

Agricultural Advisory Committee

AGENDA



Thursday, January 25, 2018
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

THE CHAIR WILL CALL THE MEETING TO ORDER:

- (a) The purpose of this Meeting is to consider certain Development Applications as noted on this meeting Agenda.
- (b) The Reports to Committee concerning the subject development applications are available on the City's website at www.kelowna.ca.
- (c) All representations to the Agricultural Advisory Committee form part of the public record.
- (d) As an Advisory Committee of Council, the Agricultural Advisory Committee will make a recommendation of support or non-support for each application as part of the public process. City Council will consider the application at a future date and, depending on the nature of the file, will make a decision or a recommendation to the Agricultural Land Commission.

2. Chair and Vice-Chair for 2018

2.1 Appointment of Chair and Vice-Chair

To appoint a Chair and Vice-Chair for 2018.

3. Applications for Consideration

3.1 Lakeshore Rd 4638, Z17-0077, DP17-0180 & DVP17-0181 - 4638 Lakeshore Road Ltd. 4 - 43

The applicant is proposing to rezone the subject property from the C2 – Neighbourhood Commercial zone to the C3 – Community Commercial zone. The applicant has also applied for a Development Permit to construct 9 residential units above a 10,400 square feet of commercial space and two floors of underground parking. A development variance permit has also been applied for to reduce the agriculture buffer width from 3.0m to 2.0m for an 8.0m portion along the southern property line. The property is located in an agricultural interface area. Community Planning Staff would like the AAC to comment on the proposed rezoning proposal and the agricultural buffer design located along the southern parcel boundary.

3.2 Pooley Rd 3060, A17-0011 - Lawrence Neid 44 - 53

The applicant is requesting permission from the Agricultural Land Commission (ALC) under Section 20(3) of the Agricultural Land Commission Act for a non-farm use to construct a water reservoir on a portion of the subject property, and is requesting permission from the ALC under Section 21(2) of the Agricultural Land Commission Act for subdivision of the portion of the property for the reservoir.

4. Minutes 54 - 57

Approve Minutes of the Meeting of January 11, 2018.

5. ALC Decisions - Update

To provide the Committee with an update on Agricultural Land Commission decisions.

6. Old Business

6.1 Ministry of Agriculture - Agricultural Advisory Committee Workshop 58 - 61

Registration for the Ministry's AAC Workshops is now open.

7. Adjourn to Knox Mountain Meeting Room

8. Reconvene in Knox Mountain Meeting Room

9. Reports

- 9.1 Agriculture Plan Policy Implementation – Package 1 Directed Amendments to the Official Community Plan and Zoning Bylaw** 62 - 91

To receive the draft directed amendments to Bylaw No. 10500, Kelowna 2030 Official Community Plan and Bylaw No. 8000, Zoning Bylaw, based on the recommendations presented in the Agricultural Plan endorsed by Council in August 2017.

- 9.2 Agriculture Plan Policy Implementation and Housekeeping – Package 2 Draft Comprehensive Amendments to the Official Community Plan and Zoning Bylaw** 92 - 130

To obtain the Agricultural Advisory Committee’s recommendation on the proposed amendments and corresponding public engagement for updates to Bylaw No. 10500, Kelowna 2030 Official Community Plan and Bylaw No. 8000, Zoning Bylaw as per the recommendations that required further investigation presented in the Agriculture Plan, endorsed by Council in August, 2017.

10. Next Meeting

February 8, 2018

11. Termination of Meeting

COMMITTEE REPORT



Date: January 25, 2018

RIM No. 0940-00

To: Agricultural Advisory Committee (AAC)

From: Community Planning Department (AC)

Application: Z17-0077 & DP17-0180 / DVP17-0181 **Owner:** 4638 Lakeshore Road Ltd. Inc.
No. BC1079452

Address: 4638 Lakeshore Rd **Applicant:** Strandhaus Development Inc –
Steve Nicholson

Subject: Proposed 4 storey mixed use building adjacent to farmland.

1.0 Purpose

The applicant is proposing to rezone the subject property from the C₂ – Neighbourhood Commercial zone to the C₃ – Community Commercial zone. The applicant has also applied for a Development Permit to construct 9 residential units above a 10,400 square feet of commercial space and two floors of underground parking. A development variance permit has also been applied for to reduce the agriculture buffer width from 3.0m to 2.0m for an 8.0m portion along the southern property line. The property is located in an agricultural interface area. Community Planning Staff would like the AAC to comment on the proposed rezoning proposal and the agricultural buffer design located along the southern parcel boundary.

2.0 Proposal

2.1 Site Context

Parcel Summary – 4638 Lakeshore Road:

Parcel Size: 0.467 acres (1,890 m²)
Elevation: 352.5 to 354.5 metres above sea level (approx.)

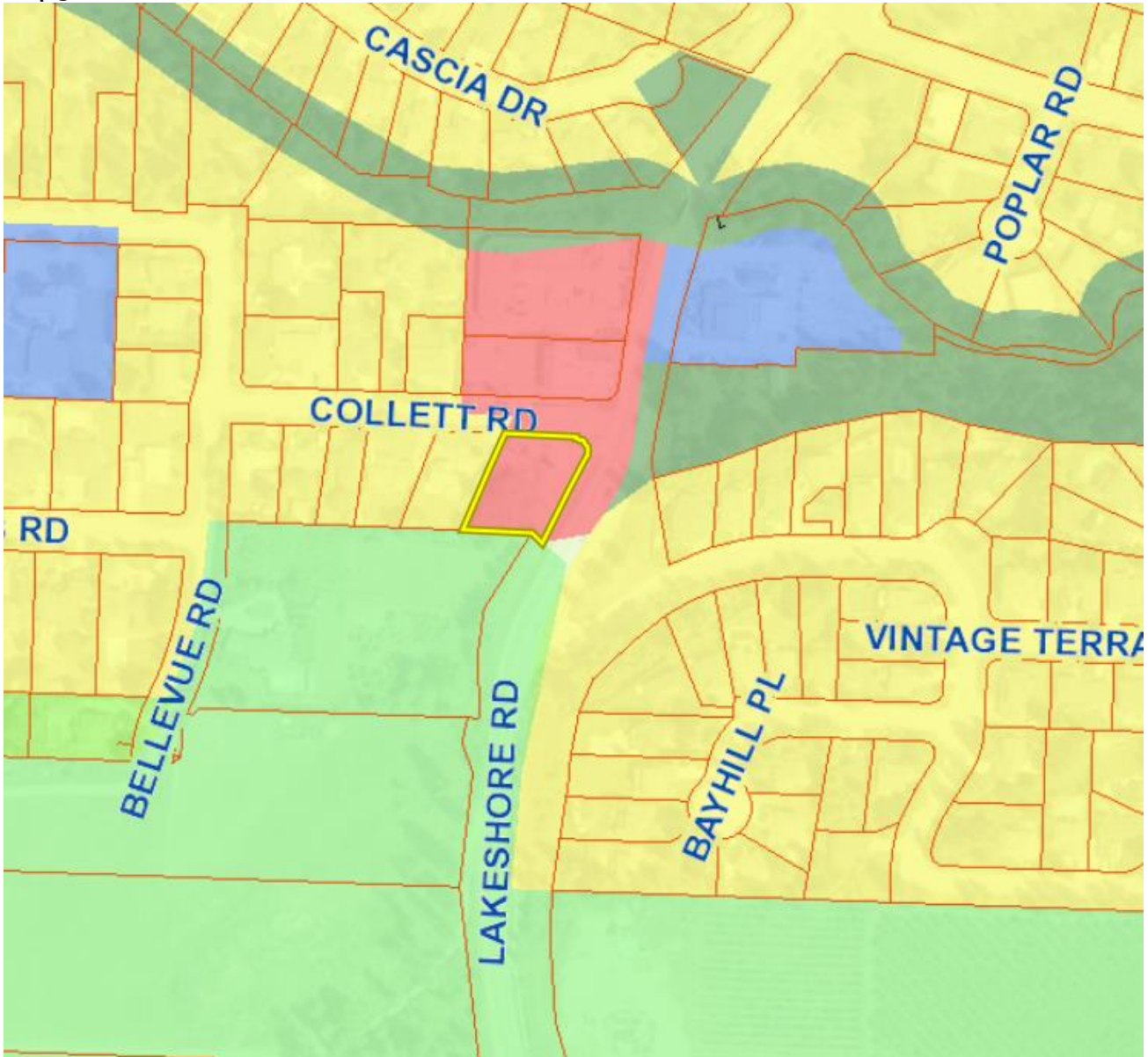
Map 1 - Neighbourhood



Map 2 – Agricultural Land Reserve



Map 3 – Future Land Use



2.2 Neighbourhood Context

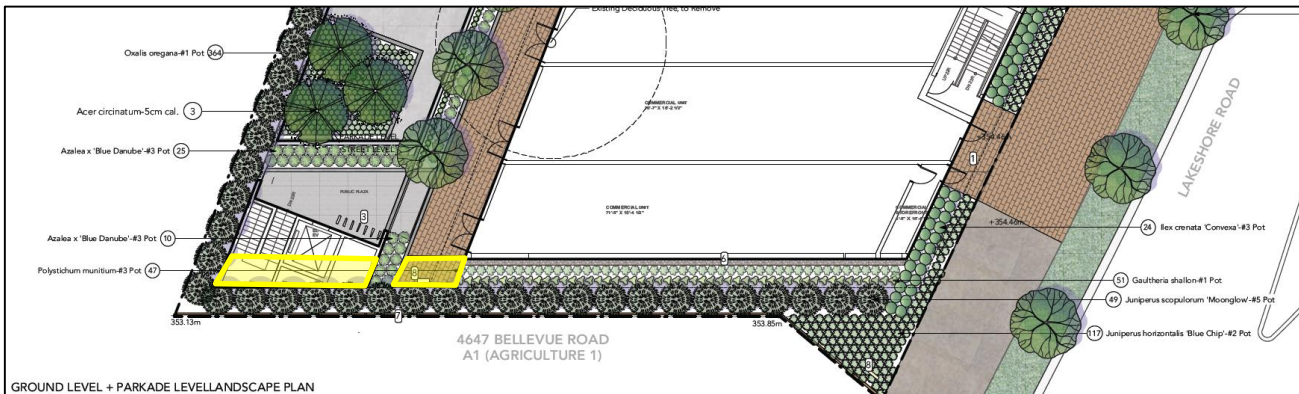
The subject property lies within the North Okanagan Mission city sector outside the Permanent Growth Boundary. The surrounding neighbourhood has a mix of commercial, institutional, park, residential, and agricultural land uses. The subject property only borders ALR agricultural land on one side (southern property line). Zoning and land uses adjacent to the property are as follows:


Table 1: Zoning and Land Use of Adjacent Property

Direction	Zoning	ALR	Land Use
North	C2 – Community Commercial	No	Commercial
South	A1 – Agriculture 1	Yes	Agriculture
East	RU1 – Single Detached Housing P3 – Public Parks (with HRA)	No	Park, Commercial & Residential
West	RU1 – Single Detached Housing	No	Residential

3.0 Community Planning

Staff are looking for comments from the AAC regarding the proposed agricultural buffers on the subject property. The southwest corner of the buffer is proposed to be interrupted by the staircase and the elevator area for the underground parking and commercial retail unit within the parkade. The reduction in buffer width by 1 metres is proposed for an 8.0 metre length along the southern property line.



 Variance area for landscape buffer reduction

Along the southern boundary proposed ALR buffer of 22 juniper trees (moonglow) with shrubs along the building (Gaultheria shallon).

Staff are also looking for comments from the AAC in regards to the proposed rezoning from C2 – Neighbourhood Commercial to C3 – Community Commercial. The main differences in the zones are:

- C2 allows 2 ½ storeys in height while C3 allows 4 storeys;
- C2 permits 40% site coverage while C3 permits 50% site coverage;
- The Floor Area Ratio (FAR) which limits the amount of density permitted on a site is effectively tripled between the C2 and the C3 zone.
- The C3 zone permits many more land uses than the C2 zone (see table 1 in Attachment 'B' for a detailed summary).

Report prepared by: Adam Cseke, Planner
Approved for Inclusion: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Manager

Attachment:

Schedule 'A' - Applicant Rationale Statements & Agrologist Report
Schedule 'B' - Building Plans
Schedule 'C' - Landscape Plans
'Attachment A' – ALC Landscape Buffer Specifications (1993)
'Attachment B' – Guide to Edge Planning (Landscape Buffer sections) by Ministry of Agriculture (2005)

SCHEDULE A

This forms part of application
Z17-0077

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Landscape Buffer Notes:

Buffer Definition

verb

verb: buffer; 3rd person present: buffers; past tense: buffered; past participle: buffered; gerund or present participle: buffering

1. lessen or moderate the impact of (something).
 "the massage helped to buffer the strain"
 synonyms: shield, protect, defend, cushion, insulate, screen, guard
 "she tried to buffer the children from the troubles"

noun

noun: **buffer**; plural noun: **buffers**; noun: **buffer solution**; plural noun: **buffer solutions**

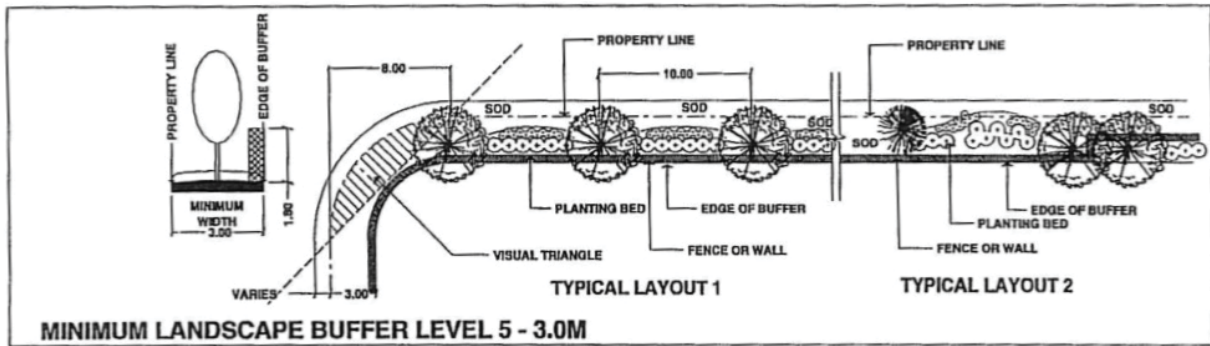
1. a person or thing that prevents incompatible or antagonistic people or things from coming into contact with or harming each other."family and friends can provide a buffer against stress"
 1. *synonyms*: cushion, bulwark, shield, barrier, guard, safeguard "a buffer against market fluctuations"
- 2.

Our building purposely has minimal glazing on the side facing ALR at grade and only to be effective in making aware trespassers on the buffer area. The floors above have no openings windows and only 10% of the facade is glazing.

[ALC Landscaped Buffer Specifications](#) (PDF 1993)

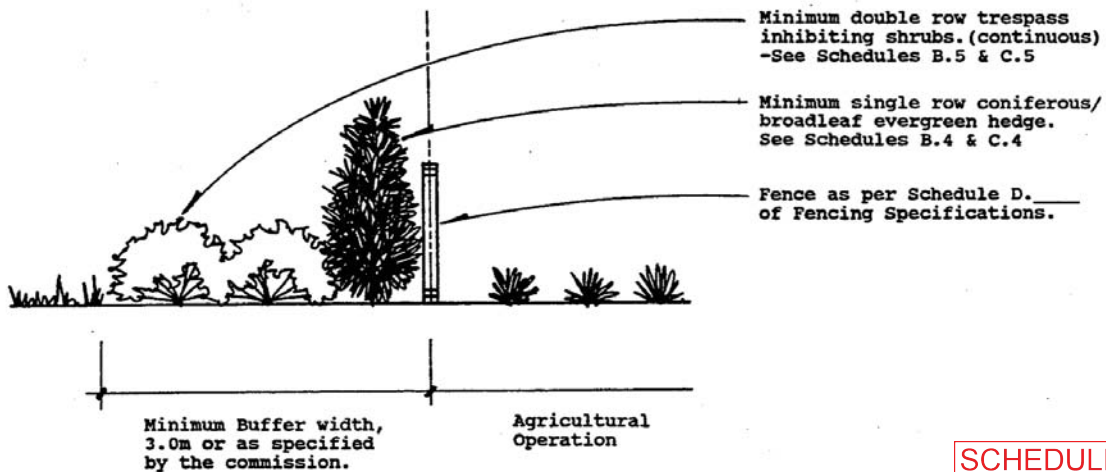
[\[?\]Section 07 - Landscaping and Screening.pdf \(2017-09-15\)\[?\]](#)

City of Kelowna Level 5 Landscape Buffer Design



MINIMUM LANDSCAPE BUFFER TREATMENT ALR - LEVEL 5
Diagram 7.6

ALC Minimum Landscape Buffer Design



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Excerpts from the ALC Buffering

2.5 Edge Strategy - Shared Responsibility

The success of edge planning relies on shared responsibility.. This philosophy requires that both agricultural and urban land users and decision makers seek opportunities and adopt approaches to ensure compatibility.. More specifically, successful agricultural - urban edge planning relies on:

- recognition that it is reasonable for landowners along both sides of the agriculture--urban boundary to share the benefits and impacts from edge planning and implementation;
- public education that increases agricultural awareness and promotes neighbourhood--friendly land use; and

- ability of landowners to realize optimum land use which increases long term certainty and security for agricultural and urban land uses.

3.9 Enhancing Agricultural Awareness

Communication tools can be used to enhance compatibility between farming and non—farm uses. Whenever possible, they should be used in conjunction with the other compatibility mechanisms listed in this Guide. These tools can increase the awareness of urban residents living near the farm edge about impacts from normal farm practices that they may experience.. The awareness tools can be used even where existing urban development makes it impractical to address subdivision and housing design, or buffering.

3.9a Disclosure Statements

A disclosure statement,, in the form of a restrictive covenant under section 219 of the *Land Title Act* can be a very effective tool.. It can inform the prospective land buyer that the property is close to an agricultural area where acceptable farm practices may result in noise,, dust, odour &/or other impacts during certain times of the year. To be accepted by the Registrar of Land Titles,, the covenant must have a "rrestrictive"" aspect.. Such "rrestriction"" could include other urban--side tools discussed above – e..gg.,, no building in the yards adjacent to the ALR;; If new development occurs in the Edge Planning Area,, within 300 metres of the ALR boundary,, a covenant could be placed on land titles disclosing the proximity of the agricultural area and the potential implications..

WE are prepared and suggest this is appropriate for our Proposal

3.9b Signage

Local governments should consider using signs along the agriculture--urban boundary that inform residents and prospective purchasers of the proximity of farm operations within the immediate area and the possible activities associated with farm operations.. Here is a sample buffer sign.

WE are prepared and suggest this is appropriate for our Proposal





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Interesting other Facts from the ALC Buffering:

Farm Side Setback Distances

The following setback distances apply to buildings and structures located with designated EPAs. Setback distances are measured from ALR/Urban boundary on the Farm side.

15M for:

- Greenhouses
- Crop Storage

30M for;

- Mushroom Barns
- Sent Compst Storage

50 M for;

- Boilers
- Open Loading Areas

- Refrigeration Units

ALR Soil Information Finder

ALR Soils Capability

CLASS 4 LAND IN THIS CLASS HAS LIMITATIONS THAT REQUIRE SPECIAL MANAGEMENT PRACTISES OR SEVERELY RESTRICT THE RANGE OF CROPS, OR BOTH.

Land in Class 4 has limitations which make it suitable for only a few crops, or the yield for a wide range of crops is low, or the risk of crop failure is high, or soil conditions are such that special development and management practises are required. The limitations may seriously affect one or more of the following practises: timing and ease of tillage, planting and harvesting, and methods of soil conservation.

CLASS 6 LAND IN THIS CLASS IS NON-ARABLE BUT IS CAPABLE OF PRODUCING NATIVE AND OR UNCULTIVATED PERENNIAL FORAGE CROPS.

