (6) Tree Nursery
 - (7) Controlled environment structure

Information Notes:

- Controlled environment structures having 500m² or more in gross floor area or 8m or more in height are required to obtain a Development Permit for the Protection of Farming.

Permitted Accessory Uses

- 2 The following uses are permitted as accessory uses only:
 - (1) Home Occupation, in accordance with Part 4, Section 10
 - (2) Accessory uses, buildings and structures to the Historical Artifacts Museum, including but not limited to: church, gift shop, offices, restaurant, maintenance, storage, parking and similar uses.

Siting of Buildings and Structures

- 3 Siting of buildings and structures shall be as follows:
 - (1) All buildings and structures associated with the Historical Artifacts Museum shall be located within the boundaries of the area shaded "Approved Siting Envelope" as shown on the siting envelope plan in Figure 2.
 - (2) For all other uses, the following shall apply:
 - a. Front Yard minimum of 7.5 m
 - b. Rear Yard minimum of 7.5 m
 - c. Side Yard Interior minimum of 1.5 m, one side
 - d. Side Yard Exterior minimum of 4.5 m, total two sides
 - e. Side Yard Exterior minimum of 6.0 m
 - f. Accessory Separation minimum of 3.0 m from principal building

Size of Buildings and Structures

- 4 The maximum size of buildings and structures shall be as follows:
 - (1) Gross floor Area for Principal Residence maximum of 500 m²
 - (2) Height for Agricultural uses maximum of 13.0 m
 - (3) Height for Other uses maximum of 8.0m
 - (4) Except for maintenance and storage uses related to the Historical Artifacts Museum, no accessory structure shall exceed 200m² gross floor area.

Information Note: *As of February 22, 2019 the Agricultural Land Commission Act was amended to limit the maximum size of the principal residence to 500 m². Any proposal to increase the permitted size must*

7 VETERINARY AGRICULTURE: A-6

Permitted Uses

- 1 The following uses are permitted as principal uses of the land:
 - (1) Agriculture excluding feed lots
 - (2) Residential Single Family
 - (3) Veterinary Practice, in accordance with Part 4, Section 14
 - (4) Controlled environment structure

Information Notes:

- Controlled environment structures having 500m² or more in gross floor area or 8m or more in height are required to obtain a Development Permit for the Protection of Farming.

Permitted Accessory Uses

- 2 The following uses are permitted as accessory uses only:
 - (1) Home Occupation, in accordance with Part 4, Section 10

Siting of Buildings and Structures

- 3 The siting of buildings and structures shall be as follows:

(1)	Front Yard	minimum of	7.5 m
(2)	Rear Yard	minimum of	7.5 m
(3)	Rear Yard	minimum of	3.0 m (accessory buildings)
(4)	Side Yard Interior	minimum of	1.5 m, one side
(5)	Side Yard Interior	minimum of	4.5 m, total two sides
(6)	Side Yard Exterior	minimum of	6.0 m
(7)	Accessory Separation	minimum of	3.0 m from principal building

Size of Buildings and Structures

- 4 The size of buildings and structures shall be as follows:

(1)	Gross floor Area for Principal Residence	maximum of	500 m ²
(2)	Building Height	maximum of	8.0 m
(3)	Accessory Height	maximum of	4.5 m
(4)	Lot Coverage	maximum of	25 %
(5)	Floor Area Ratio	maximum of	0.3

Information Note: As of February 22, 2019 the Agricultural Land Commission Act was amended to limit the maximum size of the principal residence to 500 m². Any proposal to increase the permitted size must be approved by the Agricultural Land Commission for a non-adhering residential use.

This information note is provided for convenience only and proponents should review the Agricultural Land Commission regulations, as may be amended from time to time.

Subdivision Requirements

- 5 Requirements for Subdivision shall be as follows:

(1)	Maximum Lot Area	maximum of	0.2 ha
(2)	Lot Frontage	minimum of	26 m

8 AGRICULTURE: A-7

Permitted Uses

- 1 The following uses are permitted as principal uses of the land:
 - (1) Model Aircraft Aerodrome, subject to the conditions below
 - (2) Agriculture
 - (3) Agricultural processing centre
 - (4) Bed and Breakfast, in accordance with Part 4, Section 18
 - (5) Equestrian or riding stable
 - (6) Greenhouse
 - (7) Residential Single Family
 - (8) Tree Nursery
 - (9) Controlled environment structure

Information Notes:

- Controlled environment structures having 500m² or more in gross floor area or 8m or more in height are required to obtain a Development Permit for the Protection of Farming.

Permitted Accessory Uses

- 2 The following uses are permitted as accessory uses only:
 - (1) Home Occupation, in accordance with Part 4, Section 10

Siting of Buildings and Structures

- 3 The siting of Residential buildings and structures shall be as follows:

(1)	Front Yard	minimum of	7.5 m
(2)	Rear Yard	minimum of	7.5 m
(3)	Side Yard Interior	minimum of	1.5 m, one side
(4)	Side Yard Interior	minimum of	4.5 m, total two sides
(5)	Side Yard Exterior	minimum of	6.0 m
(6)	Accessory Separation	minimum of	3.0 m from principal building

- 4 The siting of Agricultural buildings and structures shall be as follows:

(1)	Front Yard	minimum of	7.5 m
(2)	Rear Yard	minimum of	1.5 m
(3)	Side Yard	minimum of	1.5 m
(4)	Side Yard Exterior	minimum of	6.0 m

Size of Buildings and Structures

- 5 The maximum size of buildings and structures shall be as follows:

(1)	Gross floor Area for Principal Residence	maximum of	500 m ²
(2)	Height for Agricultural Use	maximum of	13.0 m
(3)	Height for Other Uses	maximum of	8.0 m

Information Note: *As of February 22, 2019 the Agricultural Land Commission Act was amended to limit the maximum size of the principal residence to 500 m². Any proposal to increase the permitted size must be approved by the Agricultural Land Commission for a non-adhering residential use.*

