

# Association for the Protection of Rural Metchosin

#2-4401 William Head Road

RR#1 Victoria, BC V9C 3Y6

[www.metchosinaprm.org](http://www.metchosinaprm.org)

March 16, 2023

Mayor & Council,  
District of Metchosin  
4450 Happy Valley Road,  
Victoria, B.C.  
[mayorandcouncil@metchosin.ca](mailto:mayorandcouncil@metchosin.ca)

## **RE: Siting and Size of Residential Uses in the ALR**

Dear Mayor and Council:

The APRM encourages the District of Metchosin to update the Land Use Bylaw 259, to adopt restrictions on residential building siting and sizes in the Agricultural Land Reserve (ALR). These restrictions are recommended in the BC Ministry of Agriculture and Food's (BCMAF) "Guide for Bylaw Development in Farming Areas." House size limits are also defined in the *Agricultural Land Commission Act*. The relevant section begins on page 13 at this link:

[https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/agriculture-and-seafood/agricultural-land-and-environment/strengthening-farming/local-government-bylaw-standards/840000-1\\_guide\\_for\\_bylaw\\_development\\_in\\_farming\\_areas.pdf](https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/agriculture-and-seafood/agricultural-land-and-environment/strengthening-farming/local-government-bylaw-standards/840000-1_guide_for_bylaw_development_in_farming_areas.pdf) .

The benefits of the guidelines are as follows:

- a) not allowing housing to restrict agricultural activities;
- b) directing the largest residential uses in a community to non-farming areas (i.e., avoid the building of rural estate mansions);
- c) minimizing the impact of residential uses on farm practices and farming potential in farming areas (i.e. reducing the potential conflict between non-farming neighbours and farmers, including reducing the potential for complaints about dust, odour, noise, etc.);
- d) minimizing the loss and/or fragmentation of farmland due to residential uses; and
- e) minimizing the impact of residential uses on increasing costs of farmland (i.e. once a high value residential building is constructed, it reduces the possibility that a farmer can afford to buy the property in the future.)

These restrictions help to maximize the area of an agricultural parcel for farming activities, and encourage farming in the long term by minimizing the value of the residential assets (making the property more affordable for farmers in the long term).

Please consider adopting the following three restrictions for all Agricultural (AG) and Agricultural 1 (AG1) zoned properties in Metchosin:

a) Siting of Farm Residential Uses

The BCMAF Guide recommends a maximum of 50 metre setback from a frontage road for the primary farm residence, and a maximum of 60 metre setback for the farm residential footprint. (This provides a 10-metre separation from the back of the residence to the active farming area.) The recommended siting concentrates the residential uses near the frontage road, and maximizes the remainder of the lot for agricultural uses.

b) Size of Farm Residential Footprint

The BCMAF Guide recommends three possible options for limiting the size of the residential footprint, aka homeplate (i.e., the area containing the primary and possible secondary home(s), the driveway, and any other accessory residential buildings or structures, such as garages, tennis courts, pools, etc.). The APRM suggests that the third option of setting a specific residential farm footprint that would apply to all ALR lots would be the most effective in Metchosin. As an example, Maple Ridge, a local government that also has numerous small farms, has adopted 0.2 ha (21,528 sq. ft.) as its Homeplate size. Please see:

<https://www.mapleridge.ca/DocumentCenter/View/13994/Farm-Home-Plate-Guide-?bidId=>

c) Size of Farm Residence(s)

The BCMAF Guide recommends a maximum of 500 metres square for the primary farm residence (as per the *Agricultural Land Commission Act (ALCA)*). On a property 40 ha or less, where there is a principal residence of 500 m<sup>2</sup> or less, one 90 m<sup>2</sup> additional residence may be permitted (as per the *ALCA*). The Agricultural Land Commission has prepared a useful reference guide on questions regarding residences in the ALR which is located at:

[https://www.alc.gov.bc.ca/assets/alc/assets/legislation-and-regulation/information-bulletins/alc\\_residential\\_flexibility\\_faqs.pdf](https://www.alc.gov.bc.ca/assets/alc/assets/legislation-and-regulation/information-bulletins/alc_residential_flexibility_faqs.pdf).

### **Examples of the Problem**

To illustrate the issue, we have selected two anonymous properties in Metchosin. (If Council requires the actual addresses of both properties, we can provide them). Both parcels are completely located within the ALR, and both have had new residential uses added within the last 12 months.

**Property A:** This 10.6-acre property had farm status in 2021\*, and was assessed at \$14,341 for the land (and \$0 for buildings, as there were no buildings.) As of July 1, 2022 it was assessed at \$1,047,000 for the land (the farm status no longer applied) and \$0 for buildings. According to BC Assessment, it sold in November 2020 for \$1,260,000. As reported by local farmers, in the fall of 2022, the new landowner created a winding driveway partway through the field, and built the home more than 50 metres from the frontage road – significantly impacting a prime piece of a ALR land. There is no agricultural benefit to have a winding driveway or a home that is sited that far from the frontage road.



Property A in 2021 from CRD Regional Map (at <https://maps.crd.bc.ca/Html5Viewer/?viewer=public&> ) Note: 2021 is the most recent satellite imagery on the CRD website.

**Property B:** This 2.8-acre property had farm status in 2021, and was assessed at \$4,007 for the land (and \$0 for buildings, as there were no buildings). As of July 1, 2022 it was assessed at \$821,000 for the land (farm status no longer applied), and \$0 for buildings. According to local farmers, this was one of the most productive hay fields in Metchosin, and had been in production for decades. The hay field lease was cancelled. In the fall of 2022, the topsoil that had been built up for years was stripped, and then tonnes of giant rocks and aggregate were put in its place to raise the new home for a better view – roughly in the middle of the property. (It is important to note that the ALC requires a landowner to file a Notice of Intent at least 60 days prior to the fill operation beginning, and to get ALC approval, if the total area on which the fill is placed is greater than 1,000 m<sup>2</sup> for the principal residence.) The property is now significantly fragmented, and potentially ruined for field-based agriculture.



Property B in 2021 from CRD Regional Map.

As a result of no restrictions on residential building size or siting - with these two properties alone - Metchosin lost access to 13 acres of productive farmland in the last 12 months.

Please do not hesitate to contact us if we can provide any further information.

Yours sincerely,

A handwritten signature in cursive script that reads "K. Zimmerman". The signature is written in black ink on a white background.

Kathleen Zimmerman  
APRM Treasurer

CC: Robin Tunnicliffe, Chair, Metchosin Agricultural Advisory Select Committee; APRM Executive

\*Assessment values and sales value are from the BC Assessment website (<https://www.bcassessment.ca/>), and were accessed just prior to this letter being sent.