Land in Class 6 provides sustained natural grazing for domestic livestock and is not arable in its present condition. Land is placed in this class because of severe climate, or the terrain is unsuitable for cultivation or use of farm machinery, or the soils do not respond to intensive improvement practises. Some unimproved Class 6 lands can be improved by draining and/or diking.

SCHEDULE	A
This forms part of application # Z17-0077	
Planner Initials	<input type="text" value="AC"/>
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ArcGIS Web Map



August 28, 2017
 BC_Soil_Map_SIFT_Ag - AgCapability Leading Class

4
5
6
?

1:1,128
 0 0.01 0.02 0.04 mi
 0 0.01 0.02 0.04 km

Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community
 Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNR/Solarmat, USDA, USGS, AeroGRID, IGN, and the GIS User Community

BC Soil Information Finder Tool
 C. Okanagan, Kelowna, DigitalGlobe | Esri, HERE, Garmin, IFC, NRCAN |

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 # Z17-0077

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**City of
Kelowna**
COMMUNITY PLANNING

To: Jason Monteleone, RM

Kelowna, BC

TR 0721

From: Lynn Lashuk, P.Ag
Manager, Agriculture

Kelowna, BC

TR 0721

Date: August 29, 2017

**COMMENTARY: STEVE NICHOLSON BUILD SITE
4638 Lakeshore Road, Kelowna, BC**

SCHEDULE A

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Z17-0077

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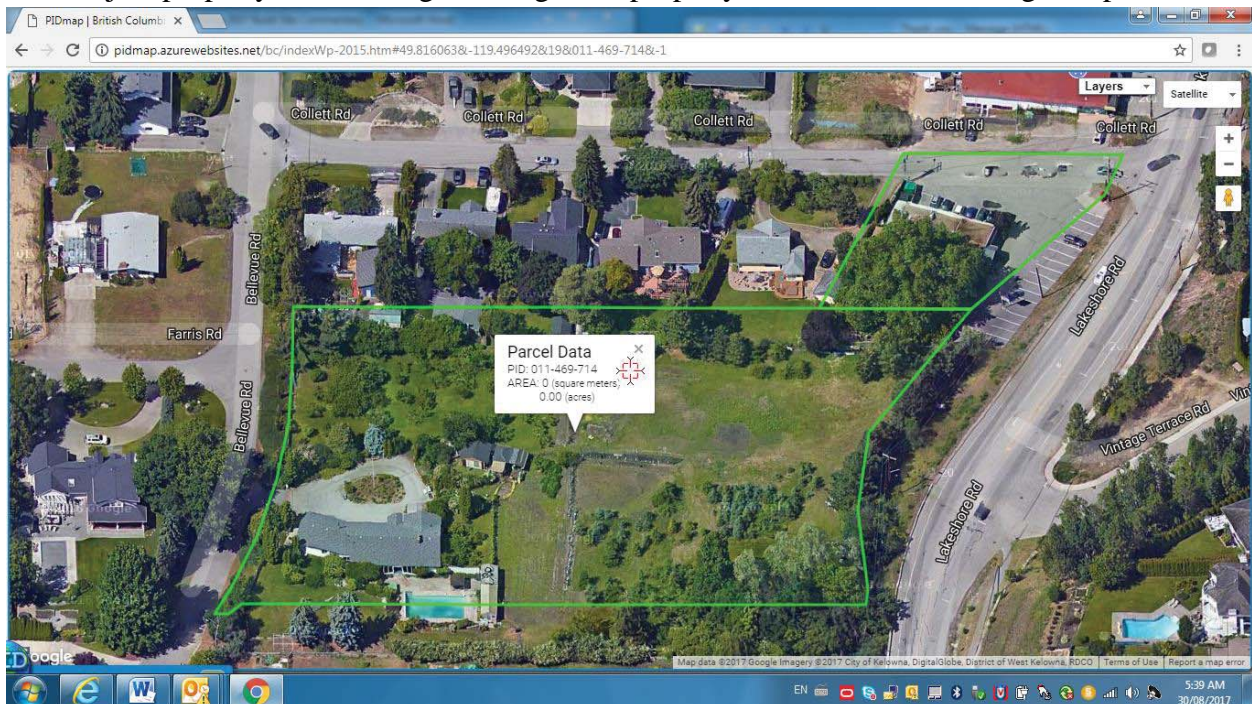


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This Agriculture Manager Commentary has been prepared in response to a request by CAM Jason Monteleone on Thursday, August 24, 2017 for client support for a commercial building project adjacent to ALR land in Kelowna, BC. There may be a perceived conflict of interest with a BMO Agrologist opinion, so this commentary is to serve as a guideline only to the developer for future discussions with a 3rd party Agrologist and/or City of Kelowna Staff and Council.

The Ag Manager visited the subject property on Tuesday, August 29, 2017 with the client. The owner, Mr. Steve Nichol, explained the development and provided background on the site and the neighbourhood. The Ag Manager walked the property and viewed the neighbouring agricultural land over the fence.

The subject property and the neighbouring ALR property are shown in the GoogleMap below.



The larger parcel, shown below the subject property is 4647 Bellevue Road, a 2.822 acre property which is included the Agricultural Land Reserve. The land is currently assessed at \$4,740 which indicates that BC Assessment Authority has concluded that the revenue from the farm for agricultural products grown on site meets or exceeds the current criteria for farm land (\$2,500 per year). It is unclear to me at this time how this parcel meets the farm status criteria.

The developer reported that the City of Kelowna has requested a setback from the neighbouring ALR land to provide a buffer that will allow for agricultural activities and mitigate conflict between the development and any agricultural uses, now or in the future.

I contacted Mr. Carl Withler, BC Ministry of Agriculture Tree Fruit and Grape Specialist, former Resource Agrologist with the BC Ministry of Agriculture to enquire about recent changes to bylaws and/or pending changes for development on lands adjacent to farmland within the City boundaries. Carl did not know of any bylaw changes but did state that the City of Kelowna staff has been working on protecting farmland and that there may be new requirements for developers. The current Resource Agrologist has been seconded to work at the Provincial Emergency Response Centres.

I also spoke with Councillor Mohini Singh, a strong advocate for Agriculture, and Ms. Singh also stated that there had been no recent bylaw changes to her knowledge, that would dictate buffer zone set back distances for developers.

The developer is challenged with explaining how the project will not incur negative impact to the neighbouring farm's activities.

In my opinion, at this point in time, from an agronomic perspective with consideration for air, soil and water quality, and the economics of farming the neighbouring parcel, given the type of farm, there will be no negative impacts to the neighbour farm's activities, regardless of buffer zone size.

As for the future, there are too many variables and unknowns to allow for a meaningful opinion on the impact of neighbouring properties on farmland. The concepts/buzz words of "food security" and "grow local" are great taglines, seemingly replacing "sustainability" and "environmentally" in the popular lexicon. The meaning of the buzz words and the impact of their interpretation need to be clearly defined and communicated before public policy and land use decisions are based these concepts.

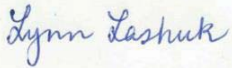
- The depth of the water table and potential for contamination from agricultural uses due to run-off and irrigation.



- The proximity of neighbours and contamination from chemical drift using normal farm practises (for example, with air blast sprayers) for high value horticultural production.
- The smells from agricultural activities (for example, manures, vegetative waste products or growth room exhaust).
- The sounds from agricultural activities (equipment, animals, pest deterrents for starlings and crows)
- The light from potential greenhouse operations.
- The farm access requirements for shipping and receiving on agricultural land.
- The overall economics of farming on a small parcel of land.

Please feel free to call/email me to discuss.

Respectfully submitted by,



29-August-2017

Lynn Lashuk, P.Ag

Manager, Agriculture, BC Division

SCHEDULE		A
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LONDONPLAIN TREE

Nov 23

- Initiated conversation with Real Estate to arrange for Londonplain Tree to be relocated to the Roundabout as a centre piece at my expense. Explored with all appropriate Departments and ultimately given the short timeline was not possible. Had we more time it could have been engineered correctly but the Roundabout Construction would have been delayed another year.

May 15

- Met in person with Mike Geddes to suggest relocating the Londonplain Tree to his parcel approximately 120M to the south. He agreed with enthusiasm

Sept 15

- Confirmation from Mike Geddes of his Support for our proposal as well as his willingness to have the Londonplain Tree relocated to his property at our expense

SCHEDULE		A
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From: **Ben Walker** BWalker@kelowna.ca
 Subject: FW: 4638 Lakeshore Rd the Round About and the Tree
 Date: November 23, 2016 at 2:58 PM
 To: **Blair Stewart** bstewart@kelowna.ca, **Andrew Hunsberger** AHunsberger@kelowna.ca, **Rafael Villarreal Pacheco** RVillarreal@kelowna.ca, **Brian Beach** BBeach@kelowna.ca
 Cc: **Steve Nicholson** steven@strandhaus.ca, **John Saufferer** JSaufferer@kelowna.ca

Gentlemen,

Steve Nicholson, whom has recently acquired the Minstrel Café, is looking to redevelop the site which will go a long way to re-energizing the existing commercial node. As part of this redevelopment, Steve would like try and save the existing London Plane tree and would like to engage in conversation with the City about incorporating the tree into the proposed roundabout. Obviously there are challenges in moving a tree of this size but Steve has been working with Mike Gates of Okanagan Tree Sales and Mike believes it is achievable. Before we move this any further I would ask that you please provide some comments and thoughts on if this is something you would believe worth exploring. Some comments I have are as follows:

- One of the goals of the roundabout is to slow down north bound traffic as it moves down the hill. If people are moving through the roundabout at 25km/hr does this proposal allow for proper sightlines (if the canopy is trimmed accordingly). To me it wouldn't be much different than the running man installed in the Queensway roundabout (similar diameter "trunk")
- The diameter of the tree is roughly 30m, which is the same diameter as the roundabout (centre out to the edge of asphalt). Is it possible to:
 - Trim the canopy so that it meets traffic needs (i.e. not interfere with the truck route)
 - Raise the centre of the roundabout to give more height? Or other options?
- What is the risk for the City should the tree not survive?

I look forward to exploring this creative and unique plan in saving this tree. If you can please provide me with your feedback by Tuesday, November 30, 2016 it would be greatly appreciated.

Cheers,

Ben

Benjamin Walker, B.L.Arch, BCCLA
 Property Officer II
 250-469-8472 | bwalker@kelowna.ca

SCHEDULE		A
This forms part of application # Z17-0077		
Planner Initials	AC	 City of Kelowna <small>COMMUNITY PLANNING</small>

-----Original Message-----

From: Steve Nicholson [mailto:steven@strandhaus.ca]
 Sent: Wednesday, November 23, 2016 12:56 PM
 To: Ben Walker <BWalker@kelowna.ca>; John Saufferer <JSaufferer@kelowna.ca>; Blair Stewart <bstewart@kelowna.ca>; Adam Cseke <ACseke@kelowna.ca>
 Subject: 4638 Lakeshore Rd the Round About and the Tree

Hi Ben et al,

I've been working more with Mike Gates on a viable option to relocate the existing "Minstrel

Tree”.

He has done considerable research on large tree moving and is confident he can move it successfully. We’ve approached the immediate neighbour on ALR land along Lakeshore Rd and he’s not terribly interested in having the tree on his property as it would in his opinion reduce the value of his land.

I was having a discussion with an acquaintance and it was suggested we relocate the Tree to the centre of the proposed roundabout. Thinking further on the subject it does have considerable merit...

Who would we need to include in this conversation to move forward?

The costs and risks associated with moving the tree would ideal be shared by the parties.

Thoughts?

Steve



SCHEDULE	A
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Planner Initials	AC
 City of Kelowna COMMUNITY PLANNING	

From: Mike Geddes <mike.geddes@naiokanagan.ca>
Subject: RE: Request
Date: September 15, 2017 at 1:21:59 PM PDT
To: Steve Nicholson <steven@strandhaus.ca>

Attention:

City of Kelowna – Mayor, Council and whom it may concern,

I have reviewed and would like to hereby express support for the proposed development by Steve Nicholson and Strandhaus Developments at 4638 Lakeshore Rd.

I own and live at the 4.5acre ALR farm parcel at 4676 Bellevue Rd., one property (~100m) directly south of the subject property of 4638 Lakeshore Rd. Steve Nicholson and I have met regarding the proposed development on numerous occasions and I have agreed to accept into my property at the developers request and expense the relocation of the large London Plane shade tree currently at 4638 Lakeshore Rd. I have a horse pasture area into which the tree would most likely transplant and adapt given soils & hydrology similarities.

Should there be any questions or to discuss further please feel free to contact me.

Sincerely,

Mike Geddes, B.Comm.

Personal Real Estate Corporation

Principal

CELL 250-878-6687

FAX 888-877-4805

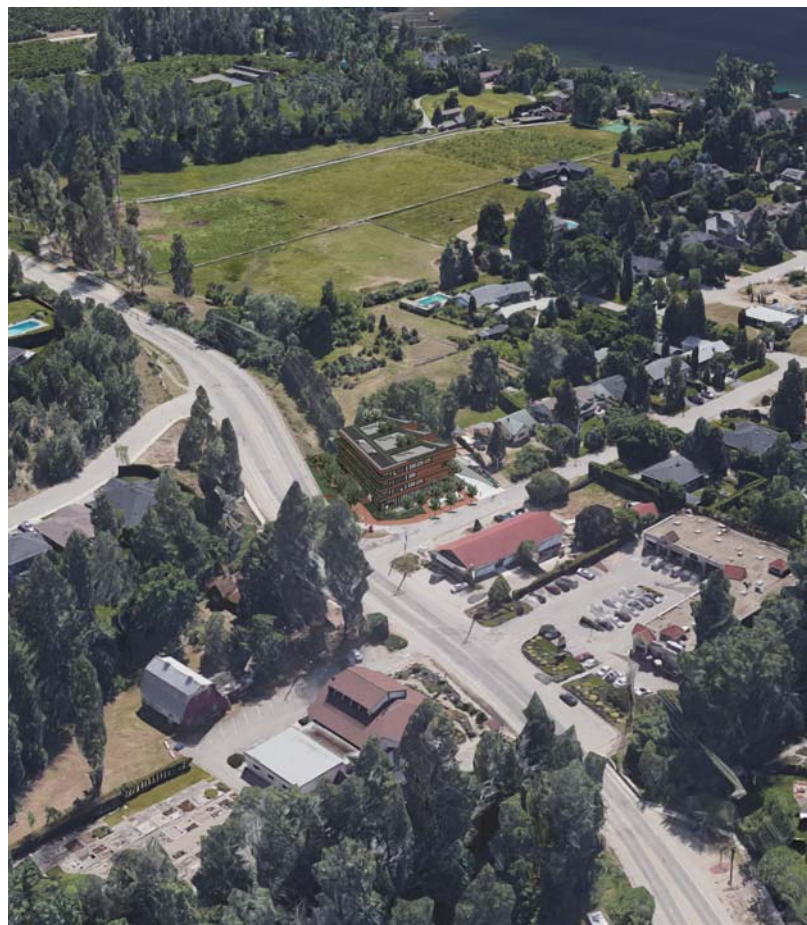
mike.geddes@naiokanagan.ca

1980 Cooper Rd, Suite 219

Kelowna, BC V1Y 8K5



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SCHEDULE

B

This forms part of application
Z17-0077



City of
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COMMUNITY PLANNING

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D'ARCY JONES ARCHITECTURE INC.

304-175 Broadway East
Vancouver BC V6T 1W2
T 604 669 3235
F 604 669 3231
mjd@darcyjones.com

SCALE:
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DATE:
2017/07/26

DRAWN:
DJ

CHECKED:
DJ

REVISION:
-

ISSUE:
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CONSULTANT:
-

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LAKESHORE KELOWNA
4638 LAKESHORE ROAD
KELOWNA BC

A0.3

AERIAL CONTEXT

SCHEDULE B

This forms part of application
Z17-0077

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City of
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LAKESHORE STREETSCAPE
SCALE: N/A



COLLETT STREETSCAPE
SCALE: N/A

D'ARCY JONES ARCHITECTURE INC.
304-175 Broadway East
Vancouver BC V6B 1K2
T 604 699 2255
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m@darcyjones.com

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2017-06-12

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LAKESHORE KELOWNA
4638 LAKESHORE ROAD
KELOWNA BC

A0.4b

STREETSCAPE

SCHEDULE B

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City of Kelowna
COMMUNITY PLANNING



SOUTH EAST CORNER
JUNE 21, 9:00AM



WEST FACING BALCONIES
JUNE 21, 3:00PM

D'ARCY JONES ARCHITECTURE INC.
304 - 275 Broadway East
Vancouver BC V5T 1W2
T 604 689 2220
F 604 689 2221
m@darcyjones.com

SCALE:
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2017-07-26

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DJ

REVISION:

ISSUE:

CONSULTANT:

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LAKESHORE KELOWNA
4638 LAKESHORE ROAD
KELOWNA BC

A0.5

RENDERINGS



NORTH WEST CORNER
JUNE 21, 7:30PM

SCHEDULE B

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Z17-0077

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City of
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D'ARCY JONES ARCHITECTURE INC.
 204-178 Broadway East
 Vancouver, BC V6T 1Y6
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 mail@darcyjones.com

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2017-03-25

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DJ

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ISSUE:

CONSULTANT:

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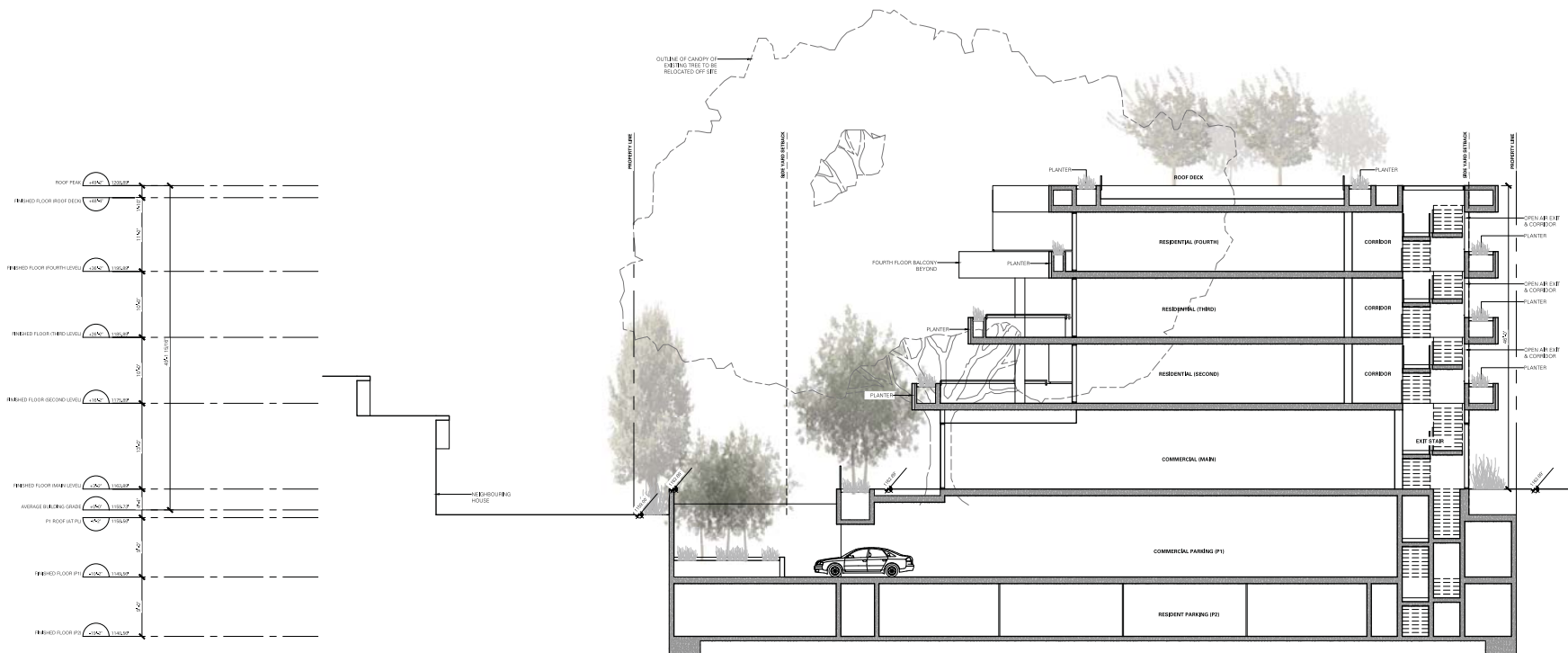
All dimensions to be verified by contractor, trades or suppliers. Any discrepancies shall be brought to the attention of the Architect.