10 ARTERIAL COMMERCIAL: C-2**Permitted Uses**

- 1 The following uses are permitted as principal uses of the land:
- (1) Auction sales
 - (2) Building Supply and storage yards
 - (3) Convenience Store
 - (4) Commercial Display Lots
 - (5) Car wash
 - (6) Daycare
 - (7) Gas Bar
 - (8) Home Improvement sales
 - (9) Mini-warehousing
 - (10) Minor repair shops
 - (11) Moving and storage businesses
 - (12) Offices
 - (13) Printing and publishing
 - (14) Restaurant, not to exceed 250 m²
 - (15) Vehicle sales, rental and service
 - ~~(16)~~ Mobile home and trailer sales
 - ~~(16)~~(17) Controlled environment structure

Siting of Buildings and Structures

- 2 Siting of buildings and structures shall be as follows:
- | | | | |
|-----|--------------------|------------|------------------------|
| (1) | Front Yard | minimum of | 7.5 m |
| (2) | Rear Yard | minimum of | 6.0 m |
| (3) | Side Yard Interior | minimum of | 6.0 m, total two sides |
| (4) | Side yard Exterior | minimum of | 7.5 m |

Size of Buildings and Structures

- 3 The maximum size of buildings and structures shall be as follows:
- | | | | |
|-----|------------------------------|------------|-------|
| (1) | Height | maximum of | 8.0 m |
| (2) | Height of accessory building | maximum of | 4.5 m |
| (3) | Lot Coverage | maximum of | 40 % |
| (4) | Floor Area Ratio | maximum of | 0.8 |

Subdivision Requirements

- 4 Requirements for subdivision shall be as follows:
- | | | | |
|-----|------------------------------|------------|--------------------|
| (1) | Minimum and Average Lot Area | minimum of | 550 m ² |
| (2) | Lot Frontage | minimum of | 15 m |

18 COMPREHENSIVE DEVELOPMENT ZONE 1: CD-1 (GATEWAY PARK)**Permitted Uses**

- 1 The following uses are permitted as principal uses of the land:
- (1) Audio/Visual Production Facility
 - (2) Boat building, sales and marine equipment
 - (3) Brewery and agency retail store
 - (4) Building supplies sales
 - (5) Business and Office equipment sales
 - (6) Business offices
 - (7) Car Wash
 - (8) Caretaker's Dwelling, not to exceed 130 m²
 - ~~(9)~~ Cold storage facility
 - ~~(9)~~~~(10)~~ Clothing manufacturing and sales
 - ~~(11)~~ **Controlled environment structure**
 - ~~(10)~~~~(12)~~ Dry-cleaning plants
 - ~~(11)~~~~(13)~~ Electronic instrument repair and manufacturing
 - ~~(12)~~~~(14)~~ Equipment sales, storage, service and rental
 - ~~(13)~~~~(15)~~ Food packaging
 - ~~(14)~~~~(16)~~ Furniture manufacturing and sales
 - ~~(15)~~~~(17)~~ Health Club and Fitness Centre
 - ~~(16)~~~~(18)~~ In-door squash and racket sports club
 - ~~(17)~~~~(19)~~ Mobile Home and trailer sales
 - ~~(18)~~~~(20)~~ Modular home manufacturing
 - ~~(19)~~~~(21)~~ Motor vehicle body work, painting and structural repairs
 - ~~(20)~~~~(22)~~ Plastics Fabrication
 - ~~(21)~~~~(23)~~ Recycling Facilities
 - ~~(22)~~~~(24)~~ Restaurant, not to exceed 120 seats nor 320 m²
 - ~~(23)~~~~(25)~~ Sales and repair of agricultural equipment and garden implements
 - ~~(24)~~~~(26)~~ Tire Service, Sales and Associated Repairs
 - ~~(25)~~~~(27)~~ Truck terminal
 - ~~(26)~~~~(28)~~ Vehicle servicing
 - ~~(27)~~~~(29)~~ Warehousing
 - ~~(28)~~~~(30)~~ Welding and Machine shops
 - ~~(29)~~~~(31)~~ Wholesalers

Siting of Buildings and Structures

- 2 Siting of buildings and structures shall be as follows:
- (1) Front Yard minimum of 12.0 m
 - (2) Side Yard Interior minimum of 12.0 m, total two sides
 - (3) Side Yard Exterior minimum of 12.0 m

Size of Buildings and Structures

- 3 The maximum size of buildings and structures shall be as follows
- (1) Height maximum of 11.0 m
 - (2) Lot Coverage maximum of 60%

21 COMPREHENSIVE DEVELOPMENT ZONE 4: CD-4 (1970 KEATING CROSS ROAD)**Permitted Uses**

- 1 The following uses are permitted as principal uses of the land:
- (1) Audio/Visual Production Facility
 - (2) Boat Building, Sales and Marine Equipment
 - (3) Brewery and Agency Retail Store
 - (4) Building Supplies and Storage Yard
 - (5) Business and Office Equipment Sales
 - (6) Business Offices
 - ~~(7)~~ Clothing Manufacturing and Sales
 - ~~(8)~~ **Controlled environment structure**
 - ~~(7)~~~~(9)~~ Electronic Instrument Repair and Manufacturing
 - ~~(8)~~~~(10)~~ Equipment Sales, Storage, Service and Rental
 - ~~(9)~~~~(11)~~ Farm, Garden and Pet Supplies Sales
 - ~~(10)~~~~(12)~~ Food Packaging and Food Processing
 - ~~(11)~~~~(13)~~ Furniture Manufacturing and Sales
 - ~~(12)~~~~(14)~~ Health Club and Fitness Centre
 - ~~(13)~~~~(15)~~ Indoor Squash and Racket Sports Club
 - ~~(14)~~~~(16)~~ Offices
 - ~~(15)~~~~(17)~~ Restaurant, not to exceed 120 seats or 320 m²
 - ~~(16)~~~~(18)~~ Sales and Repair of Agricultural Equipment and Garden Implements
 - ~~(17)~~~~(19)~~ Warehousing
 - ~~(18)~~~~(20)~~ Wholesalers

Siting of Buildings and Structures

- 2 Siting of buildings and structures shall be as follows:
- (1) Front Yard minimum of 12.0 m
 - (2) Side Yard Interior minimum of 12.0 m, total two sides
 - (3) Side Yard Exterior minimum of 12.0 m

Size of Buildings and Structures

- 3 The maximum size of buildings and structures shall be as follows:
- (1) Height maximum of 11.0 m
 - (2) Lot Coverage maximum of 40%
 - (3) Floor Area Ratio maximum 0.8
 - (4) No single commercial unit containing retail uses, including accessory retail, shall exceed 5,000 m².