Any errors or omissions on this drawing shall be reported to D'ARCY JONES ARCHITECTURE INC. for clarification and revision.

LAKESHORE KELOWNA
 4638 LAKESHORE ROAD
 KELOWNA BC

A0.6

RENDERINGS



BUILDING SECTION (FACING NORTH)
SCALE: 1/8" = 1'-0"

D'ARCY JONES ARCHITECTURE INC.

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Kelowna BC V1Y 1R2
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m@darcyjones.com

SCALE:
1/8" = 1'-0"

DATE:
2017/06/29

DRAWN:
DJ

CHECKED:
DJ

REVISION:
-

ISSUE:
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CONSULTANT:
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LAKESHORE KELOWNA
4638 LAKESHORE ROAD
KELOWNA BC

A6.1

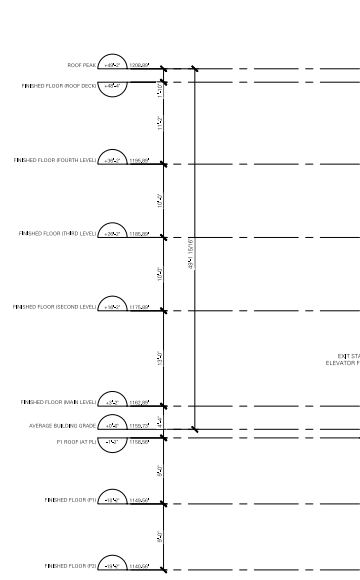
BUILDING SECTION

SCHEDULE B

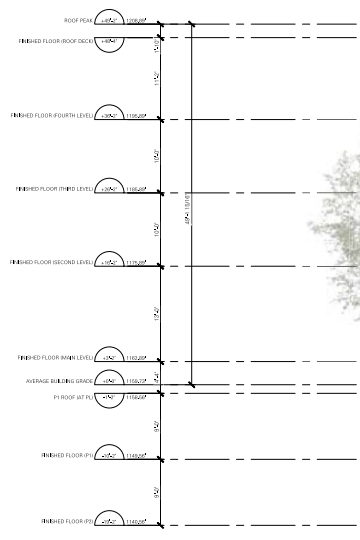
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COMMUNITY PLANNING



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



NORTH ELEVATION
SCALE: 1/8" = 1'-0"

- MATERIALS**
- 1 EXPOSED CONCRETE
 - 2 CLAY BRICK (RED)
 - 3 METAL PANEL (CHARCOAL)
 - 4 ALUMINUM FRAME WINDOWS (CHARCOAL)
 - 5 STEEL GUARD (CHARCOAL)

D'ARCY JONES ARCHITECTURE INC.
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Vancouver BC V6T 1W2
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F 604 699 2231
info@darcyjones.com

SCALE:
1/8" = 1'-0"

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2017/07/26

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LAKESHORE KELOWNA
4638 LAKESHORE ROAD
KELOWNA BC

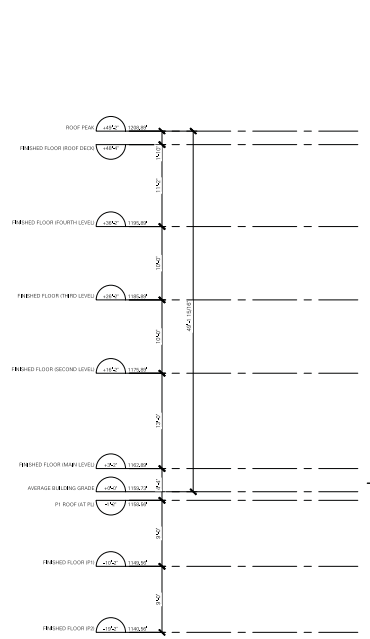
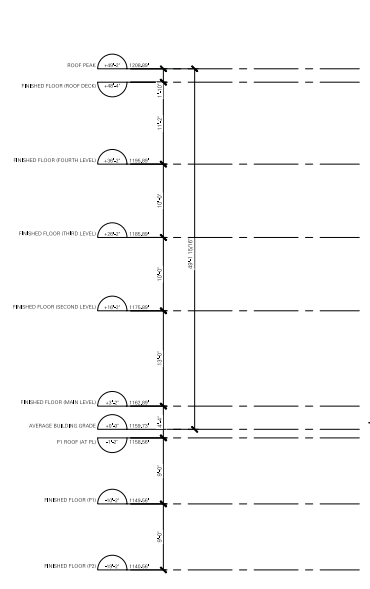
SCHEDULE B

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City of Kelowna
COMMUNITY PLANNING

A7.1
ELEVATIONS



SCHEDULE B

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SCALE: 1/8" = 1'-0"
 DATE: 2017/07/26
 DRAWN: DJ
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LAKESHORE KELOWNA
4638 LAKESHORE ROAD
KELOWNA BC

A7.2

ELEVATIONS

PROJECT INFORMATION

PROJECT ADDRESS: 4638 LAKESHORE ROAD, KELOWNA BC, V1Y 1W2
 LEGAL DESCRIPTION: 70-146-0001-0001-0001-0001 LOT 4 TOWNSHIP 19S RANGE 12E DISTRICT 54
 APPLICABLE ZONING REGULATION: CITY OF KELOWNA
 APPLICABLE BUILDING REGULATION: CURRENTLY FOR REZONING APPLICATION FOR OX
 BUILDING CODE: BCBC 2012

ZONING ANALYSIS

C3 (PROPOSED REZONING)

NET COVERAGE
 SITE AREA: 19,542.00 SF (1,802.20 SM)
 MAX SITE COVERAGE ALLOWED (80%): 15,633.60 SF (1,442.40 SM)
 NET COVERAGE PROPOSED: 15,633.60 SF (1,442.40 SM)

PROPOSED AREA
 MAX COMMERCIAL FLOOR ALLOWED (1.20): 19,542.00 SF (1,802.20 SM)
 PROPOSED NET COMMERCIAL AREA: 15,633.60 SF (1,442.40 SM)
 MAX RESIDENTIAL FLOOR ALLOWED: BASED ON MAX HEIGHT + SITE COVERAGE
 PROPOSED RESIDENTIAL AREA: SECOND LEVEL = 45,124.00 SF (4,162.20 SM)
 THIRD LEVEL = 45,124.00 SF (4,162.20 SM)
 FOURTH LEVEL = 45,124.00 SF (4,162.20 SM)

TOTAL PROPOSED AREA
 COMMERCIAL TOTAL: 15,633.60 SF (1,442.40 SM)
 RESIDENTIAL TOTAL: 135,372.00 SF (12,526.80 SM)
 TOTAL: 151,005.60 SF (13,969.20 SM)

MINIMUM HEIGHTS AND SETBACKS
 MINIMUM HEIGHT ALLOWED: 40 FT (12.20 M) - 4 STOREYS
 HEIGHT PROPOSED: 40 FT (12.20 M) - 4 STOREYS
 MIN FRONT YARD SETBACK: 3.00 M (9.84 FT)
 FRONT YARD PROPOSED: 3.00 M (9.84 FT)
 MIN REAR YARD SETBACK: 3.00 M (9.84 FT)
 REAR YARD PROPOSED: 3.00 M (9.84 FT)
 MIN SIDE YARD SETBACK (PLANNING STREET): 3.00 M (9.84 FT)
 SIDE YARD PROPOSED: 3.00 M (9.84 FT)
 MIN SIDE YARD SETBACK (PLANNING STREET): 3.00 M (9.84 FT)
 SIDE YARD PROPOSED: 3.00 M (9.84 FT)
 MIN SIDE YARD SETBACK (PLANNING STREET): 3.00 M (9.84 FT)
 SIDE YARD PROPOSED: 3.00 M (9.84 FT)
 BUILDING GRACE: 115.00 FT

PARKING REQUIREMENTS

RESIDENTIAL
 APARTMENT HOUSING: 1 PER UNIT
 1 PER STALL PER 7 UNITS

COMMERCIAL
 FOOD PRIMARY ESTABLISHMENT: 1 PER 4 SEATS
 100 SEATS: 1 PER 100 SQ SM (107.64 SF)
 2 STALLS
 OFFICE: 0.5 PER 100 SQ SM (107.64 SF)
 1 STALL
 RETAIL, LIQUOR SALES: 3 PER 100 SQ SM (107.64 SF)
 3 STALLS
 RETAIL STORE, CONVENIENCE STORE <1000 SM: 0.5 PER 100 SQ SM (107.64 SF)
 8 STALLS
 3 PER 100 SQ SM (107.64 SF)
 3 STALLS
 DOCTOR'S OFFICE: 0.5 PER 100 SQ SM (107.64 SF)
 3 STALLS
 REQUIRES RESIDENTIAL: 11 STALLS IN + 2 MOTOR
 20 PER + 2 MOTOR
 PROPOSED RESIDENTIAL: 37 STALLS
 PROPOSED COMMERCIAL: 37 STALLS

LOADING REQUIREMENTS

COMMERCIAL
 1 PER 1000 SM (107.64 SF)

PROPOSED
 1

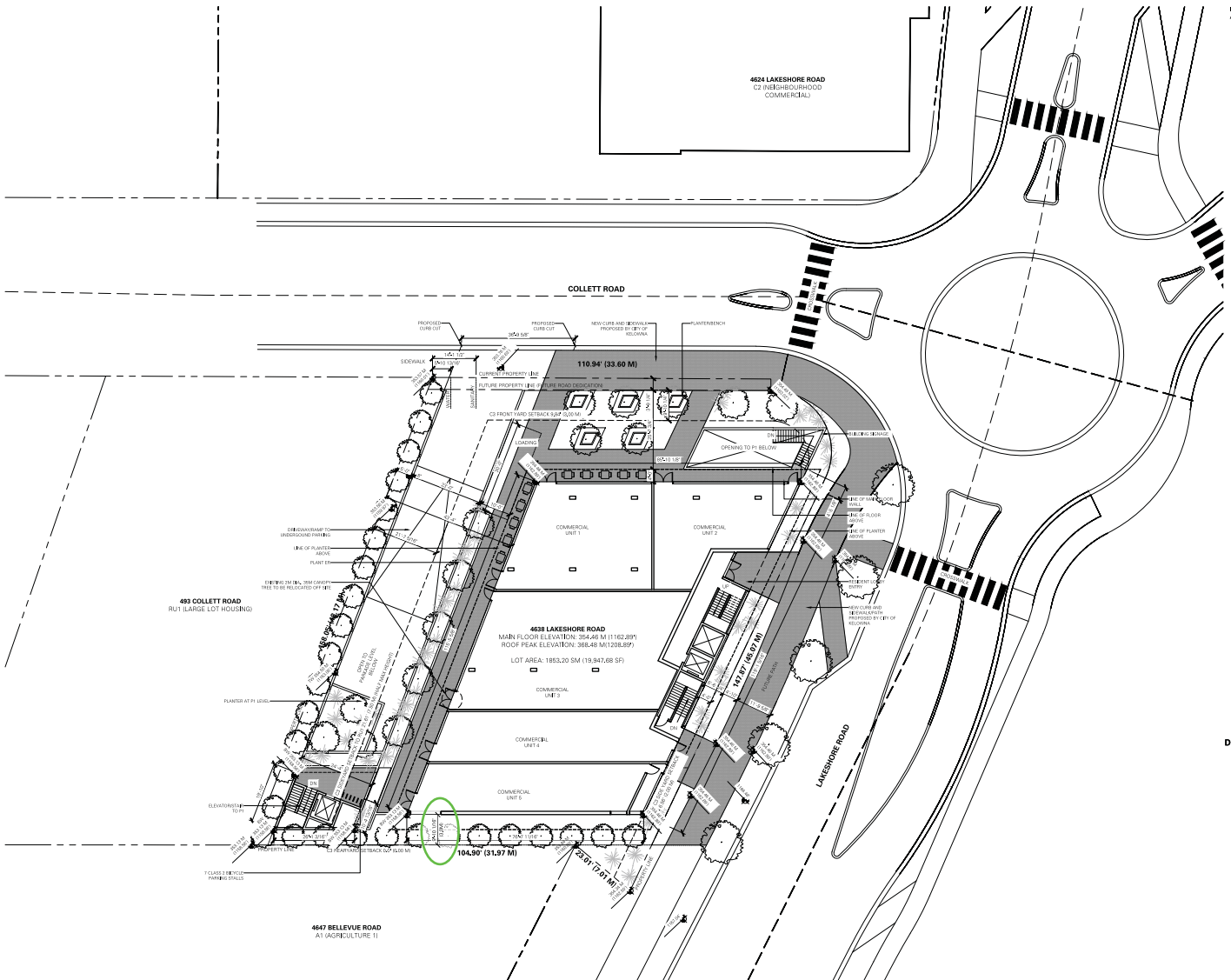
BICYCLE PARKING REQUIREMENTS

RESIDENTIAL
 CLASS 1 (24 PER DWELLING UNIT): CLASS 2 (24 PER DWELLING UNIT)

COMMERCIAL
 CLASS 1 (24 PER 100 SM (107.64 SF)): CLASS 2 (24 PER 100 SM (107.64 SF))

REQUIRES CLASS 1
 PROPOSED CLASS 1: 7 (5 RESIDENTIAL, 2 COMMERCIAL)

REQUIRES CLASS 2
 PROPOSED CLASS 2: 7



D'ARCY JONES ARCHITECTURE INC.

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SCALE:
 1:100 = 1" = 1'-0"

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 1

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LAKESHORE KELOWNA
 4638 LAKESHORE ROAD
 KELOWNA BC

A0.0

SITE PLAN

SCHEDULE C

This forms part of application
 # Z17-0077

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City of Kelowna
 COMMUNITY PLANNING

SITE PLAN
 SCALE: 1" = 1'-0"

SCHEDULE C

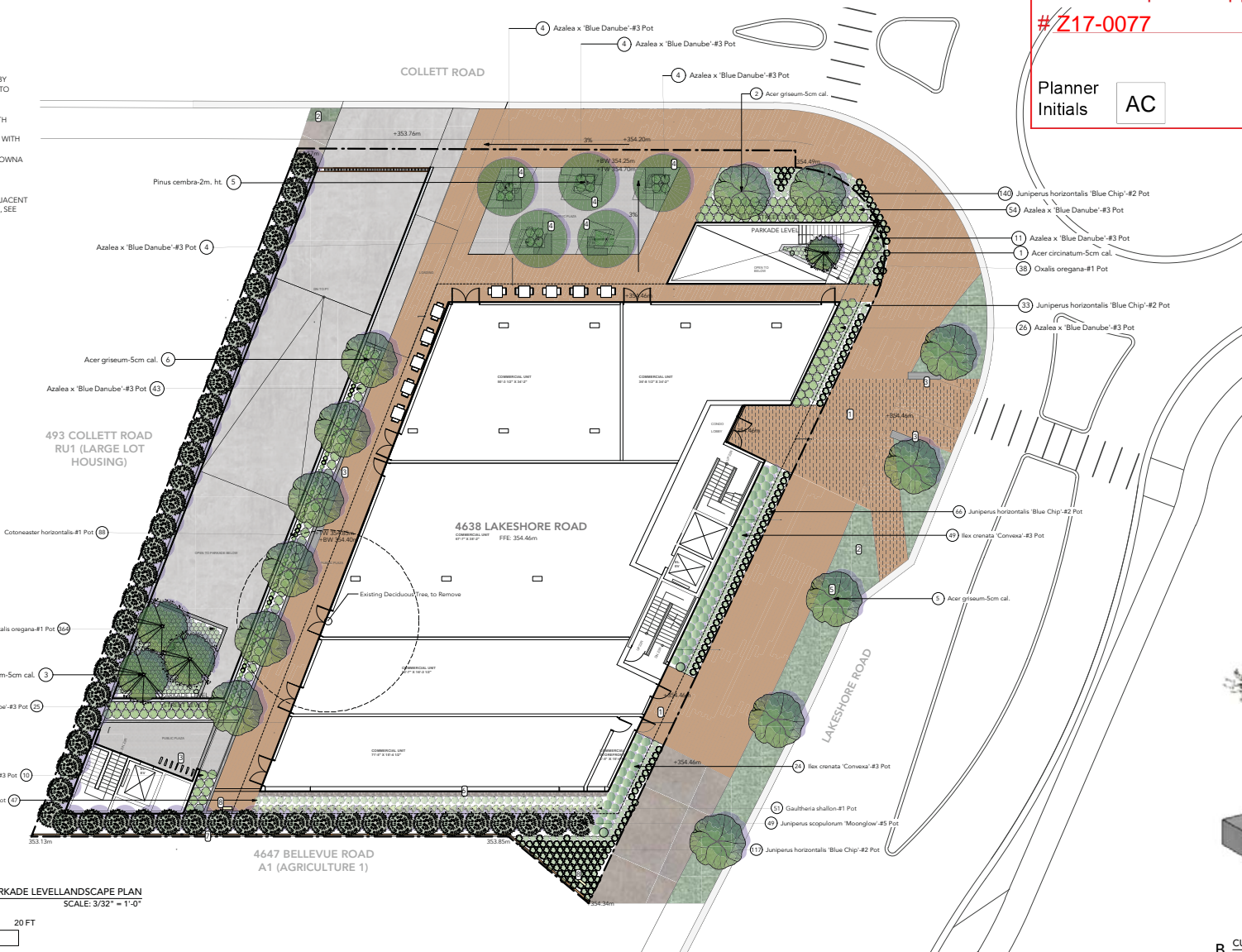
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GROUND LEVEL LANDSCAPE

1. PROMENADE™ PLANK PAVER BY UNILOCK, CUSTOM COLOURS TO MATCH BUILDING FACADE
2. SODDED LAWN
3. CIP CONCRETE SEAT WALL WITH WOOD TOP
4. CUSTOM CONCRETE PLANTER WITH WOOD BENCH TOP, SEE B/L1
5. STREET TREES TO CITY OF KELOWNA STANDARDS
6. GRAVEL STRIP
7. 6' HT CEDAR FENCE
8. BUFFER SIGN TO INDICATE ADJACENT AGRICULTURAL LAND RESERVE, SEE A/L1



A SAMPLE BUFFER SIGN



B CUSTOM CONCRETE PLANTER WITH WOOD BENCH TOP

1 GROUND LEVEL + PARKADE LEVEL LANDSCAPE PLAN
SCALE: 3/32" = 1'-0"

4638 LAKESHORE ROAD
Landscape Design
4638 Lakeshore Road
Kelowna, BC

4638 LAKESHORE RD LTD.
17090
Rezoning
June 2017

A REISSUE FOR REZONING 17-12-13



L1
CONCEPT PLAN - LEVEL 1

202-175 East Broadway, Vancouver, British Columbia, V5T 1W2, www.ennsgauthier.com

PLANT LIST

	Quantity	Latin Name	Common Name	Scheduled Size	Spacing	Notes
TREES:						
	19	<i>Acer griseum</i>	Paperbark Maple	5cm cal.		B&B Specimen, Multistem.
	4	<i>Acer circinatum</i>	Vine Maple	5cm cal.		B&B Specimen, Multistem.
CONIFERS:						
	5	<i>Pinus cembra</i>	Swiss Stone Pine	2m. ht.		B&B Specimen, Twisted shape
	49	<i>Juniperus scopulorum</i> 'Moonglow'	Moonglow Juniper	#5 Pot		
SHRUBS:						
	264	<i>Arctostaphylos uva-ursi</i>	Bearberry, Kinnikinnick	#1 Pot	1'0" o.c.	
	955	Azalea x 'Blue Danube'	Blue Danube Azalea	#3 Pot	2'0" o.c.	
	1151	<i>Cotoneaster horizontalis</i>	Rockspray or Rock Cotoneaster	#1 Pot	1'0" o.c.	
	51	<i>Gaultheria shallon</i>	Salal	#1 Pot	1'6" o.c.	
	73	<i>Ilex crenata</i> 'Convexa'	Japanese Holly	#3 Pot	2'0" o.c.	
	356	<i>Juniperus horizontalis</i> 'Blue Chip'	Blue Chip Juniper	#2 Pot	1'6" o.c.	
GROUNDCOVERS / FERNS:						
	402	<i>Oxalis oregana</i>	Rewood Sorrel	#1 Pot	2'0" o.c.	
	47	<i>Polystichum munifitum</i>	Western Sword Fern	#3 Pot	1'8" o.c.	