Subdivision Requirements

- 4 Requirements for subdivision shall be as follows:
- (1) Minimum and Average Lot Area minimum of 550 m²
 - (2) Lot Frontage minimum of 15 m

27. LIGHT INDUSTRIAL: I-1**Permitted Uses**

- 1 The following uses are permitted as principal uses of the land:
- (1) Agricultural Processing Centre
 - (2) Audio/Visual Production Facility
 - (3) Boat Building
 - (4) Brewery
 - (5) Business Offices but excluding Financial Institution, Medical/Dental Office,
 - (6) Realty Office, Insurance Office, and Travel Agency
 - (7) Cannabis Production
 - (8) Car Wash
 - (9) Catering Establishment
 - ~~(10)~~ Commercial Composting
 - ~~(11)~~ **Controlled environment structure**
 - ~~(10)~~~~(12)~~ Dry-cleaning Plant
 - ~~(11)~~~~(13)~~ Health Club and Fitness Centre
 - ~~(12)~~~~(14)~~ Laundry or Cleaning Plant
 - ~~(13)~~~~(15)~~ Light Manufacturing and Processing
 - ~~(14)~~~~(16)~~ Lumber and Building Materials Sales
 - ~~(15)~~~~(17)~~ Mini-warehousing
 - ~~(16)~~~~(18)~~ Motor vehicle body work, painting and structural repairs
 - ~~(17)~~~~(19)~~ Parking Lot
 - ~~(18)~~~~(20)~~ Photofinishing Services and Photography Studio
 - ~~(19)~~~~(21)~~ Printing and Publishing
 - ~~(20)~~~~(22)~~ Recycling Facilities
 - ~~(21)~~~~(23)~~ Research Laboratory
 - ~~(22)~~~~(24)~~ Research and Development Facility
 - ~~(23)~~~~(25)~~ Restaurant, not exceeding 75 m² gross floor area
 - ~~(24)~~~~(26)~~ Sales, rental, service, storage and repair of:
 - a. agricultural equipment and garden implements;
 - b. boats and marine equipment;
 - c. business and office equipment;
 - d. construction and building equipment;
 - e. farm, garden and pet supplies;
 - f. furniture and appliances; and
 - g. tires
 - ~~(25)~~~~(27)~~ Storage Facility or Warehouse
 - ~~(26)~~~~(28)~~ Trades' Workshop
 - ~~(27)~~~~(29)~~ Truck Terminal or Courier Services
 - ~~(28)~~~~(30)~~ Vehicle Servicing
 - ~~(29)~~~~(31)~~ Veterinary Practice, in accordance with Part 4, Section 14
 - ~~(30)~~~~(32)~~ Wholesalers

Permitted Accessory Uses

43 RURAL ESTATE: RE-1**Permitted Uses**

- 1 The following uses are permitted as principal uses of the land:
- (1) Residential Single Family
 - (2) Agriculture, excluding feed lots

Permitted Accessory Uses

- 2 The following uses are permitted as accessory uses only:
- (1) Accessory Dwelling Unit, in accordance with Part 4, Section 12 & 13
 - (2) Home occupation, in accordance with Part 4, Section 10

Siting of Buildings and Structures

- 3 Siting of buildings and structures shall be as follows:

Minimum Required Setback	Principal Residential Dwelling	Accessory Buildings and Structures	Detached Accessory Dwelling
Front Lot Line	7.5 m	7.5 m	7.5 m
Rear Lot Line	7.5 m	7.5 m	7.5 m
Side Lot Line – Interior: one side	1.5 m	1.5 m	1.5 m
Side Lot Line- Interior: total two sides	4.5 m	4.5 m	4.5 m
Side Lot Line – Interior: panhandle lots	3.0 m	3.0 m	6.0 m
Side Lot Line - Exterior	6.0 m	6.0 m	6.0 m

- 4 A minimum building separation shall be provided as follows:
- (1) 2.5 m between habitable buildings and other buildings
 - (2) 1.0 m between non-habitable buildings

Information Note: building separation must also comply with the BC Building Code requirements, which consider exterior wall openings and material combustibility for fire separation.

- 5 Detached accessory dwellings shall be sited to provide a maximum separation of 50 m from the principal residential dwelling, except where a detached accessory dwelling is to be located within an existing accessory building constructed before January 1, 2020

Size of Buildings and Structures

- 6 The maximum size of buildings and structures shall be as follows:
- (1) There may not be more than one principal residence on a lot
 - (2) The lot coverage for the principal residence and accessory buildings or structures, excluding a detached accessory dwelling, shall not exceed a lot coverage of 2%
 - (3) A detached accessory dwelling unit may not exceed a gross floor area of 90 m²

Height of Buildings and Structures

- 7 Height of buildings and structures shall be as follows:
- (1) The maximum building height for a Residential Single Family on a standard lot is 8.0 m
 - (2) The maximum building height for a Residential Single Family on a panhandle lot is 4.5 m, except where the dwelling is sited a minimum of 8.0 m from any lot line the height may be increased to 8.0 m
 - (3) The maximum building height for accessory buildings is 4.5 m
 - (4) The maximum building height for a ~~carriage house~~ detached accessory dwelling is 6.5 m, however no portion of the roof may extend above 7.5 m

Note - this example would apply to all RE zones

Subdivision Requirements

- 8 Requirements for subdivision shall be as follows:
- (1) Minimum and Average Lot area minimum of 4 ha
 - (2) Lot Frontage minimum of 10% of the lot perimeter

Site Specific Regulations

- 9 In the RE-1 zone, the following regulations are permitted on a site-specific basis only:
- (1) In addition to the list of uses permitted under the heading "Permitted Accessory Uses", Bed and Breakfast – 3 Bedroom maximum shall be a permitted use on the land legally described as Lot 1, Section 3, Range 1 West, South Saanich District, Plan VIP42418 (***8133 Rae-Leigh Place***)
 - (2) Despite the regulations above, the minimum lot area for subdivision of the land legally described as Lot 17, Sections 3 and 4, Range 1 West, South Saanich District, Plan 30146 (***8069 Thomson Place***) shall be 1.3 ha

reciprocal access agreement is registered on title, which shall include the District as a party for the sole purpose of ensuring the agreement is not modified or discharged without the approval of the District.

- 5 The lot width of any proposed panhandle lot shall meet or exceed the lot frontage requirement for a standard lot in the same zone.
- 6 The creation of any new lot lying within two or more zones is prohibited.
- 7 The creation of any new hooked lot, or a lot divided into two or more portions by a highway or other legal parcel is prohibited.
- 8 Every new fee simple lot created must be provided with highway access, or for bare land strata lots, access to a highway by way of a bare land access route.

6 HIGHWAY DIMENSIONS, LOCATIONS, ALIGNMENT AND GRADIENT

A highway proposed to be dedicated by a plan of subdivision shall not be shown on the plan, dedicated, laid out or constructed unless the dimensions, location, alignment and gradient meet the requirements for highways prescribed in the Works and Services General Provisions (Schedule 2).

7 COST OF WORKS AND SERVICES

The works and services required by this Bylaw shall be provided, located and constructed at the expense of the owner of the land proposed to be subdivided or developed.

8 WORKS AND SERVICES STANDARDS

- 1 All works and services required in this Part shall be provided, located and constructed in accordance with the applicable standards prescribed in the Works and Services General Provisions (Schedule 2).
- 2 The works and services outlined in the following table in respect of the applicable zoning districts shall be provided in all subdivisions and developments of land in each zoning district specified, and in the interpretation of the Table a 'major highway' is a major municipal route or arterial highway as shown on ~~Schedule C~~ the Road Network Plan of the Official Community Plan.
- 3 Despite Subsection 7.8.2, the Approving Officer may approve a boundary adjustment subdivision without requiring the works and services outlined in this Section provided that there would no increase in the density or intensity of use beyond what was permitted before the boundary adjustment.
- 4 Despite Subsection 7.8.3, if an application for subdivision is received within 5 years of a boundary adjustment subdivision to which the exemption under 7.8.3 was applied, the

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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 there are no impacts to the natural environment or public health resulting from private on-site sewerage systems.
- 2.6. 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:

- 2.7. Construction, repair, alteration, or reconstruction of any detached accessory residential dwelling on a property, which includes proposals for a second dwelling that would cause an existing dwelling to be reclassified as the accessory dwelling unit.
- 2.8. Construction, repair, alteration, or reconstruction to non-habitable buildings accessory to a residential use.
- 2.9. Construction, repair, alteration, or reconstruction of a controlled environment structure having a gross floor area of 500 m² or larger, or 8 m or more in height.

3. Development Permit Exemptions:

- 3.1. Agricultural buildings or structures used exclusively for agriculture, excluding controlled environment structures with a gross floor area 500m² or larger, or 8 m or more in height.
- 3.2. Construction, repair, alteration, or reconstruction of residential dwellings or non-habitable buildings accessory to a residential use within an accepted Farm Residential Footprint where a covenant is registered on title in accordance with these guidelines.
- 3.3. Construction, repair, alteration, or reconstruction of the first residential dwelling (principal dwelling) on a property.
- 3.4. Where a property is split zoned and the proposed development would occur entirely outside of an agricultural zone.
- 3.5. 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.

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- 3.6. 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.
- 3.7. The placement of temporary structures for no more than 30 days, or used for Gathering for an Event in accordance with s. 17 of the Agricultural Land Commission Regulations.
- 3.8. The demolition of buildings or structures.
- 3.9. Repair, maintenance, alteration or reconstruction of existing legal, or legal non-conforming buildings, structures or utilities, providing there is no increase in building footprint.
- 3.10. Improvements to the Saanich Fairground within the Fairground Agriculture A-3 zone boundary.
- 3.11. Improvements to Heritage Acres within the Historical Artifacts Agriculture A-5 zone boundary.
- 3.12. Improvements to Michell Airpark within the Agriculture A-7 zone boundary.
- 3.13. Improvements to the three existing veterinary clinics located at 2263 Mt Newton Cross Road, 1782 Stelly's Cross Road, and 1741 Verling Avenue.

General Guidelines:**4. Prevent 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, except where the proposed location is strategic to optimize farm operations e.g; monitoring of livestock on a large property.
- 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. Residential buildings should avoid conflict with farm operations by locating operable windows and doorways away from farm operations and consideration of constructing walls with additional sound-proofing and minimal windows where adjacent to farm operations.
- 4.5. 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 new buildings and structures for residential or non-farm uses should be sited 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, or
 - 5.2.2. An assessment report prepared by a Professional Agrologist, or
 - 5.2.3. Based on an existing Farm Operations or a Farm Business Plan, 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.

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- 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 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 2,000m² on properties 1 ha or larger, or 1,000 m² on properties less than 1 ha.
- 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. 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.
- 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, 2023.
- 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.

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.