NOTES:

1. ALL PLANT MATERIAL AND LANDSCAPE PRACTICES SHALL BE COMPLIANT WITH THE LATEST EDITION OF THE BCLNA NURSERY STANDARD
2. IN CASE OF DISCREPANCY BETWEEN PLANT INFORMATION ON THE LIST AND ON THE PLAN, THE LATTER SHALL PREVAIL.
3. FINAL SOFTSCAPE AND GRADING LAYERS AS WELL AS LOCATION AND SPACING TO BE APPROVED BY LANDSCAPE ARCHITECT IN THE FIELD PRIOR TO INSTALLATION
4. ALL PLANT MATERIAL TO BE MANUALLY WATERED FROM START OF INSTALLATION THROUGH THE END OF THE WARRANTY PERIOD
5. INSTALL TREE PROTECTION FENCING AROUND ALL EXISTING TREES TO CITY STANDARDS, INSTALL TREE PROTECTION FENCING ON NEW PLANTING IF PHASED INSTALLATION IS REQUIRED.

PLANT PRECEDENTS



Pinus nigra
Austrian pine



Acer circinatum
Vine Maple



Acer griseum
Paperbark Maple



Azalea 'Blue Danube'
Evergreen Azalea



Juniperus scopulorum 'Medora'
Medora Rocky Mountain Juniper



Oxalis
Wood Sorrel



Arctostaphylos uva-ursi
Akebono Yoshino Cherry



Juniperus horizontalis 'Blue Chip'
Creeping Juniper



Cotoneaster horizontalis
Rock Cotoneaster



Ilex crenata 'Convexa'
Convex-Leaf Japanese holly

MATERIAL PRECEDENTS



BIKE RACK — STAINLESS STEEL



CONCRETE BENCH WITH WOOD TOP

SCHEDULE C

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UNILOCK PAVER

4638 LAKESHORE ROAD
Landscape Design
4638 Lakeshore Road
Kelowna, BC

4638 LAKESHORE RD LTD.
17090
Rezoning
June 2017

L7
PLANT LIST AND PRECEDENT IMAGES

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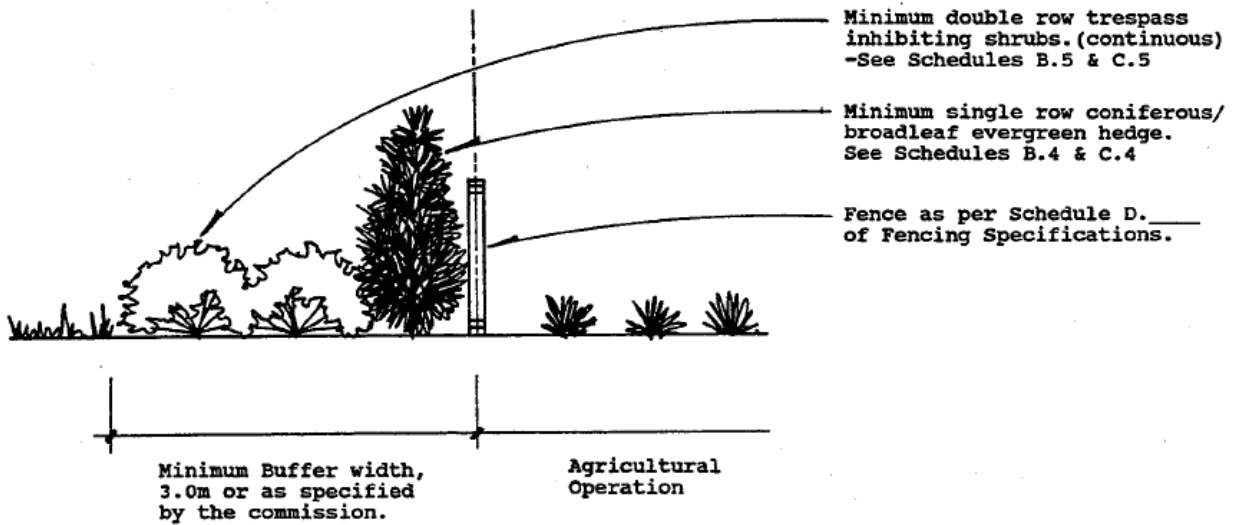
ATTACHMENT A



Subject: 4673 Lakeshore Road

1.1 Agricultural Land Commission – Schedule 'A' Buffer types (1993) – A1: Minimum Vegetative Screen (Evergreen Hedge)

Minimum visual screening and protection of farmland from trespass and vandalism.



ATTACHMENT A

This forms part of application

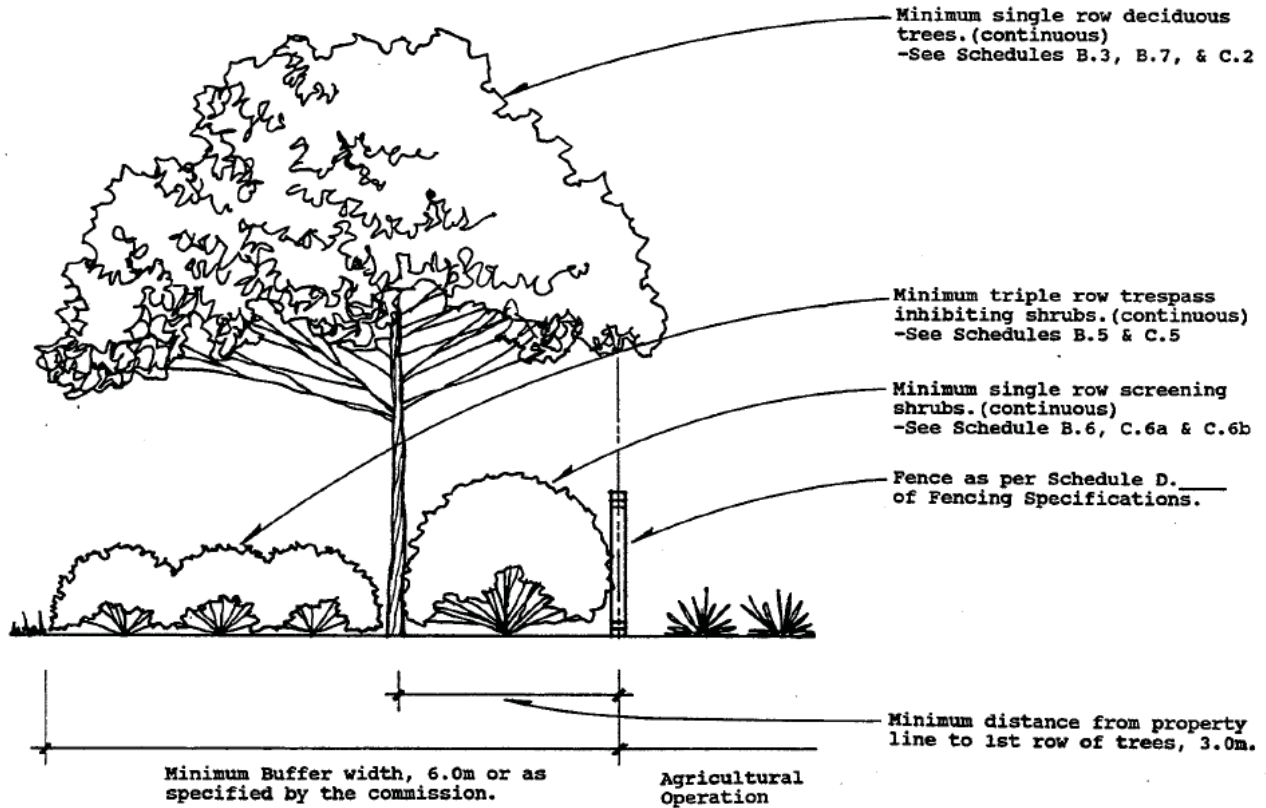
Z17-0077

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Initials AC



1.2 Agricultural Land Commission – Schedule 'A' Buffer types (1993) –
A2: Minimum Vegetative Screen (Medium Height Trees)

Inhibits trespass and vandalism while providing protection to non-farm developments from the movement of dust and pesticide spray from adjacent agriculture operations.



ATTACHMENT A

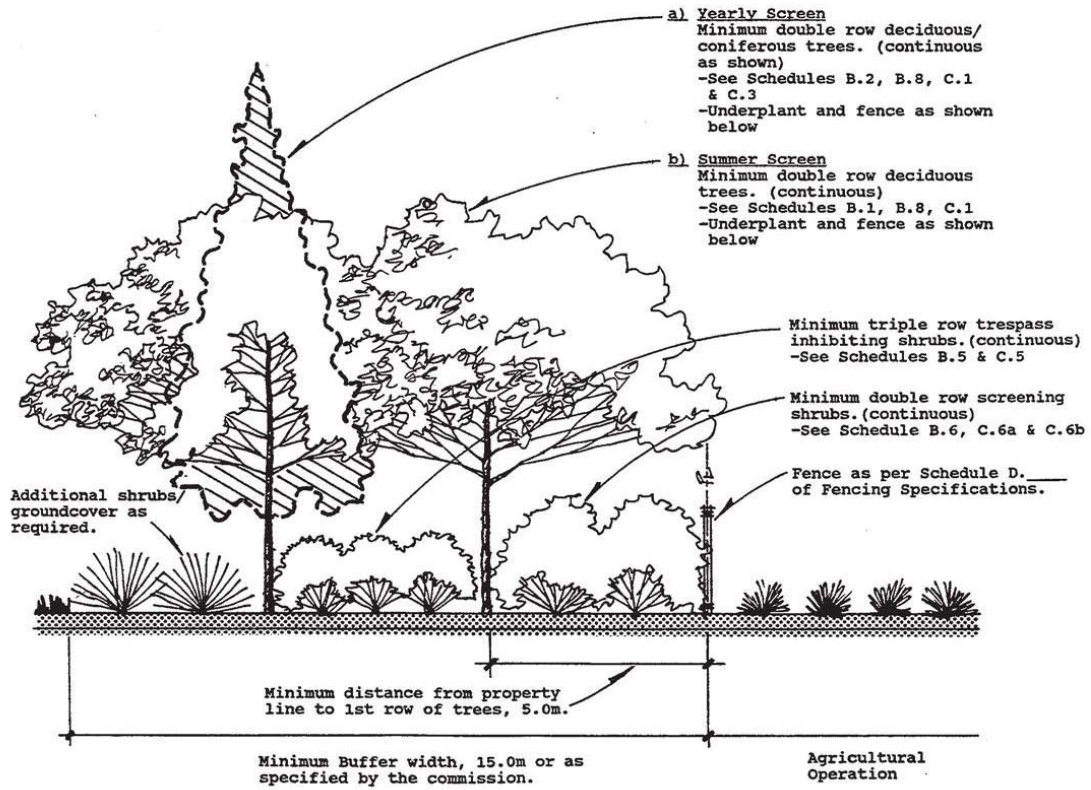
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1.3 Agricultural Land Commission – Schedule 'A' Buffer types (1993) –
A3: Airborne Particle and Visual Screen (a. Yearly Screen / b. Summer Screen)



ATTACHMENT A

This forms part of application
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1.4 Agricultural Land Commission – Schedule 'A' Buffer types (1993) –
 A4: Noise, Airborne Particle & Visual Screen (a. Yearly Screen / b. Summer Screen)

To Buffer agricultural land from trespass and vandalism, visually screen incompatible uses, reduce the exchange of particulate matter between adjacent land uses and reduce the transmission of noise. (Note: Coniferous trees should be used in the buffer in situations where visual and particulate screening is required on a year round basis. Solution A.4a)

ATTACHMENT A

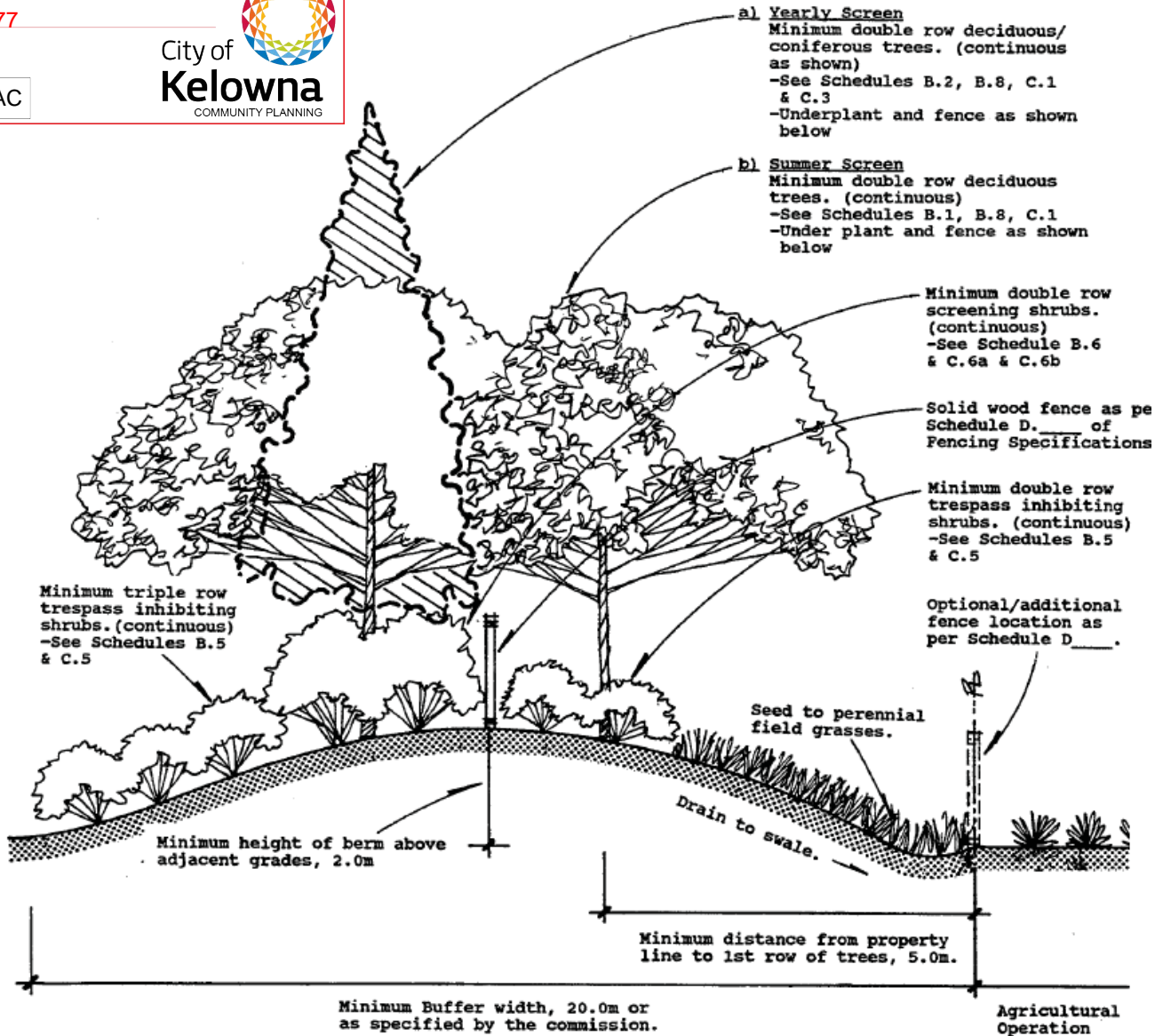
This forms part of application

Z17-0077



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3.8 Urban-side buffer design specifications

Below are the setback distances for principal buildings and design criteria for installing an urban-side buffer along the agriculture-urban boundary. Four examples of design specifications and layouts follow.

Urban-Side Setback & Buffer Design Criteria for Urban-Agriculture EPAs

	Setback Distance and Buffer Size	Buffer Height	Buffer Design Features
Level 1 Urban-side Residential Setback & Buffer*	Setback 30 m from agricultural area boundary Buffer Width 15 m – buffer is located within the 30 m setback	6 m ** (finished height)	<ul style="list-style-type: none"> Mixed planting of fast growing tree and shrub species with foliage from base to crown – long thin foliage desirable. Include at least 60% evergreen conifers to collect dust & spray drift. No gaps in buffer and no tightly packed hedges; crown density of 50-75%. Design as wedge shaped if odour dilution desired. Design specifications and layout will be as per urban-side Buffer A or B (p.24); or existing vegetation may be retained as part of buffer (Buffer C, p.26). Leave 2 m of low growing or no vegetation from agricultural area boundary. If paths and passive recreational uses (e.g. picnic areas) are part of the landscaped buffer, the recreational features will not take up more than 1/3 the width of the buffer and they will be located away from the agricultural area boundary. If community forest/gardens are included use of the buffer then the uses should be located away from the agricultural area boundary and protected with vegetation.
<div style="border: 1px solid red; padding: 10px; display: inline-block;"> <p>ATTACHMENT B</p> <p>This forms part of application # Z17-0077</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: left;"> <p>Planner Initials AC</p> </div> <div style="text-align: center;">  <p>City of Kelowna COMMUNITY PLANNING</p> </div> </div> </div>			
Level 2 Urban-side Non-Residential Setback & Buffer (e.g. passive recreation, industrial, or commercial)	Setback 15 m from agricultural area boundary Buffer Width 8 m – buffer is located within the 15 m setback	6 m** (finished height) **See Note 2 below	<ul style="list-style-type: none"> Either a double row of mixed deciduous/coniferous (with at least 60% evergreen conifers) or just coniferous, and hedging/screening shrub species with foliage from base to crown. Design specifications and layout will be as per urban-side Buffer D (p.27); or retain existing vegetation (Buffer C, p.26). Leave 2 m of low growing or no vegetation from ALR boundary.