8. Guidelines for On-site Sewerage Systems:

NOTE: if adopting a "on-site services bylaw" is supported then these guidelines could be addressed through that process and not replicated here.

- 8.1. Any on-site sewerage system shall not be sited in an area prone to flooding, and should avoid siting within a development permit area for the protection of the natural environment, ie: riparian, marine, and terrestrial sensitive ecosystem, unless no other option is available and a Development Permit is approved.

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- 8.2. Authorized Professionals shall provide confirmation that any proposed on-site sewerage system is sited a minimum 30 m from any groundwater wells.
- 8.3. New residential development shall provide confirmation from an Authorized Professional that on-site sewerage systems or community sewerage systems have adequate capacity to serve the dwelling unit in a manner consistent with BC Sewerage System Regulations and Island Health Standards, including the property having adequate soil depths and the provision of a reserve area with a Type 1 or Type 2 system.
 - 8.3.1. Where treatment by a Type 1 system on a property less than 2 ha or a Type 2 system is proposed, a covenant shall be registered to secure that the monitoring and maintenance schedule recommended by an Authorized Professional be adhered to, and that maintenance records be maintained for a minimum of 10 years, and be made available to potential purchasers of the land and to the District upon request.

9. Guidelines for Registering a Farm Residential Footprint:

As an alternative approval process to the issuance of a Development Permit, where a Farm Residential Footprint is registered on title in accordance with the guidelines below, any proposed residential structures to be located within the registered Farm Residential Footprint are exempt from requiring a Development Permit.

- 9.1. All residential buildings or structures, ie: dwellings, parking areas, pools, tennis/sport courts, sewerage system, non-habitable accessory buildings such as garages, or personal gyms are to be located within the defined Farm Residential Footprint.
- 9.2. The fragmentation of agricultural land should be avoided and all residential uses should be clustered such that the total Farm Residential Footprint is no more than 2,000m² on properties 1 ha or larger, or 1,000 m² on properties less than 1 ha, and located to maximize agricultural potential.
- 9.3. Farm Residential Footprints should extend no further than 60 m from the lot line providing access to the residential use and provide a minimum separation between a residential dwelling and the Farm Residential Footprint boundary of 10 m.
- 9.4. Where a Farm Residential Footprint is being established around an existing principal dwelling that is sited contrary to the above guideline, the footprint should demonstrate the proposed siting includes areas previously disturbed for residential use and is the most effective siting for residential uses on the property to ensure maximum agricultural potential is retained.
- 9.5. The Farm Residential Footprint should include areas identified for vegetative buffers to mitigate potential impacts from farm operations.
- 9.6. The shape of the Farm Residential Footprint should generally be rectangular and easily defined on the land. Non-linear boundaries should only be applied where based on natural features, topographical conditions, or access routes.
- 9.7. The size of the Farm Residential Footprint should be designed to the minimum area required so that the maximum area possible for farm operations is retained.
- 9.8. The siting and dimensions of a proposed Farm Residential Footprint must be prepared by a BC Land Surveyor showing all dimensions and accepted by the District prior to registration on title.
- 9.9. For the purpose of these guidelines, "*Farm Residential Footprint*" means a defined area within an agricultural property that is registered on title by covenant where all structures associated with a residential uses are to be located, including but not limited to outdoor living areas, pools, tennis/sport courts, accessory garages, driveways, parking areas, on-site

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sewage systems, and buildings for a home occupation use not related to the farm operations.

10. Guidelines for Controlled Environment Structures:

In addition to other guidelines, the following guidelines apply to controlled environment structures with a gross floor area of 500 m² or larger, or 8 m or more in height:

- 10.1. Controlled environment structures should be sited to avoid shadowing on agricultural fields, particularly areas with the highest agricultural capability.
- 10.2. Buildings or structures should include a landscaped vegetative buffer to screen large expanses of wall and minimize noise, light, dust or odours from the building.
- 10.3. The addition of impermeable surfacing related to the use should be minimized and located outside of any development permit area for protection of the natural environment (riparian, marine, and terrestrial sensitive ecosystems).
- 10.4. Any exterior lighting for controlled environment structures shall be downcast, shielded, and designed to avoid light encroachment on adjacent properties.
- 10.5. Where interior lighting would be visible outside of the structure through either the roof or walls, effective light abatement measures such as curtains/screens, berms, or landscaping buffers should be utilized to ensure a minimum of 6 hours of darkness nightly and to mitigate light pollution and impacts to livestock and wildlife.

11. Guidelines for Vegetative Buffers:

Where vegetative buffers are utilized to improve separation between agricultural and non-agricultural uses or between properties, the following guidelines apply:

- 11.1. Design, establish, and maintain vegetative buffers to screen farm operations, discourage trespass, and mitigate effects from wind, heat exposure, storm run-off, dust, noise, and odours. Where possible, vegetative buffers should utilize and augment existing areas of trees and vegetation.
- 11.2. Species selected for vegetative buffers should ensure farm operations are not affected, ie seed and pollen impacts, non-invasive species, pest and disease resistance, and native plant species that encourage natural pollinators are encouraged.
- 11.3. A mix of deciduous and coniferous native species is encouraged
- 11.4. The vegetative buffer should include plant species that would reach a minimum of 6 m in height and 3 m in canopy width.
- 11.5. New plantings for vegetative buffers should include irrigation for a minimum of 2 years or until established.
- 11.6. A landscaping security deposit in the amount of 125% of the cost estimate may be required in the form of cash, certified cheque, or an irrevocable letter of credit.
- 11.7. The removal of trees for non-agricultural uses is discouraged and is not exempt from requiring a Tree Removal Permit.

British Columbia

Vertical farming offers the prospect of strawberry fields forever, B.C. farmer says

Amir Maan says vertical greenhouse has allowed his family to continue farming in the Fraser Valley

CBC News · Posted: May 02, 2023 6:00 AM PDT | Last Updated: 9 hours ago



Amir Maan's family invested in a vertical greenhouse to shift 10 acres of strawberries indoors. (Amir Maan)

[comments](#)

After dealing with bouts of severe weather, a farmer in B.C.'s Fraser Valley says he and his family are looking at vertical farming to grow strawberries.

Recent years have seen a heat dome and flooding, says Amir Maan of Maan Farms in Abbotsford, B.C. That's had an impact on crops.

"We're growing 25, almost 30 acres of strawberries outdoors, but we're only harvesting 10 acres' worth because of all the loss," he said.

Those losses led to discussions with his father about the future of the family farm.

Last year, Maan's family invested in a vertical greenhouse to shift 10 acres of strawberries — an area the size of almost eight football fields — indoors.

"Weather is the one thing that you can't control, and as a farmer, being able to control it with the greenhouse indoors is the closest thing you can do to make sure you have a reliable crop for your community," Maan said.

- [B.C. vertical farming company says it could produce up to 6 million bags of salad greens a year](#)
- [Vertical farming on the rise in B.C. but facing challenges for land, say advocates](#)

In vertical farming, shelves of crops are stacked atop one another, so much less land is needed than in traditional farming.

Depending on the facility, different environmental factors such as light, humidity and temperature can be controlled so there is considerably less chance of crop failure.

Some of the more than 150 agritech companies in B.C. are already [growing microgreens, leafy greens and herbs](#) vertically.

Strawberries, which are harder to grow than things like lettuce, are "the next frontier," says Lenore Newman, director of the Food and Agriculture Institute at the University of the Fraser Valley.

"They're really the next big crop, and then other berries will probably follow because they're very high value and people want them," Newman said.

Maan says he would like to see other farms in the Fraser Valley join him.

The biggest barrier, he said, is startup costs.



Amir Maan, left, says investing in a vertical greenhouse has allowed his family to continue farming. (Submitted by Amir Mann)

In his case, he says the investment has been worth it as it has allowed his family to continue farming.

"It's not ... just the economics. It's also about growing strawberries in the Fraser Valley, and that's what we love to do," he said.

It could also be a win for the planet, he says, as locally grown strawberries lead to fewer emissions than importing the fruit.

"I think that's the most important thing is that we're able to still grow local food and not depend on large corporations and importing as much."

With files from Stephanie Mercier

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The vertical farming bubble is finally popping

Climate change might make growing produce indoors a necessity. But despite taking in more than a billion dollars in venture capital investment, most companies in the industry seem to be withering, unable to turn a profit on lettuce.

BY ADELE PETERS

When workers arrived at Fifth Season, an indoor farm in the former steel town of Braddock, Pennsylvania, on a cloudy Friday morning last October, they expected it would be a normal day.

The farm, which had opened two years earlier, seemed to be running smoothly, growing tens of thousands of pounds of lettuce per year inside a robot-filled 60,000-square-foot warehouse. The brand was selling salad kits—like a taco-themed version with the company’s baby romaine, plus guacamole, tortilla strips, and cheese—in more than 1,200 stores, including Whole Foods and Kroger. Earlier in the year, the company had said that it projected a 600% growth in sales in 2022. The branding was updated in October, and new packages were rolling out in stores. Solar panels and a new microgrid had recently been installed at the building. A larger farm was being planned for Columbus, Ohio.

But the workday never started. “The CEO came in and said, ‘Justin, we gotta talk,’” says Justin Stricker, who had worked as a maintenance technician at the startup since it launched. “He said, ‘Don’t let anyone set up. We’re going to have a big meeting.’ I thought I was getting fired. The whole entire place was just done.” The managers announced that the company was closing immediately. After shutting down the electrical equipment and draining water lines, the plants were left to die. Stricker and dozens of others were left scrambling to find new jobs.

Fifth Season's failure is only the most dramatic signal of a reckoning taking place in what's known as the vertical farming sector. AppHarvest, which runs high-tech greenhouses in Appalachia growing tomatoes and greens, said in a [recent quarterly report](#) that it had "substantial doubt about our ability to continue as a going concern" unless it could raise more money; the company is currently being sued by investors who argue that it misled them about its viability. AeroFarms, an early pioneer in the space, [pulled out of a proposed SPAC deal](#) last year. In the company's [May 2021 investor presentation](#), AeroFarms, which was founded in 2004, estimated just \$4 million in 2021 EBITDA-adjusted revenue—and \$39 million in losses.

The litany continues: Agricoool, a French company growing greens in recycled shipping containers, went into receivership in January. Infarm, a vertical farming company based in Berlin, recently announced that it was laying off more than half of its workforce—500 workers. IronOx, which built a complex robotic system to run its indoor farms, laid off nearly half of its staff.

If these tremors in the vertical farming industry seem unsettling, what's to come could well be worse. As of the beginning of December 2022, \$1.7 billion had been invested in indoor growers, more than any other part of ag tech. Investors have been drawn to the idea of "disrupting" a 10,000-year-old industry; when the Vision Fund first invested in Plenty, SoftBank CEO Masayoshi Son said that the company would "remake the current food system." Controlled indoor agriculture is also seen as a way to respond to climate change. And, of course, investors expect to make money.

Nearly 20 years after the first vertical farm opened, with capital drying up like heads of romaine under an unrelenting California heat wave, one now has to wonder two things: Is it even possible to compete with the economics of outdoor farming? And how did investors think that they could find Silicon Valley-style returns in . . . lettuce?



AeroFarms' vertical grow towers on February 19, 2019, in Newark, New Jersey. [Photo: Angela Weiss/AFP/Getty Images]

HOW EXPENSIVE IS IT TO GROW GREENS? LET US COUNT THE WAYS

In theory, there are enormous benefits to indoor farms. They often use 90% less water than traditional farms; right now, most lettuce in the country is grown in drought-stricken California and Arizona. Growing inside can avoid outbreaks of *E. coli* and diseases like a plant virus that recently devastated lettuce grown in California's Salinas Valley, pushing up prices. Indoor farming also eliminates pesticides and reduces fertilizer and keeps it out of rivers. Lettuce grown near Boston or New York City can avoid traveling thousands of miles from Western fields, saving gas and staying fresh longer. It's possible to grow delicate, flavorful foods that otherwise wouldn't survive a long trip through the supply chain. And as climate change makes extreme heat, drought, and flooding more likely, growing inside could become a necessity for some crops.