* Exception to Level 1 Residential Urban-side Buffer requirements:

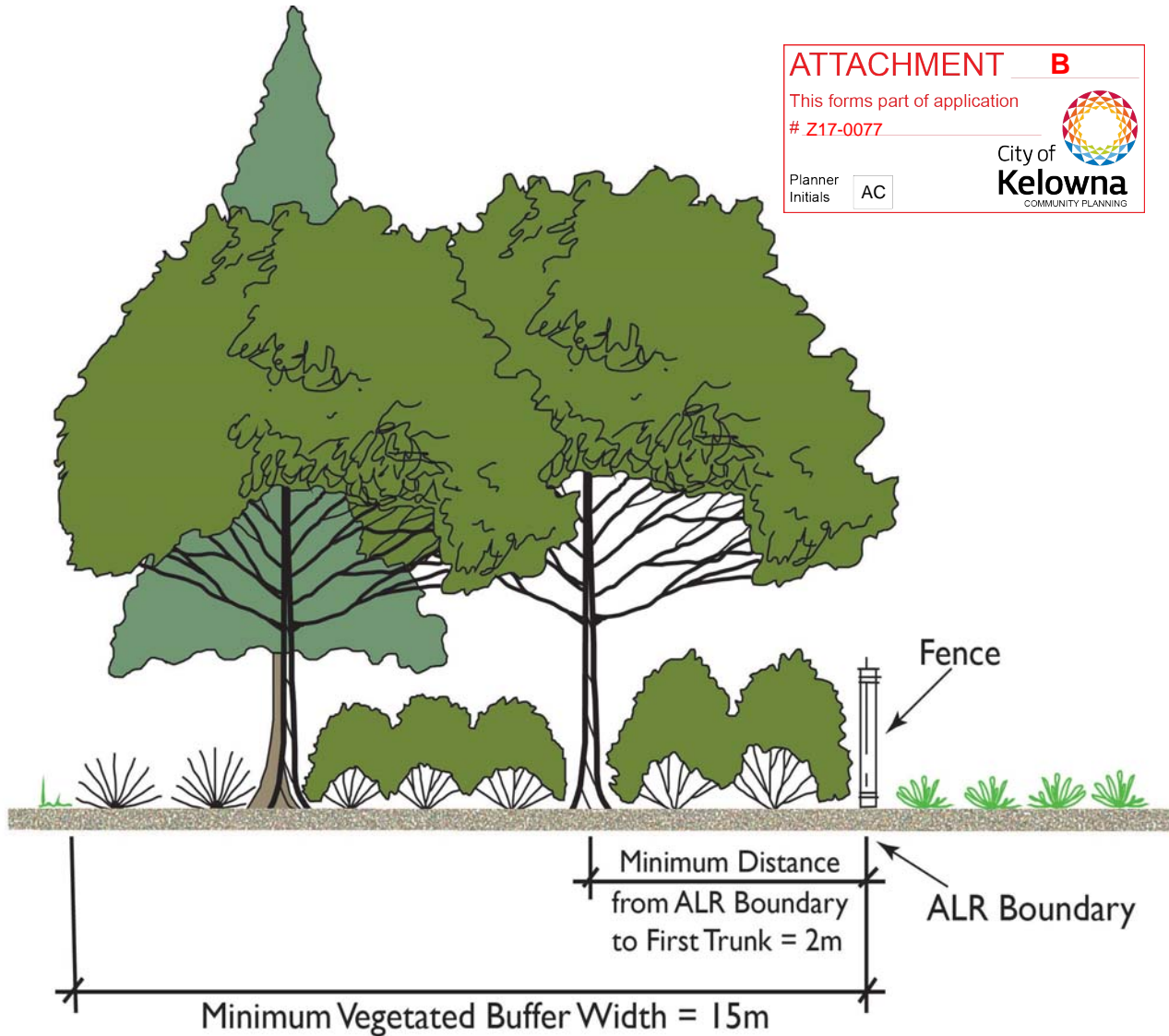
Residential parcels that are separated from the agricultural area by a road allowance can reduce the size of the Level 1 buffer, provided new driveway accesses from these parcels onto the subject road allowance are avoided. The siting of the residence should still be 30 m but the vegetative buffer can be reduced to 7.5 metre width and located as near and parallel to the agricultural area boundary as possible.

** If spray drift is a concern, tree height should be 1.5 times the spray release height or target height, whichever is higher.

3.8.a Urban-Side Buffer A (no berm) – Design Specifications & Layout

The Urban-side **Buffer A** includes:

- double row deciduous/coniferous trees (see Appendix B for plant list)
- triple row trespass inhibiting shrubs (see Appendix B for plant list)
- double row screening shrubs (see Appendix B for plant list)
- solid wood fence or chain link fence with a height of 6 feet (1.8 metres) and built as per Appendix C or as per the local government’s fencing specifications.



ATTACHMENT B
This forms part of application
Z17-0077

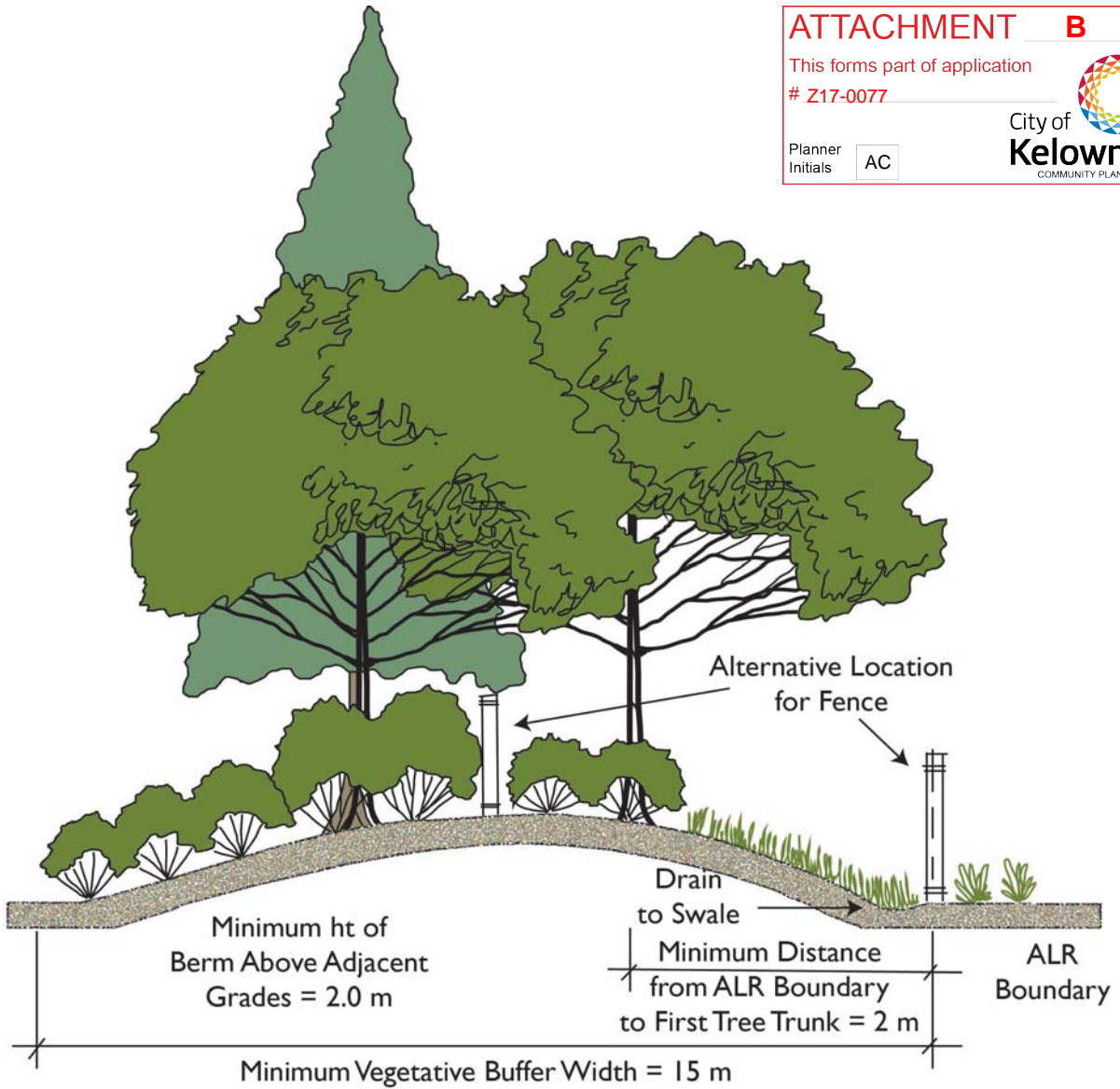
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3.8.b Urban-Side Buffer B (with berm) – Design Specifications & Layout

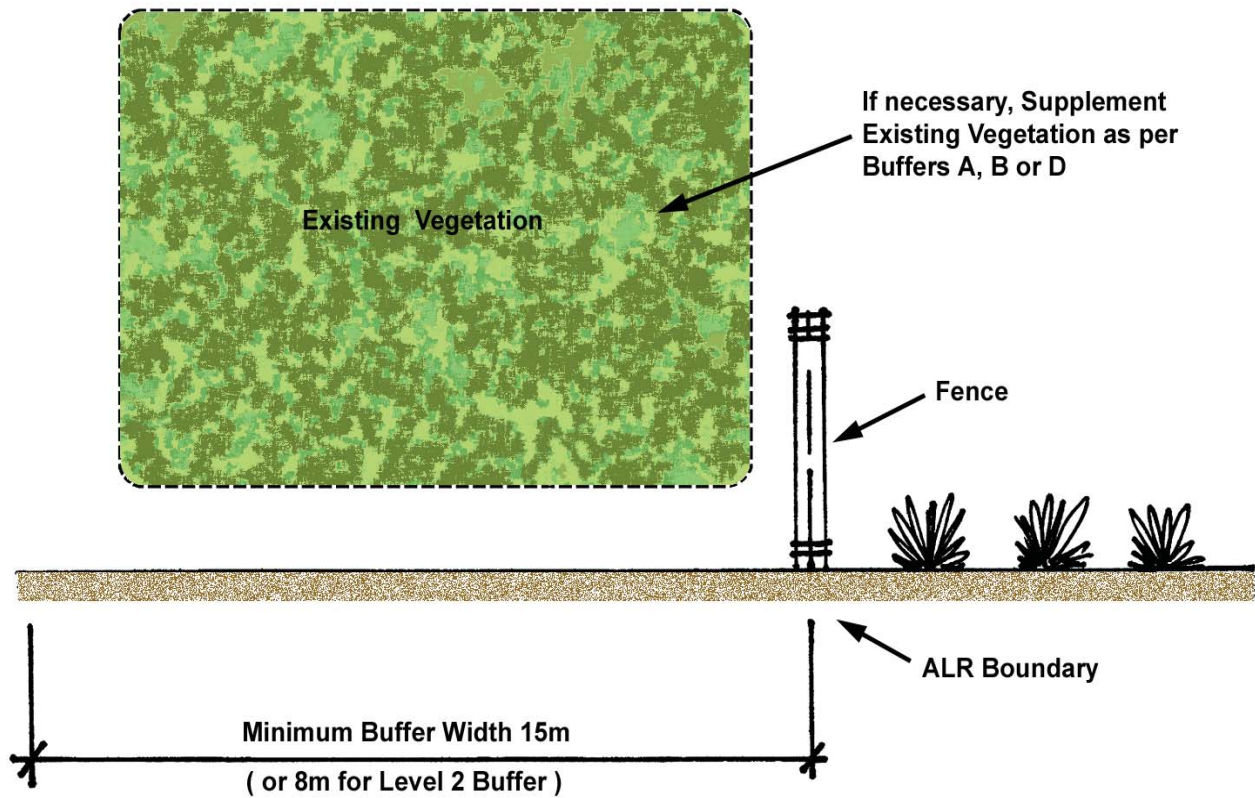
Urban-side **Buffer B** includes all elements of **Buffer A**, as well as a berm with a minimum height of 2 metres above the adjacent grades. There are two alternatives for locating a fence, either at the lowest or highest points of the berm. This choice should be made according to design and use of adjacent properties. The main intent of the berm in this example is to provide increased storm water retention capabilities of the buffer, although a berm may provide more effective noise reduction and visual screening as well.

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3.8.c Urban-Side Buffer C (Existing Vegetation) - Design Specifications & Layout

Urban-side **Buffer C** should retain existing vegetation and use either a solid wood or chain-link fence with a height of 6 feet (1.8 metres), built as per Appendix C or as per the local government's fencing specifications.



ATTACHMENT B

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Z17-0077

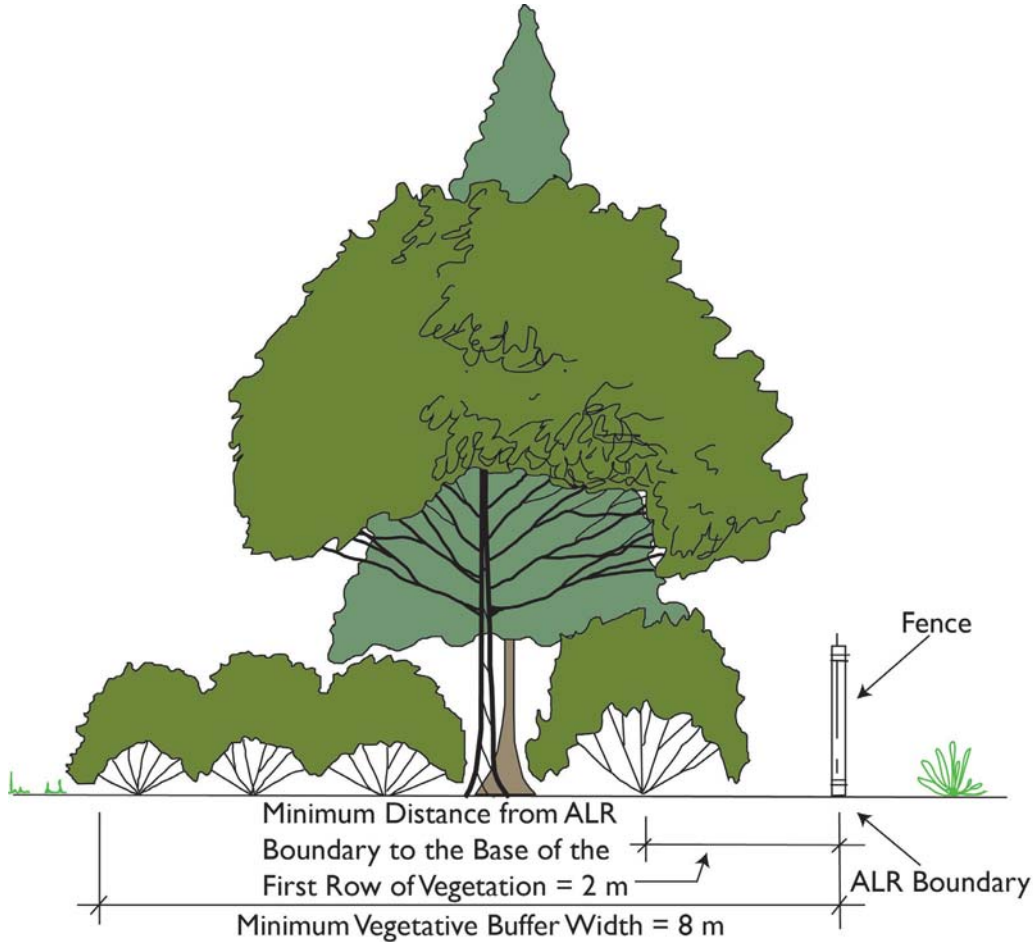
Planner Initials

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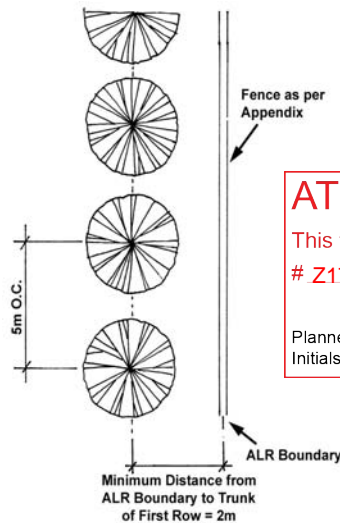
3.8.d Urban-Side Buffer D - Design specifications, layout & spacing

Urban-side **Buffer D** includes:

- single row deciduous or coniferous or just coniferous trees (see Appendix B for plant list)
- triple row trespass inhibiting shrubs (see Appendix B for plant list)
- single row screening shrubs (see Appendix B for plant list)
- solid wood fence or chain link fence with a height of 6 feet (1.8 metres) and built as per Appendix C or as per the local government’s fencing specifications.



Single row screening shrubs



Single Row Deciduous/Coniferous Trees

ATTACHMENT B

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Z17-0077

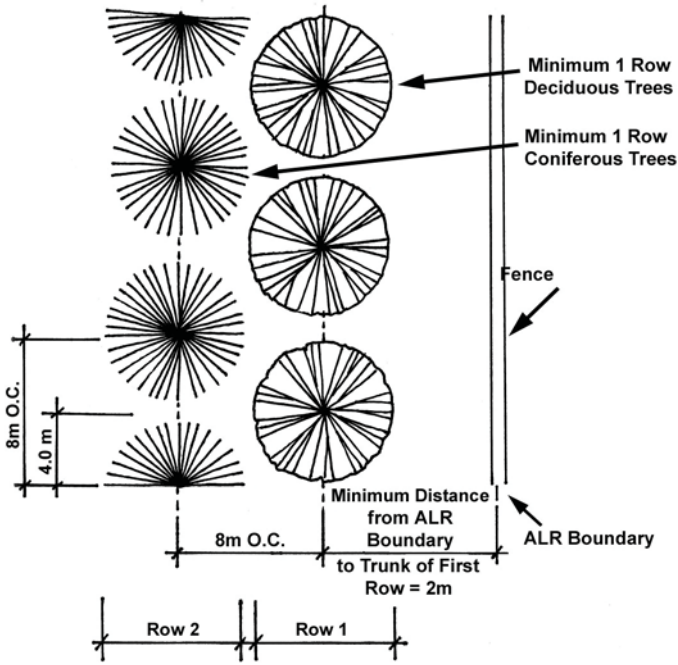
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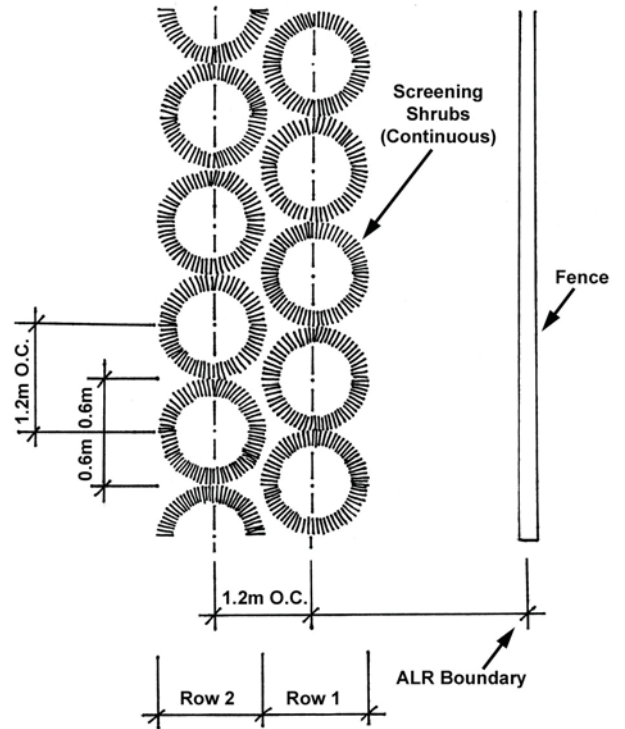


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3.8.e Urban-Side Buffer Spacing (Buffers A, B or D)



Double row deciduous/coniferous trees

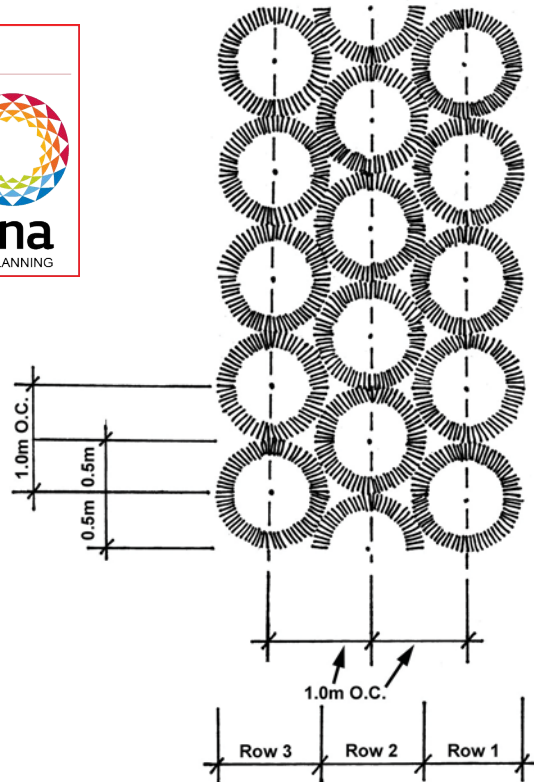


Double row screening shrubs

ATTACHMENT **B**

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Triple row trespass inhibiting shrubs

3.9 Enhancing Agricultural Awareness

Communication tools can be used to enhance compatibility between farming and non-farm uses. Whenever possible, they should be used in conjunction with the other compatibility mechanisms listed in this Guide. These tools can increase the awareness of urban residents living near the farm edge about impacts from normal farm practices that they may experience. The awareness tools can be used even where existing urban development makes it impractical to address subdivision and housing design, or buffering.