But in practice, you end up with a head of lettuce that must bear many costs. Farms in warehouses—which typically have multiple layers of plants stacked toward the ceiling in each row, which is why they’re often called vertical farms—are expensive to build and run. Fifth Season, for example, reportedly spent \$27 million on its Braddock farm, which could produce around 4 million salads a year. AeroFarms told investors that its Model 5 farm design would cost \$52 million but the cost would drop to \$43 million for its planned Model 7, which it projected for September 2023. Plenty—a Bay Area-based vertical farming startup founded in 2014 and which raised \$941 million to date from investors, including SoftBank Vision Fund 1—has said it plans to spend \$300 million on a new facility outside Richmond, Virginia. “You have depreciation before you’ve started running the operation and trying to make that compete with outdoor-grown product,” says Peter Tasgal, an agricultural consultant who works with vertical farms.

Lights alone are expensive. “Plants require about five to 10 times more light than we do as human beings,” says Eric Stein, a business professor at Penn State University and head of the nonprofit Center of Excellence for Indoor Agriculture, who studies the economic model of indoor farms. Vertical farms often start growing leafy greens first because they require less light than some other crops, but buying the lights, and paying the electric bill, is still a significant expense. Even a small, 10,000-square-foot farm might have a lighting bill over \$100,000 or even \$200,000 a year, he says. Running air conditioners and other equipment adds to the energy used.

Adding renewable energy outside can help—and reduce the carbon footprint that goes along with that energy use—but putting a few solar panels on the roof can’t cover the total amount of electricity needed. “In a typical cold climate, you would need about five acres of solar panels to grow one acre of lettuce,” says Kale Harbick, a USDA researcher who studies controlled-environment agriculture. A hypothetical skyscraper filled with lettuce would require solar panels covering an area the size of Manhattan.

Fully indoor warehouse farms—where plants live under the purple glow of LED lights, with no natural light—are relatively new, spurred both by growing concern about the environment and market changes like the falling cost of LED lights (brought on, partially, by the growing marijuana industry). But the broad concept is not as radical as some investors may have wished: More traditional greenhouses already grow a large percentage of the tomatoes eaten in the United States, for example (most come from Mexico and Canada). In the Netherlands, greenhouses grow nearly a **million tons of**

tomatoes a year, along with other crops, making the country a major food exporter despite its tiny size.

Many startups in the space tout the fact that they've built their own complex technology to operate the farms, including software that uses computer vision and artificial intelligence to monitor the plants and tweak lights, temperature, humidity, and other factors to optimize growth. (Almost every company **makes the argument that it's found a unique tech solution to lower cost.**) Custom robotic systems can plant seeds, move trays of plants, and harvest crops. But when companies each build their own technology, expenses balloon.

"There are many reasons why they're doing it, but one of the reasons is because they know that Silicon Valley investors won't invest in a farm, but they'll invest in a tech company," says Henry Gordon-Smith, founder of Agritecture, a firm that consults on urban farming projects. "In reality, these companies overspend on R&D by crazy amounts, and then say, 'Oh, shit, that didn't work.'" Startups often later incorporate more outside tech, he says, but keep the narrative that they've designed a full system from scratch.

“A LOT OF THESE COMPANIES ARE STILL FLOATING ON VENTURE CAPITAL”

Fifth Season, among others, invested in automation to help cut the cost of labor, another major expense for indoor farms. "The company was really born out of the idea that thoughtful applications of technology within indoor farming could crack the code on labor, and do it in a way where you didn't have to break the bank on super-fancy robotics," says Grant Vandebussche, previously the chief category officer at Fifth Season. Its farm proved that automation could run its operations. But it also had to pay the high salaries of a team of robotics and software engineers. "When you have a commodity-type market such as leafy greens, it's really hard to find enough margin to be able to have your unit sales cover the cost of the broader enterprise," he says.

Bigger farms could help, he says, so companies could sell more product. Some farms in the U.S. might also move toward a model often used in Dutch greenhouses, with a much smaller staff. "The overhead to run the farm is a lot lower because there's no corporate offices," he says. "There's an outsourced technical support staff team and outsourced IT team. The manager of the entire facility is also the head grower, who is also the person who pays payroll."

Some American startups also have a suite of well-paid executives even before they're making a profit. "A lot of these companies are still floating on venture capital," says Stein. "What's the first thing that they do? They hire all their friends. And they blow out the administrative salaries on the operating side." The high-tech greenhouse company AppHarvest, which has raised more than \$640 million, reported net losses of \$83 million through the first nine months of 2022, including a summer quarter that yielded a paltry \$524,000 in net sales when AppHarvest had to compete with outdoor farmers' growing season. The company's total revenue for the first three quarters of last year was \$10 million, but most of that was used on up to \$7 million in severance payments when it fired two executives.

The high costs of building and running the facilities mean that it's also difficult for local indoor farms to compete with the cost of lettuce grown in California, despite the expense of trucking field-grown lettuce across the country. The production costs outside are lower because of cheaper land, far less energy use, and lower total labor costs. A 2020 study from Cornell University estimated that lettuce from indoor farms in Chicago or New York was more than twice as expensive to produce as lettuce grown and delivered from the West Coast.

Even if a tech-heavy farm can eventually find profitability, it can often take several years to achieve that, says Alex Frederick, an analyst for PitchBook. "What these companies are running into is that if they're not going to really achieve breakeven for five or 10 years, they need to be able to keep raising capital to fund operations," he says. "And right now, we're seeing companies really challenged to continue raising."