Please refer to Appendix A for an example of how the agriculture awareness tools in this section can be applied within Development Permit Area guidelines.

3.9.a Disclosure statements

A disclosure statement, in the form of a restrictive covenant under section 219 of the *Land Title Act* can be a very effective tool. It can inform the prospective land buyer that the property is close to an agricultural area where acceptable farm practices may result in noise, dust, odour &/or other impacts during certain times of the year.

To be accepted by the Registrar of Land Titles, the covenant must have a “restrictive” aspect. Such “restriction” could include other urban-side tools discussed above – e.g., no building in the yards adjacent to the ALR; houses or other habitable buildings must have extra sound-proofing.

If new development occurs in the Edge Planning Area, within 300 metres of the ALR boundary, a covenant could be placed on land titles disclosing the proximity of the agricultural area and the potential implications.

3.9.b Signage

Local governments should consider using signs along the agriculture-urban boundary that inform residents and prospective purchasers of the proximity of farm operations within the immediate area and the possible activities associated with farm operations. Here are two sample buffer signs.



Farmers in this area sometimes:

- Make noises to keep wildlife away from crops
- Plough fields on dry, dusty days
- Spread manure to fertilize fields
- Spray crops to eliminate weeds or plant disease
- Drive big, slow machines between fields
- Harvest crops day or night when ripe

ATTACHMENT B

This forms part of application
Z17-0077

Planner Initials AC

City of Kelowna
COMMUNITY PLANNING

COMMITTEE REPORT



Date: January 25, 2018

RIM No. 1210-21

To: Agricultural Advisory Committee (AAC)

From: Community Planning Department (LB)

Application: A17-0011 **Owner:** Lawrence Neid

Address: 3060 Pooley Road **Applicant:** City of Kelowna

Subject: Application to the ALC for a Non-Farm Use and Subdivision for a Proposed Water Reservoir and Pump Station

1.0 Purpose

The applicant is requesting permission from the Agricultural Land Commission (ALC) under Section 20(3) of the Agricultural Land Commission Act for a non-farm use to construct a water reservoir on a portion of the subject property, and is requesting permission from the ALC under Section 21(2) of the Agricultural Land Commission Act for subdivision of the portion of the property for the reservoir.

2.0 Proposal

2.1 Background

The City of Kelowna Integrated Water Supply Plan calls for a city-wide integrated water system to: provide drinking water that meets Canadian Drinking Water Quality Standards; achieve the best, lowest cost city-wide solution that provides administrative and operational flexibility; and maintain agricultural interests.

Phase 1 of the Plan focuses on separating agricultural and domestic systems in Southeast Kelowna, specifically to:

- Provide treated water from Okanagan Lake to South East Kelowna Irrigation District (SEKID) users on a separate mainline system;
- Supply water to the South Okanagan Mission Irrigation District (SOMID); and
- Complete upgrades to City infrastructure in the South Mission to meet new supply requirements.

Domestic water will be supplied through a new line connecting to the City's water distribution system from Okanagan Lake, while agricultural water in the SEKID area will continue to be supplied from Hydraulic Creek, with emergency connections to the domestic supply in the event of a service disruption. The provincial and federal governments approved a grant for \$43.9 million for Phase 1, which is expected to be complete by January 2020.

The project involves substantial infrastructure requirements, including upgrades to existing infrastructure and significant new infrastructure, such as pump stations, expansion of reservoir capacity, and water

distribution mains. The subject property has been identified as the location of the Dall Road reservoir and pump station. The reservoir would be designed to meet City of Kelowna bylaw standards, with two reservoir cells and a pump station initially and future capacity to add another two reservoir cells. The cells would be 5 m to 7 m in height, with a footprint of 277 m² to 387 m² for the two cells.

For administrative and operations purposes, the City is proposing subdivision of the property to create a separate lot for the reservoir area. The proposed lot is 0.5 ha in area to allow sufficient space for maintenance and reservoir expansion, with the remaining 3.6 ha for the existing farming operations.

2.2 Site Context

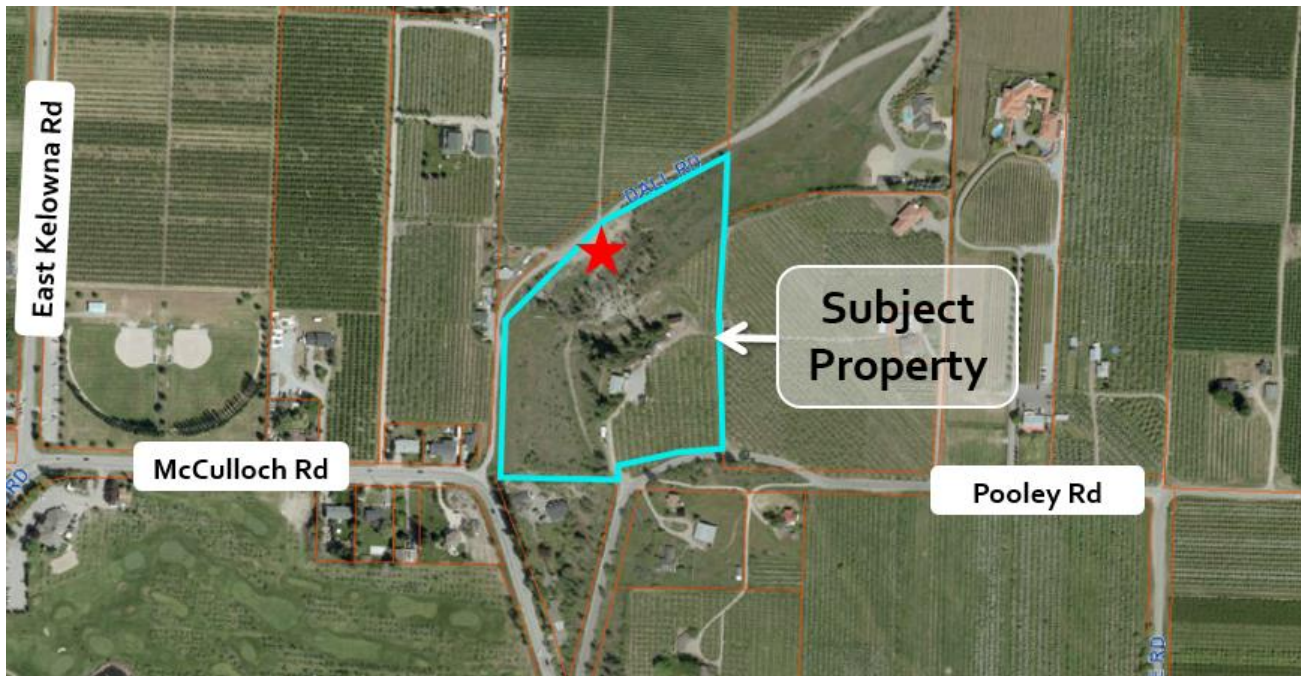
The subject property is zoned A₁ – Agriculture 1, has a Future Land Use designation of REP – Resource Protection Area and is within the Agricultural Land Reserve. The property lies outside of the Permanent Growth Boundary.

The site has a significant slope across the north and western portions, which is identified in the Agricultural Land Use Inventory as having limited potential for farming due to site limitations. The reservoir is proposed in the northern portion of the property at the bottom of the steep slope in an area previously used as a gravel pit. The site was not reclaimed or improved since operations ended in the 1980s. The plateau in the southeast area is currently planted with an orchard, and a single family dwelling is at the top of the slope, adjacent to the orchard.

Parcel Summary:

Parcel Size: 4.1 ha (10.1 acres)
 Elevation: 434.5 to 465.75 metres above sea level (masl) (approx.)

Map 1 - Neighbourhood



Map 2 – Agricultural Land Reserve



Map 3 – Future Land Use



2.3 Neighbourhood Context

The subject property lies within the City's Southeast Kelowna Sector. Zoning and land uses adjacent to the property are as follows:

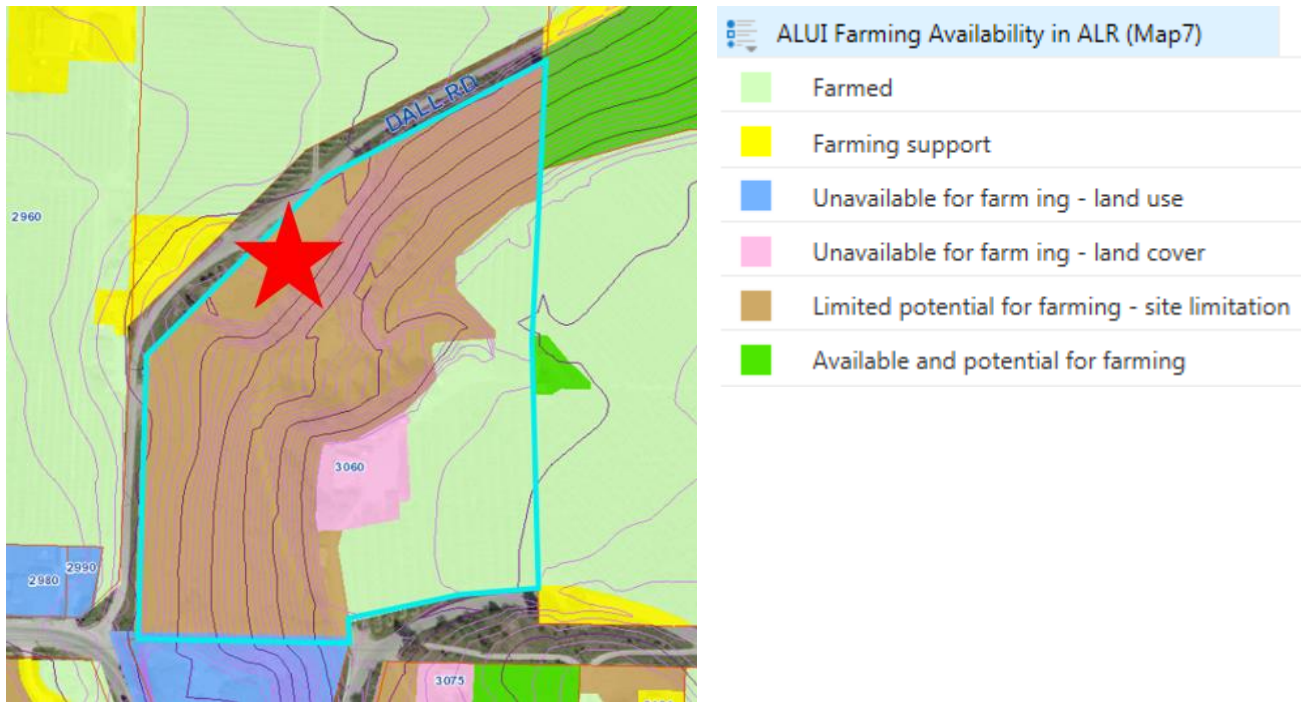
Table 1: Zoning and Land Use of Adjacent Property

Direction	Zoning	ALR	Land Use
North	A1 – Agriculture 1	Yes	Agriculture
East	A1 – Agriculture 1	Yes	Agriculture / Rural Residential
South	A1 – Agriculture 1	Yes	Agriculture / Rural Residential
West	A1 – Agriculture 1	Yes	Agriculture

2.4 Agricultural Land Capability

The Agricultural Land Capability of the portion of the property proposed for the reservoir is limited primarily due to site constraints and topography.

Map 4 – Agricultural Land Use Inventory Farming Availability & Site Topography



3.0 Community Planning

Council and staff are seeking a recommendation from the AAC with respect to the proposed non-farm use of public utilities and the proposed subdivision of the property. The AAC should pay particular attention to City and ALC policies with respect to non-farm uses and subdivision of land within the ALR, as well as policies regarding public infrastructure.

Both the City’s Agriculture Plan and the Official Community Plan (OCP) recommend supporting non-farm use applications only where the proposed uses are consistent with the Zoning Bylaw and the OCP, minimize impacts on productive agricultural lands, and do not harm adjacent farm operations. OCP policies generally only support subdivision in the ALR where benefits to agriculture can be demonstrated. The OCP supports ensuring continued delivery of water for agriculture purposes and expanding the water supply to meet water quality standards and objectives.

Council and staff are looking for direction from the Agricultural Advisory Committee with respect to:

- Potential mitigation measures to agricultural impacts; and
- Potential mitigation measures to agricultural operations around the subject properties.

Report prepared by: Laura Bentley, Planner Specialist

Reviewed by: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A – Policies

Subject Property Map

Site Photos

SCHEDULE A - Policies



Subject: 3060 Pooley Road

1.1 City of Kelowna Agriculture Plan (2017)

Theme 1: Strengthening Local Policies and Actions to Protect Agriculture¹

Action 1.1c: Restrict non-farm uses that do not directly benefit agriculture.

1.2 City of Kelowna Strategic Plan

Objective²: Sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

Action towards this objective³: Evaluate the effectiveness of City policies and bylaws in preserving agricultural lands.

1.3 Kelowna Official Community Plan (OCP)

Land Use Designation Definitions

Resource Protection Area⁴

Generally land areas within this designation (whether they are within the permanent growth boundary or not) will not be supported for exclusion from the ALR or for more intensive development than that allowed under current zoning regulations, except in specific circumstances where the City of Kelowna will allow exceptions to satisfy civic objectives for the provision of park/recreation uses.

Chapter 5 – Development Process

Agricultural Land Use Policies

Objective 5.33 Protect and enhance local agriculture⁵.

Policy .1 Protect Agricultural Land. Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development, except as otherwise noted in the City of Kelowna Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.

¹ City of Kelowna Agriculture Plan. 2017. P. 15.

² City of Kelowna Strategic Plan. 2004. P. 7.

³ City of Kelowna Strategic Plan. 2004. P. 29.

⁴ City of Kelowna 2030 Official Community Plan. Future Land Use Chapter. P. 4.2.

⁵ City of Kelowna 2030 Official Community Plan: Development Process Chapter. P. 5.35.

Policy .3 Urban Uses. Direct urban uses to lands within the urban portion of the Permanent Growth Boundary, in the interest of reducing development and speculative pressure on agricultural lands.

Policy .6 Non-Farm Uses. Support non-farm use applications on agricultural lands only where approved by the ALC and where the proposed uses:

- Are consistent with the Zoning Bylaw and OCP;
- Provide significant benefits to local agriculture;
- Can be accommodated using existing municipal infrastructure;
- Minimize impacts on productive agricultural lands;
- Will not preclude future use of the lands for agriculture;
- Will not harm adjacent farm operations.

Policy .7 Subdivision. Maximize potential for the use of farmland by not allowing the subdivision of agricultural land into smaller parcels (with the exception of Homesite Severances approved by the ALC) except where significant positive benefits to agriculture can be demonstrated.

Chapter 7 – Infrastructure

Water Servicing Policies

Objective 7.20 Ensure an adequate supply of high quality water.⁶

Policy .1 Water Availability for Agriculture. Work with stakeholders to ensure the continued delivery of sufficient quantities of water as per best practices for water conservation to ensure continued agricultural productivity.

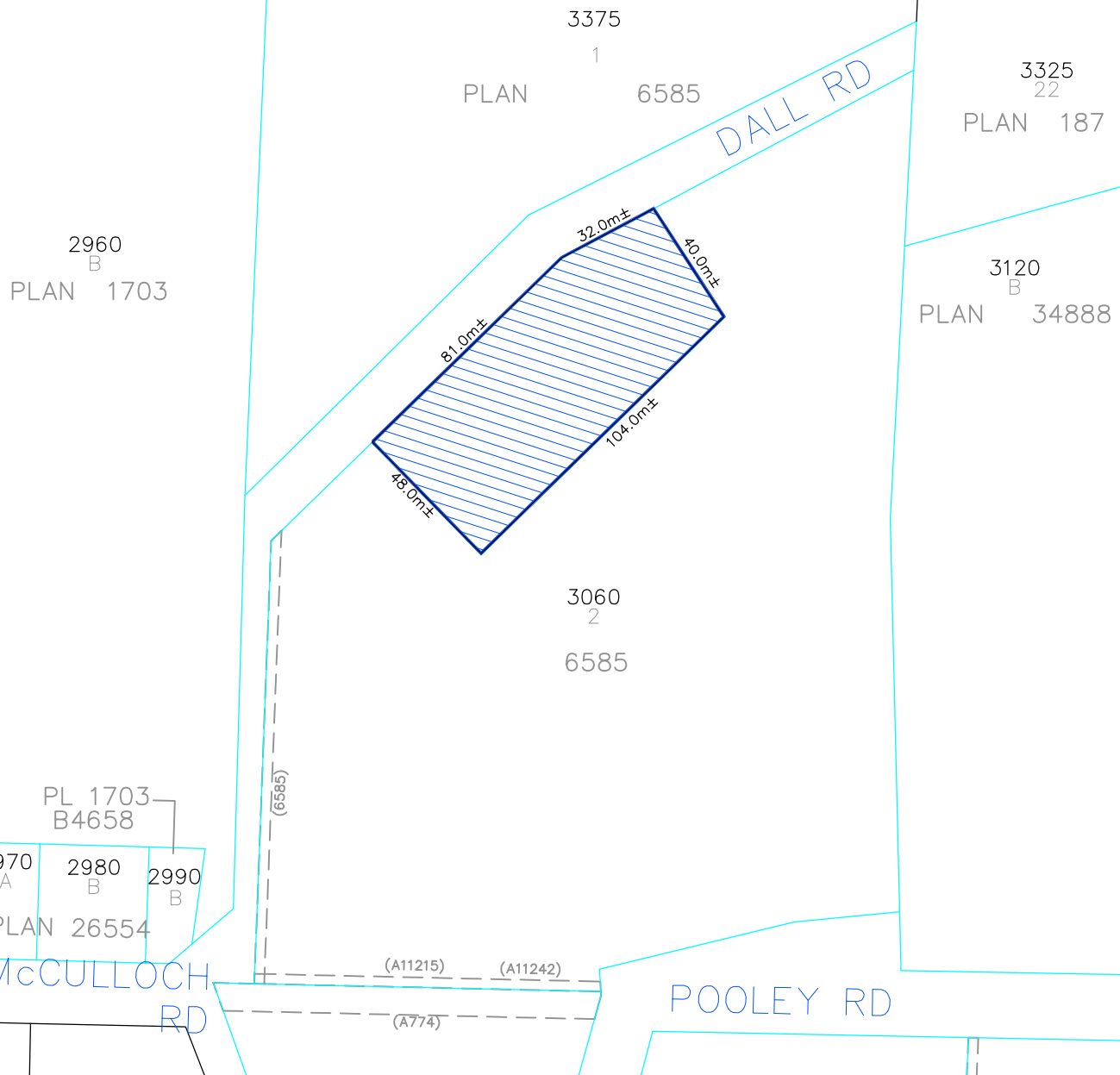
1.4 Agricultural Land Commission Act (ALCA)

Purposes of the commission – Section 6 of the ALCA

The following are the purposes of the commission:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest;
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

⁶ City of Kelowna 2030 Official Community Plan: Infrastructure Chapter. P. 7.12.



SCALE: N.T.S.

MAILING ADDRESS: 3060 POOLEY ROAD

LEGAL DESCRIPTION: LOT NO. 2 PLAN NO. 6585

TWP. 26 SEC. 15

 PROPOSED LOT AREA - 5048m²±



SCALE: N.T.S.

MAILING ADDRESS: 3060 POOLEY ROAD

LEGAL DESCRIPTION: LOT NO. 2 PLAN NO. 6585

TWP. 26 SEC. 15



PROPOSED LOT AREA – 5048m²±

Site Photos: 3060 Pooley Road



Agricultural Advisory Committee

Minutes

Date: Thursday, January 11, 2018
Location: Council Chamber
City Hall, 1435 Water Street

Committee Members Present: John Janmaat (Chair), Yvonne Herbison (Vice-Chair), Domenic Rampone, Ed Schiller, Keith Duhaime and Jill Worboys (Interior Health)

Committee Members Absent: Tarsem Goraya, Pete Spencer and Jeff Ricketts (Alternate)

Staff Present: Community Planning Department Manager, Ryan Smith*; Community Planning Supervisor, Lindsey Ganczar; Planner, Melanie Stepphun; Planner Specialist, Laura Bentley; Planner, Kim Brunet*; and FOI-Legislative Coordinator, Sandi Horning

(*denotes partial attendance)

1. Call to Order

The Chair called the meeting to order at 6:02 p.m.

Opening remarks by the Chair regarding conduct of the meeting were read.

2. Applications for Consideration

2.1 Stewart Rd W 4500, FH17-0001 - Stewart Brothers Winery Ltd.

Staff:

- Displayed a PowerPoint presentation summarizing the application for a Farm Help Development Permit.
- The project details include:
 - 22 Temporary Farm Workers;
 - two temporary structures (trailers) on non-permanent foundations; and
 - annual use from March to October during growing, harvesting and pruning periods.
- Local government has the authority to permit additional dwellings on ALR land as long as they are for farm use.

- Requesting the Committee provide a recommendation to Council (of either support or non-support) for the application to allow temporary farm worker housing for 22 temporary farm workers.
- Responded to questions from the Committee Members.

Ben Stewart, Applicant's Representative:

- Provided background information regarding the subject property.
- The property has been a nursery operation since 1950.
- Provided an overview of the improvements and plantings on the site.
- Have been transporting workers from West Kelowna to Kelowna in order for them to work the Kelowna property.
- Confirmed that the long term plan for the site is to make it a fully functioning winery.

Moved by Keith Duhaime/Seconded by Dominic Rampone

THAT the Agricultural Advisory Committee recommends that Council support Farm Help Development Permit Application No. FH17-0001 for Lot 2, Section 32, Township 29, ODYD, Plan 3093 except Plan KAP58804, located at 4500 Stewart Road West, for Temporary Farm Worker Housing for 22 Temporary Farm Workers.

Carried

ANECDOTAL COMMENTS:

The Agricultural Advisory Committee commended the applicant for working with City staff to ensure that the City's policies and the Agricultural Land Commission's policies were adhered to. The Committee noted that the application provided for good buffering, the use of non-permanent foundations and that the size of the farm supports the need for temporary farm workers.

2.2 Shanks Rd 4133 & Shanks Rd 4085, TA18-0001 & FH18-0001 - Geen Family Holdings Ltd.

The Chair, John Janmaat, declared a conflict of interest as he has a professional relationship with the applicant and left the meeting at 6:22 p.m. The Vice Chair, Yvonne Herbison, took over conduct of the meeting at 6:22 p.m.

Staff:

- Displayed a PowerPoint presentation summarizing the application for a Text Amendment and a Farm Help Development Permit;
- The proposal is for temporary farm worker housing for 140 seasonal farm workers, which includes:
 - a site specific Text Amendment; and
 - a Farm Help Development Permit.
- The project details include:
 - 140 temporary farm worker housing beds for temporary farm workers;
 - temporary structures (trailers) on non-permanent foundations.
 - entirely outside of the ALR along Shanks Road;
 - two groupings of trailers with parking and common picnic areas.
- Local government has the authority to permit additional dwellings on ALR land as long as they are for a farm use.

- Requesting the Committee provide a recommendation to Council (either support or non- support) to allow temporary farm worker housing for 140 temporary farm workers.
- Responded to questions from the Committee.

Staff:

- Distributed a new set up drawings that were provided by the applicant prior to the meeting.

Laura Geen, Applicant's Representative:

- Displayed a PowerPoint presentation summarizing the rationale for the proposed developments at the Highway 97 North Site.
- Advised that the dorms will be located on the non-ALR lands along Shanks Road.
- Responded to questions from the Committee Members.

Cody Walsh, Applicant's Representative:

- Responded to questions from the Committee Members.

Staff:

- Responded to questions from the Committee Members regarding the timeline for moving this application forward to Council for consideration.

Moved by Keith Duhaime/Seconded by Dominic Rampone

THAT the Agricultural Advisory Committee recommends that Council support Farm Help Development Permit Application No. FH18-0001 for the properties located at 4085 and 4133 Shanks Road, Kelowna, BC for temporary farm worker housing for 140 temporary farm workers.

Carried

ANECDOTAL COMMENTS:

The Agricultural Advisory Committee commended the applicant for working with City staff to ensure that the City's policies and the Agricultural Land Commission's policies were adhered to. The Committee noted that the application provided for good buffering, the use of non-permanent foundations and that the size of the farm operations supports the need for the large number of temporary farm workers. It was also noted by the Committee that subject property is close to transportation.

The Chair, John Janmaat, returned to the meeting at 7:02 pm and took over conduct of the meeting from the Vice-Chair, Yvonne Herbison.

3. ALC Decisions - Update

Staff:

- Provided an update with respect to the non-farm use application for the property located at 1085 Lexington Drive. After the Committee recommended non-support, the applicant withdrew the application.
- Provided an update with respect to the non-farm use application for the property located at 841 Curtis Road. Both the Committee and Council supported the application, which will not be forwarded to the Agricultural Land Commission for consideration.
- Responded to questions from the Committee Members.

4. Minutes

Moved by Yvonne Herbison/Seconded by John Janmaat

THAT the Minutes of the October 12, 2017 Agricultural Advisory Committee meeting be adopted.

Carried

5. New Business

5.1 Ministry of Agriculture - Agricultural Advisory Committee Workshops

Staff:

- Made reference to the "Save the Date" Notice from the Ministry of Agriculture for the upcoming Agricultural Advisory Committee Workshops.
- More information will be provided once received from the Ministry.

6. Next Meeting

The next Committee meeting has been scheduled for January 25, 2018.

7. Termination of Meeting

The Chair declared the meeting terminated at 7:08 pm.

John Janmaat, Chair

Yvonne Herbison, Vice Chair

/slh



File: 0280-30
Ref: 187654

January 15, 2018

Dear Agricultural Advisory Committee Chair:

The Ministry of Agriculture (AGRI) would like to invite your Agricultural Advisory Committee (AAC) members to the eighth biennial AAC Workshop. This year there will be two regional workshops; one on the South Coast and one in the Interior. The first will be held in Langley and the second in Kelowna. Please choose the workshop that is most convenient. Registration is required; however there is no fee and lunch will be provided.

The workshops will bring AAC members together to meet and discuss agricultural issues of importance. There are now 41 AACs operating in B.C.; 25 on the South Coast and 16 in the Interior. Information about AACs and previous AAC workshops can be found on AGRI's Strengthening Farming website at <https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/agricultural-land-and-environment/strengthening-farming/agricultural-advisory-committees>.

Based on feedback received from AAC members, we've chosen 'AAC roles and responsibilities - from the ground up!' as the theme for 2018. The agenda will include presentations, panel discussions, and facilitated conversations that explore the roles AACs play in different communities and their potential to encourage and support agriculture. Attendees will learn more about Committee member roles and responsibilities, techniques to function more effectively, and the experiences of AACs across the province. The objective is to provide each attendee with valuable information and techniques they can use to strengthen farming in their community through their AAC. **Please review with your members what successes and challenges your AAC has recently experienced and what topics your attendees intend to discuss prior to the workshop.**

To assist with workshop arrangements, please have your AAC complete the enclosed form and return it to Gregory Bartle, AGRI Land Use Planner by email at Gregory.Bartle@gov.bc.ca or fax at (250) 356-0358 by **Friday, February 9th, 2018**. Please note that supporting elected officials and staff are also welcome to attend.

.../2

Previous workshops have invigorated AAC members, generated new ideas, and helped AAC continue to offer effective advice and support to their councils and boards. I look forward to seeing your representatives at the workshop.

Sincerely,

A handwritten signature in black ink that reads "Joan Easton". The signature is written in a cursive style with a large, looping initial "J" and "E".

Joan Easton
Executive Director

B.C. Ministry of Agriculture Agricultural Advisory Committee Workshop 2018

Registration Form

Wednesday February 21, 2018 - 9:30 AM to 4:30 PM

[Newlands Golf and Country Club](#)

21025 – 48th Avenue, Langley BC ph: 604.533.3288

or

Tuesday February 27, 2018 – 9:30 AM to 4:30 PM

[Coast Capri Hotel](#)

1171 Harvey Avenue, Kelowna, BC ph: 250.860.6060

Please return this form **by Friday February 9th** to:

Gregory Bartle, Land Use Planner

BC Ministry of Agriculture

Email: Gregory.Bartle@gov.bc.ca

Fax Number: (250) 356-0358

Name of local government your AAC represents: _____

Workshop your AAC members (or staff or Councillors) will be attending: Langley Kelowna

As we have limited capacity, please select up to three people to attend for your primary list and up to three additional people for your wait list. If some AACs send fewer than three people, it will be possible for us to accommodate individuals from the wait lists.

Primary List

NAME (please type)	Position (e.g. AAC Member, Planner, Councillor)	Email Address
1.		
2.		
3.		

Wait List

NAME (please type)	Position (e.g. AAC Member, Planner, Councillor)	Email Address
1.		
2.		
3.		

Contact Person: Name: _____

Position: _____

Phone Number: _____

2018 Agricultural Advisory Committee (AAC) Workshop (Interior)

Tuesday February 27, 2018 – from 9:30 AM to 4:30 PM

Coast Capri Hotel - Horizon Room, Kelowna BC

Participant Agenda - **DRAFT**

THIS YEAR'S THEME: AAC roles and responsibilities - from the ground up!

- 9:00am** **Registration and morning refreshments**
- 9:30am** **Welcome and Opening Remarks** - Ministry of Agriculture
- 9:40am** **Topic 1: How your AAC can strengthen farming in your community**
Ministry of Agriculture (AGRI) staff presentation with Q + A on AAC roles, responsibilities and jurisdiction
- 10:45am** **Nutrition Break**
- 11:00am** **Topic 2: ALR Revitalization**
Presentation and Q + A session
- 12:00pm** **Lunch**
- 1:15 pm** **Discussion Session 1: Sharing stories of AAC successes and challenges**
This will be a facilitated discussion to explore examples from across B.C. of successful and challenging AAC initiatives.
- Topics may include: Ag Area Plans, economic development strategies for agriculture, barriers for farmers/communities to access resources and funding, and/or ALC application referrals
- 2:15pm** **Nutrition break**
- 2:30pm** **Discussion Session 2: Agricultural topics of AAC importance**
This will be a facilitated discussion to explore agricultural topics of AAC significance.
- Topics may include: soil and fill, large-scale farming operations, non-farm uses in the ALR, and/or residential size and siting in the ALR
- 3:30pm** **Panel Session: 'playing your role' on the AAC**
Representation may include local government elected officials, ALC staff, planners, agrologists and farmer/growers to explore successful mechanisms to make your AAC more effective for local government.
- 4:15pm** **Wrap-Up and Closing Remarks** – Ministry of Agriculture
- 4:30 pm** **ADJOURN**

COMMITTEE REPORT



Date: January 25, 2018

RIM No. 1210-20

To: Agricultural Advisory Committee (AAC)

From: Policy and Planning Department (TG/MS)

Application: Agriculture Plan Policy Implementation **Applicant:** City of Kelowna

Subject: Agriculture Plan Policy Implementation – Package 1 Directed Amendments to the Official Community Plan and Zoning Bylaw

1.0 Purpose

That the Agricultural Advisory Committee receives, for information, the report from the Policy and Planning Department, dated January 25, 2018, with respect to draft directed amendments to Bylaw No. 10500, Kelowna 2030 Official Community Plan and Bylaw No. 8000, Zoning Bylaw based on the recommendations presented in the Agriculture Plan, endorsed by Council in August, 2017.

2.0 Proposal

2.1 Background

Fifty-five percent of the Kelowna’s land base is zoned for agriculture (38 per cent of the land base is in the Agriculture Land Reserve). This land is often at risk as it tends to be flat, affordable, geographically appealing and often well located, making it attractive for urban development.

Council has identified a priority to “preserve agricultural land”, a sentiment that is echoed strongly by the public.¹ The updated Agriculture Plan, endorsed by Council in August 2017, has a vision that “*Kelowna is a resilient, diverse, and innovative agricultural community that celebrates farming and values farmland and food producers as integral to our healthy food system, economy and culture.*” The Agriculture Plan provides a series of policy recommendations, that when implemented will help achieve Council’s priority in addition to promoting and celebrating the vital role of agriculture in Kelowna today, and for decades to come.

Two packages of bylaw amendments are being proposed that ensure the Agriculture Plan is influencing policy and regulations in a meaningful and impactful way that advances the vision of agriculture for our community. This package provides a series of proposed amendments to implement many of the Agriculture Plan policy recommendations that provided clear, concise direction. The second package (a separate file but proceeding concurrently with this package) addresses the Agriculture Plan

¹ A June 2016 survey, part of the development of Kelowna’s Agriculture Plan, showed that 95% of 563 respondents felt that policies to preserve farmland were important or very important. Note: these results are qualitative in nature as the survey was not a statistically valid random sample of all Kelowna citizens.

recommendation of ensuring “compliance with provincial standards” as well as other general housekeeping updates.

2.2 Propopsed Amendments:

Appendix A lists 15 of the 34 Agriculture Plan policy recommendations in a summary table that are being proposed to implement as part of this package through amendments to the:

- Official Community Plan Policy and Farm Protection (DP) Amendments (Appendix B: OCP Amendments Draft Package 1 Ag Plan Recommendations)
- Zoning Bylaw (Appendix C: Zoning Amendments Draft Package 1 Ag Plan Recommendations)

The goals of the proposed amendments to the OCP and Zoning Bylaw are to strengthen the preservation of farmland, limit non-agricultural development, and minimize conflicts for farming areas. Further, the proposed amendments align with provincial standards, as Kelowna is one of four Farm Bylaw communities in the province and any amendments that may impact agriculture must be approved by the Minister of Agriculture prior to final adoption.

The proposed amendments seek to achieve:

Goal	Proposed Amendments	Proposed Policy/Section
Preserve agricultural land	<p>OCP Amendments:</p> <ul style="list-style-type: none"> • Restrict expansion of residential development and density outside the Permanent Growth Boundary • Protect and support the continued designation and use of agricultural land for agricultural purposes regardless of soil capabilities <p>OCP Farm Protection DP Amendments:</p> <ul style="list-style-type: none"> • Design residential footprints to maximize agriculture potential and limit negative impacts on the farm. • Locate structures for services related to the public near the road to reduce impact on the agriculture potential. <p>Zoning Bylaw Amendments:</p> <ul style="list-style-type: none"> • Require that mobile homes on farmland be occupied by the owner’s immediate family and located on non-permanent foundations. • Remove carriage house as a permitted use. • Increase minimum subdivision lot size in the ALR from 2.0 ha to 4.0 ha. • Establish a maximum farm residential footprint size of 2,000 m². 	<p>Policy 5.3.1</p> <p>Policy 5.33.6</p> <p>Chapter 15 Guideline 1.9 Chapter 15 Guideline 1.10</p> <p>Section 2.3.3 & Section 11.1.4</p> <p>Section 9.5.b & Section 11.1.3 Section 11.1.5</p> <p>Section 11.1.6</p>
Reduce speculation and address challenge of increasing farmland due to high cost capital inputs	<p>OCP Amendments:</p> <ul style="list-style-type: none"> • Restrict the expansion of sewer into agricultural areas 	<p>Policy 7.22.2</p>

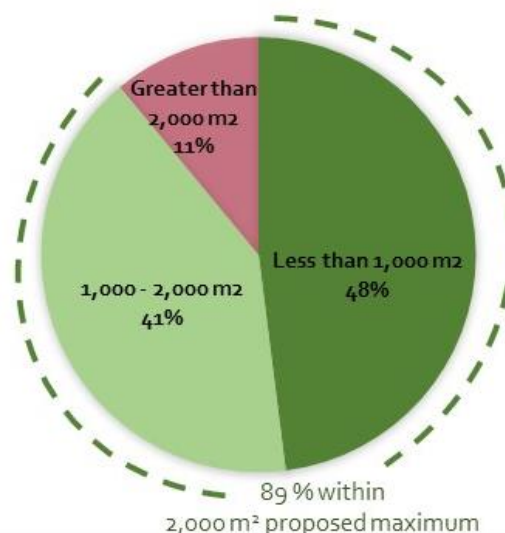
Goal	Proposed Amendments	Proposed Policy/Section
Limit conflicts with agriculture	<p>OCP Amendments:</p> <ul style="list-style-type: none"> Avoid uses of urban land adjacent to agricultural land by vulnerable populations (e.g. seniors, children) <p>OCP Farm Protection DP Amendments</p> <ul style="list-style-type: none"> Require statutory covenants on non-agricultural land through the development process 	<p>Policy 5.33.9</p> <p>Chapter 15 Guideline 1.7</p>
Food system resiliency	<p>OCP Amendments</p> <ul style="list-style-type: none"> Expand urban agricultural opportunities 	Policy 5.13.5

It is important to balance the residential needs of the agriculture. The expansion of residential footprints on many communities have been grappling with across estate use of farmland causing agriculture property prices

A 'farm residential footprint' is defined as "the portion of a lot that includes all structures, landscaping, driveways and parking areas associated with the principal dwelling."²

The 2014 provincial Agriculture Land Use Inventory for Kelowna, showed that of the 1887 residences surveyed on ALR parcels, 89 per cent are within the 2,000m² proposed maximum. In fact, nearly half of these dwellings (47.5 per cent) have a residential footprint less than 1,000m². Between 2007 and 2014, however, the rate of construction of larger residential footprints increased, with 30 per cent of the 94 dwellings constructed on ALR land having a residential footprint greater than 2,000m². With the larger footprints, higher prices are also being seen as shown in sample of real estate listings from fall, 2017:

Residential Footprint Size of Kelowna ALR Properties
 Source: 2014 Kelowna Agriculture Land Use Inventory, Ministry of Agriculture, 1887 residences surveyed



Property	Parcel Size	Existing Residential Footprint (proposed 2,000 m ²)	Price
Lakeshore Rd.	7.2 ha (17.8 acres)	17,200 m ² (4.25 acres)	\$13,995,000
East Kelowna Rd.	8.1 ha (20 acres)	10,521 m ² (2.6 acres)	\$4,650,000
Water Rd.	5.9 ha (14.5 acres)	9,712 m ² (2.4 acres)	\$5,585,000
Todd Rd.	3.2 ha (7.85 acres)	8,094 m ² (2 acres)	\$5,498,000
KLO Rd	14.2 ha (35 acres)	19,020 m ² (4.7 acres)	\$6,800,000
Casorso Rd	3.7 ha (9.2 acres)	12,950 m ² (3.2 acres)	\$12,998,000

Note: prices will be influenced by size and design of home on property as well as the residential footprint which includes landscaping, pools, tennis courts, and driveways.

² Bylaw No. 8000, Zoning Bylaw. Section 2.3 General Definitions.

The Ministry of Agriculture Guide for Bylaw Development in Farming Areas states that a maximum size for a farm residential footprint is to be 2,000m², which was echoed in Kelowna's Agriculture Plan and is recommended for implementation as part of this package of amendments. For context, the proposed residential footprint size is equivalent to more than 3.5 large urban residential lots (RU1).³ Further, the residential footprint size may be increased by up to 1,000m² for each mobile home for immediate family, where permitted (also consistent with the Guide for Bylaw Development). This also does not include the additional maximum 2,000 m² currently allowed in the Zoning Bylaw for a Temporary Farm Worker Housing footprint. (Note: residential footprints are being proposed for properties equal to or greater than 0.4 ha (1 acre), as for properties less than 0.4ha the residential footprint could take up over 50 per cent of the property, so for those smaller properties a 30 per cent maximum site coverage will apply.)

Of ten BC municipalities surveyed (See Appendix D: Residential Footprint Examples from BC), eight have established farm residential footprint regulations within their zoning bylaws, and the remaining two are in discussions with the Ministry of Agriculture on the topic. The majority (6 communities) align with the maximum set out in the Ministry of Agriculture Guide for Bylaw Development in Farming Areas (2,000m²), one is more restrictive (District of Summerland, maximum of 905 m²) and one is less restrictive (Corporation of Delta, 3,600 m², implemented prior to development of the Ministry guidelines). With this in mind, the City of Kelowna's approach is balanced & defensible based on what is existing today & the development allowances in comparison with urban lots.