As the market has faltered, investors have pulled back on new funding, and the recent rise in energy prices has been a breaking point for some companies. "I thought investors understood that this was a long game," says Chris Cerveny, a horticulturist who was head of grow science at Fifth Season. "Now all of a sudden they want a return on their investment."

FARM ECONOMICS VS. TECH ECONOMICS

One founder told me that many investors don't really understand this space, and that they're often drawn to the sexiest, most revolutionary technology, rather than more incremental improvements and business models that are already proven, like lower-tech greenhouses.

It's also hard to make money selling baby greens rather than a high price-point item like cannabis—or even just more expensive produce, like berries. “Is it worth spending \$20 million on a cutting-edge system when you're producing objects that might get \$1 or \$2 in the marketplace? That's the problem,” says Stein, the Penn State business professor. (As a growing number of indoor farms have started selling branded greens, the competition is also making it harder to get placement in grocery stores.) If companies look to make more money by charging a large premium for a box of greens, there's a relatively limited group of consumers willing to pay more for salad.

Fully indoor farms, which can be carefully controlled, could also be used to grow plants for pharmaceuticals, fragrances, or cosmetics, says Josh Lessing, who founded a robotic harvesting startup, Root AI, and was previously also the chief technology officer at the greenhouse startup AppHarvest. (Despite its revenue issues, [AppHarvest spent a reported \\$60 million in April 2021 to acquire Root AI.](#)) Scaling up those farms could help bring down technology costs to make growing lower-value food more viable.

Stein is currently collecting data from farms on their operational cost per pound of lettuce—something that many companies are reluctant to share—with the aim of identifying which farms are most efficient and gleaning lessons for the indoor farming industry as a whole. He still believes that this type of farming can be a viable business, though perhaps not in the way that some investors expect or some startups may have promised.

“For the life of me, I do not understand [why investors are investing], because the economics are not the same as Silicon Valley high tech,” says Stein. “No matter how you want to spin it, it's not the same. If you can build a farm that has a nice, healthy 20% to 25% margin, that's a good bet. But it's not going to be 150%.”

Startups have also wildly overestimated how quickly they can grow. AeroFarms, for example, said in 2015 that it hoped to build [25 farms](#) in five years. Instead, it currently has two large commercial farms in the U.S. and an R&D facility in Abu Dhabi. And they've overestimated how quickly they can make money. In its investor presentation, AeroFarms projected growing from \$4 million in 2021 to \$553 million in 2026. “They dramatically overhyped their valuation and their pathway to profitability,” says Gordon-Smith.

Management is another challenge, as startups with little experience try to figure out how to efficiently grow food with new processes. A lawsuit filed by AppHarvest investors argued that the startup had failed to disclose problems

and misrepresented its ability to succeed; the company said that its challenges were reasonable for “a young company with an inexperienced management team undertaking a massive farming endeavor for the first time.”

One farm was delayed by pandemic supply chain issues, so the company wasn't able to grow and sell as much as expected. The company's communications director says that it has invested heavily in training, and the team plans to focus on improving existing farms before expanding. It also sold its first farm to its distributor, and **leased it back**, to raise funds to keep running. But it's not clear yet whether the company will survive.

WHAT COMES NEXT?

Even as companies like Fifth Season have struggled, new rounds of funding continue to flow to startups in the space, though some investors have stepped back. Gordon-Smith **believes** that the industry has reached the “trough of disillusionment” in the **Gartner hype cycle**, the stage at which some startups making a new technology begin to fail and interest wanes. The industry may consolidate, with investors making fewer bets on some of the larger players.

“I think that there's a part of what's happening right now that actually is just the natural evolution and maturation of growing in a new industry,” says Irving Fain, founder and CEO of Bowery, a New York-based vertical farming company that launched in 2015 and now has seven farms, with more set to open next year. (He points to examples like the early auto industry, which had more than 250 different brands in the early 1900s, but quickly winnowed down to a smaller number.) Bowery, he claims, had its biggest quarter to date in the last quarter of 2022; 2022 was also its biggest year so far, despite the challenges of the current economy. Still, the company declined to share when it might become profitable.

Gordon-Smith says that most vertical farms in the U.S. are a long way from profitability. “Based on an analysis we did for a large private-equity firm, we don't actually see a scenario where in the next 10 years vertical farming will compete with field-grown at scale in North America,” he says. Right now, he says, the economics make the most sense in the Middle East, where extreme heat makes outdoor growing impractical and consumers currently pay high prices for imported greens.

Some lesser-known companies continue to say they have finally found the magic formula: Soli Organic, an organic herb grower that grows both on

traditional and indoor farms and sells its products in stores like Walmart and Wegmans, says that growing in soil, unlike most indoor farms, using a patented process allows them to find profitability. Little Leaf Farms, which also claims to be profitable, says it's done it by growing in automated greenhouses. A Taiwanese company called YesHealth Group, which has been developing vertical farms for more than a decade, along with its own equipment like custom LED lights, says that it is profitable at a farm in Taiwan, and expects to be profitable across the company as a whole—including R&D expenses—this year. But these companies' ability to buck industry trends for the long term remains to be seen.

Companies are also shifting to other types of produce that could potentially make more: Oishii, one startup, markets absurdly **expensive strawberries**—\$20 for a tray of 11—with a unique flavor. One of the farms Plenty is opening after closing its South San Francisco facility is in Virginia, where it's partnering with berry giant Driscoll to, it claims, grow 20 million pounds of strawberries a year, with the first crop expected next winter.

It's not clear how each of these companies will fare in the long term—and how much money that has been invested in the space may ultimately be wasted, with little to show for it. But climate impacts on agriculture are already a reality; if floods and droughts and heat waves on farms mean that an increasing number of crops fail, success growing food indoors—and more than just lettuce or berries—may be a necessity. At that point, will the billions invested in these failing startups feel like money well spent in the quest for a solution, or will venture capital's pursuit of high returns turn out to have been a setback on the road to food resiliency?