2.3 Next Steps

The next steps towards adopting the proposed amendments will be to circulate them through our standard referral process, including:

- Circulation of the proposed amendments to major stakeholders including BC Fruit Growers Association, Central Okanagan Food Policy Council, Ministry of Transportation and Infrastructure, Improvement Districts, Interior Health, and Urban Development Institute.
- Refinement of the proposed amendments based on input.

It is expected that the above will be completed and the draft amendments will be presented to Council for first reading this spring.

As the proposed amendments in this package are based on clear, concise direction from the Agriculture Plan, additional engagement is not proposed. The Agriculture Plan had extensive consultation with Council, the Agriculture Advisory Committee, stakeholder groups, agriculture industry group, farmers and the public. A public hearing, however, will still be required after Council reviews the package and provides first reading.

³ Bylaw No. 8000, Zoning Bylaw. Section 13 Urban Residential Zones defines the minimum lot size for RU1, large lot housing as 550 m².

2.4 Conclusion

Collectively, these policy recommendations express a commitment to the preservation and strengthening of farmland with the aim of:

- limiting non-agricultural development within the agricultural landscape and development controls that support the agricultural industry;
- Minimizing conflicts between producers and non-producers;
- Proactively using and managing farmland for agriculture; and
- Providing efficiency and transparency for City staff with the goal of reducing work load volume and bylaw infractions.

Report prepared by:

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Reviewed by:

Danielle Noble-Brandt, Policy and Planning Department Manager

Approved for Inclusion:

Ryan Smith, Community Planning Department Manager

Attachments:

- Appendix A: Agriculture Plan Policy Recommendations Summary Table
- Appendix B: TA18-00xx Draft Package 1 – Proposed A1 Agriculture Zone Phase I Directed Amendments
- Appendix C: Agriculture Plan Implementation Proposed Official Community Plan Amendments
- Appendix D: Agriculture Plan Implementation Proposed Zoning Bylaw Amendments
- Appendix E: Residential Footprint Examples from BC

Appendix A: Agriculture Plan Policy Recommendations Summary Table

The draft amendment package addresses the following recommendations from Kelowna’s Agriculture Plan (2017).

Table 1. Official Community Plan updates: detailed actions

ID	Actions
1.1a	Restrict the expansion of residential development, and resulting potential edge conflicts, into farm areas by prohibiting additional density outside the Permanent Growth Boundary.
1.1b	Restrict community sewer service expansion into agricultural areas except where infrastructure is needed to address public health issues and protection of natural assets as identified by the City of Kelowna or senior government.
1.1c	Restrict non-farm uses that do not directly benefit agriculture. Only support non-farm uses in farm areas that have a direct and ongoing benefit to agriculture or meet essential requirements of municipal government.
1.1d	Protect and support the continued designation of Natural Resource Protection Lands for agricultural purposes regardless of soil types and capabilities assigned for potential for non-soil based agriculture, and the importance of reducing edge effects through farmland.
1.1f	Expand urban agriculture opportunities as a way to improve food system resiliency and promote social inclusion, such as community gardens or urban farming.

Table 2. Farm Protection Development Permit Guidelines updates: detailed actions

ID	Actions
1.2a	Adopt Residential Footprint policies as per the <i>Non-Farm Use White Paper</i> (see Appendix G) in accordance with provincial standards including residential footprint size, building setbacks, and total floor area of dwelling units. This includes establishing a maximum specific floor area for the Residential Footprint of 2,000 m ² (0.2ha) within the ALR / A1 zone.
1.2b	Include underground residential services within the Residential Footprint as required for the structures within it.
1.2c	Only structures used exclusively for farm use, or have a direct and on-going benefit to agriculture, may be located outside the Residential Footprint.
1.2d	On agricultural lands, locate farm retail sales, wineries, cideries, breweries, distilleries, and any other structures and services related to the public that are defined as farm uses under the ALC Act near the road entrance (or where geographically appropriate), in order to reduce the footprint and extent of services through the property with the intent of maximizing agricultural potential.
1.2e	Ensure that the Residential Footprint maximizes the agricultural potential (e.g. soil, topography, etc.) and limits negative impacts on the farm, whether or not the parcel is currently farmed.
1.2f	Update OCP Chapter 15 Farm Protection DP guideline 1.7 to require statutory covenants on non-agricultural land through the development process to notify landowners that “normal farm practices” occur in close proximity as described in the <i>Edge Planning White Paper</i> (see Appendix F).

ID	Actions
1.2g	Discourage uses of urban land adjacent to agricultural land by vulnerable populations to limit interface incompatibilities.

Table 3. Zoning Bylaw updates: detailed actions

ID	Actions
1.3c	Require that mobile homes on farmland be occupied by the owner’s immediate family, be located on a non-permanent foundation without basement excavation, and be removed from the property within 90 days when no longer occupied. The site must be restored to a condition suitable for agricultural use following removal of the mobile home.
1.3d	Remove “carriage house” as a permitted use within the A1 zone.
1.3e	Update zoning bylaw subdivision regulations to increase the minimum lot size in the ALR from 2.0 ha to 4.0 ha in order to create a consistent minimum lot size of 4.0 ha for all of the A1 zone.

Section 11 – Agricultural Zones

11.1 A1 – Agriculture 1

11.1.1 Purpose

The purpose is to provide a zone for rural areas and agricultural uses as well as other complementary **uses** suitable in an agricultural setting. A maximum of one single **dwelling** house is permitted. In addition, a **secondary suite** may be permitted when in accordance with relevant provisions of this bylaw including subsection 6.5 and 9.5.

11.1.2 Principal Uses

The **principal uses** in this zone are:

- (a) **agriculture**
- (b) **animal clinics, major** where in existence prior to July 1st, 1998
- (c) **aquaculture**
- (d) **greenhouses and plant nurseries**
- (e) **intensive agriculture**
- (f) **single dwelling housing**
- (g) **utility services, minor impact**

11.1.3 Secondary Uses

The **secondary uses** in this zone are:

- (a) **agricultural dwelling(s) additional**
- (b) **agri-tourism**
- (c) **animal clinics, major**
- (d) **animal clinics, minor**
- (e) **bed and breakfast homes**
- (f) **child care centre, minor**
- (g) **forestry**
- (h) **group homes, minor**
- (i) **home based businesses, major**
- (j) **home based businesses, minor**
- (k) **home based businesses, rural**
- (l) **kennels and stables**
- (m) **secondary suite**
- (n) **wineries and cideries**

11.1.4 Buildings and Structures Permitted

- (a) one **single detached house** (which may contain a **secondary suite**);
- (b) one **mobile home for immediate family**;
- (c) permitted accessory buildings or structures;
- (d) only one secondary dwelling unit is permitted (e.g. secondary suite or **mobile home for immediate family, notwithstanding 11.1.4(e)**).
- (e) **TFWH** may be in one of the following structure types:
 - (i) Existing **structure** with a Building Permit that was approved at least 2 years prior to **TFWH** application, to be converted into **TFWH**, on the parcel within the **farm unit**.
 - (ii) New **TFWH** must be in temporary **structures** on non-permanent foundations, such that it is designed to be removed by a truck or vehicle. Concrete pads or foundations are not permitted.

11.1.5 Subdivision Regulations

- (a) The minimum **lot width** is 40.0 m.
- (b) The minimum **lot area** is 4.0 ha except the minimum **lot area**.

11.1.6 Development Regulations

- (a) For **lots less than 0.4 ha**, the maximum **site coverage** is 30%, unless section 1.7.1 applies.
- (b) For **lots 0.4 ha and greater**, a maximum **residential footprint** applies. The maximum **residential footprint** is 2,000 m². The residential footprint size may be increased by up to 1,000 m² for each **mobile home for immediate family** where permitted.
- (c) The maximum **site coverage** is 35% excluding the **residential footprint**. The maximum combined **site coverage** excluding the **residential footprint** may be increased to 75% for **greenhouses and plant nurseries** with closed wastewater and storm water management systems.
- (d) The maximum **height** is the lesser of 9.5 m or 2½ **storeys**, except it is 16.0m for **agricultural structures** and 6.0m for **accessory buildings**.
- (e) The minimum **front yard** is 6.0 m.
- (f) The minimum **side yard** is 3.0 m, except it is 4.0 m from a **flanking street**.
- (g) The minimum **rear yard** is 10.0 m, except it is 3.0 m for **accessory buildings**.
- (h) Notwithstanding subsections 11.1.6(c) to (e), **confined livestock areas** and/or **buildings** housing more than 4 animals, or used for the processing of animal products or for **agricultural and garden stands**, shall not be located any closer than 15.0 m from any **lot line**, except where the

lot line borders a residential zone, in which case the area, building or stand shall not be located any closer than 30.0 m from the lot line.

11.1.7 Other Regulations

- (a) *When a **home based business, rural** involves the cutting and wrapping of wild game or any meat, the **lot** must have a minimum **lot area** greater than 0.33 ha.*
- (b) *Major animal clinics or **kennels and stables** shall not be located on parcels less than 2.0 ha.*
- (c) ***Agricultural and garden stands** selling only produce grown on the **site** or another **site** operated by the same producer do not have a maximum area. The maximum **gross floor area** of stands selling produce that is produced off-site shall be 50.0 m². For **sites** within the **Agricultural Land Reserve**, the maximum **gross floor area** of agricultural and garden sales for produce produced off-site or off-farm products shall be the lesser of one-third of the total floor area of the agricultural and garden sales stand or 100.0 m².*
- (d) *In addition to the regulations listed above, other regulations may apply, including, but not limited to, other sections of this Zoning Bylaw, and any applicable regulations or requirements of the **Land Reserve Commission**.*
- (e) *Outside storage of recreational vehicles is not permitted, other than two (2) recreational vehicles that are registered to the property owner.*
- (f) ***Intensive Agriculture** uses shall be located only within those areas designated for Intensive Agricultural Use in accordance with Schedule "A" attached to this Bylaw.*
- (g) ***Bed and breakfast homes or group homes, minor** in combination with a **secondary suite** shall not be located on parcels less than 2.0 ha in size.*
- (h) *Mobile home for immediate family, where permitted, must be located on a non-permanent foundation without basement excavation. When no longer occupied, the mobile home must be removed from the lot within 90 days and the site must be restored to a condition suitable for agricultural use.*

11.1.8 [deleted in its entirety]

11.1.9 Site Specific Uses and Regulations

Uses and regulations apply to the A1 – Agriculture 1 zone on a site specific basis as follows:

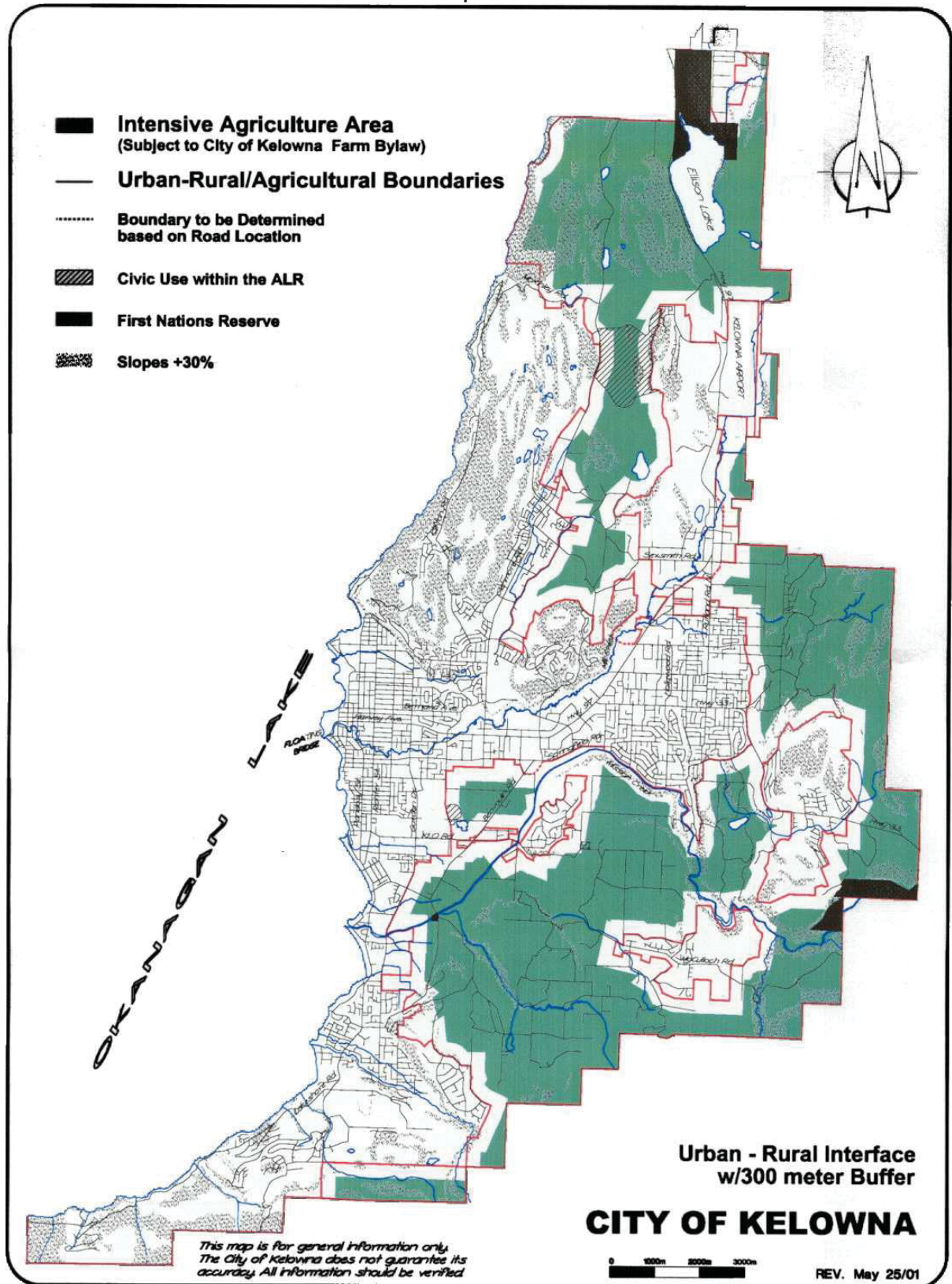
<i>Lot A, Section 24, Township 26, ODYD, Plan EPP7145 located at 700 Hwy 33 E</i>	
food primary establishment	<i>Subject to the restrictions of Agricultural Land Commission (ALC) Resolution #101/2014 for application #53542</i>

11.1.10 Prohibited Uses

The following uses are prohibited in the A1 – Agriculture 1 zone:

- (a) *agri-tourist accommodation*
- (b) *carriage house*

Schedule "A" – Note for a Clearer Image of this Map see "Section 11 – Urban Rural Interface Map"



Section 11 – Agricultural Zone amended as follows:

Section 11.1 – A1 – Agriculture 1/A1 – Agriculture 1 with Secondary Suite – BL8404, BL10269

Sub-Section 11.1.1 – Purpose – BL8760, BL9120, BL11265

Sub-Section 11.1.2 – Principal Uses – BL8760, BL9120, BL11083

Sub-Section 11.1.3 – Secondary Uses – BL8404, BL8654, BL8760, BL8881, BL9120, BL9953, BL10686, BL11440, BL11374

Sub-Section 11.1.4 – Buildings and Structures Permitted – BL9120, BL10686, BL10986, BL11374, BL11369

Sub-Section 11.1.5 – Subdivision Regulations – BL8862

Sub-Section 11.1.6 – Development Regulations – BL8760, BL9003, 8881, 8654, BL10796, BL10986, BL11369

Sub-Section 11.1.7 – Other Regulations – BL8367, BL8404, BL8760, BL10510, BL10269, BL10686, BL10986, BL11265, BL11369

Sub-Section 11.1.8 – Other Regulations – Agri-tourist accommodation – BL10269, BL11188, BL11265

Section 11.2 – A2 – Agriculture Zone – BL8760

APPENDIX C: OCP18 -00xx DRAFT PACKAGE 1
Amendments to Bylaw No. 10500 based on Agriculture Plan Recommendations

No.	Section	Existing	Proposed	Explanation
	<p>Chapter 5 – Development Process</p> <p>Replace OCP Policy 5.3.1</p>	<p>Permanent Growth Boundary. Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of property outside the Permanent Growth Boundary for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council’s specific amendment of this policy. The Permanent Growth Boundary may be reviewed as part of the next major OCP update.</p>	<p>Permanent Growth Boundary. Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. Lands outside the Permanent Growth Boundary will not be supported for urban or intensive uses with the exception of the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500 or, for Agri-Business designated sites. Land outside the Permanent Growth Boundary will not be supported for any further parcelization. The Permanent Growth Boundary may be reviewed as part of the next major OCP update.</p>	<p>Agriculture Plan recommendation 1.1a: “Restrict the expansion of residential development, and resulting potential edge conflicts, into farm areas by prohibiting additional density outside the Permanent Growth Boundary.”</p> <p>The definition of the Permanent Growth Boundary in chapter 4 states: Non-ALR land outside the Permanent Growth Boundary will not be supported for any further parcelization.</p>
	<p>Chapter 5 – Development Process</p> <p>Objective 5.33 Protect and enhance agriculture</p> <p>Replace Policy .6</p>	<p>Non-farm Uses. Support non-farm use applications on agricultural lands only where approved by the ALC and where the proposed uses:</p> <ul style="list-style-type: none"> • are consistent with the Zoning Bylaw and OCP; • provide significant benefits to local agriculture; • can be accommodated using existing municipal infrastructure; • minimize impacts on productive agricultural lands; 	<p>Non-farm Uses. Restrict non-farm uses that do not directly benefit agriculture. Support non-farm use applications on agricultural lands only where approved by the ALC and where the proposed uses:</p> <ul style="list-style-type: none"> • are consistent with the Zoning Bylaw and OCP; • provide significant benefits to local agriculture; • can be accommodated using existing municipal infrastructure; 	<p>Agriculture Plan recommendation 1.1c: “Restrict non-farm uses that do not directly benefit agriculture. Only support non-farm uses in farm areas that have a direct and ongoing benefit to agriculture or meet essential requirements of municipal government.”</p>

APPENDIX C: OCP18 -00xx DRAFT PACKAGE 1
Amendments to Bylaw No. 10500 based on Agriculture Plan Recommendations

No.	Section	Existing	Proposed	Explanation
		<ul style="list-style-type: none"> • will not preclude future use of the lands for agriculture; • will not harm adjacent farm operations. 	<ul style="list-style-type: none"> • minimize impacts on productive agricultural lands; • will not preclude future use of the lands for agriculture; • will not harm adjacent farm operations. 	
	<p>Chapter 5 – Development Process</p> <p>Objective 5.33 Protect and enhance agriculture</p> <p>Add new policy as Policy .9</p> <p>Also add the social sustainability icon to the policy.</p>		<p>Limit interface incompatibilities. Direct urban uses that accommodate vulnerable populations (e.g. seniors, children, health-challenged) to parcels that are not adjacent to agriculture to limit interface incompatibilities.</p>	<p>Agriculture Plan recommendation 1.2g Discourage uses of urban land adjacent to agricultural land by vulnerable populations to limit interface incompatibilities.</p> <p>Note: Edge Planning Guidelines Ministry of Agriculture p. 16. Locate large institutional groups of people – playgrounds, schools, churches, health care facilities, seniors’ centres, etc. - far from agriculture.</p>
	<p>Chapter 5 – Development Process</p> <p>Add a new policy under Objective 5.34 Preserve agricultural land as Policy .5</p> <p>Also add the economic and environmental</p>		<p>Agricultural land designation. Protect and support the continued designation and use of agricultural land for agricultural purposes regardless of soil types and capabilities. Ensure non-soil based agricultural structures are located to maximize the agricultural potential of prime soil resources.</p>	<p>Agriculture Plan recommendation 1.1d “Protect and support the continued designation of Natural Resource Protection Lands for agricultural purposes regardless of soil types and capabilities assigned for potential for non-soil based agriculture, and the importance of reducing edge effects through farmland.”</p>

APPENDIX C: OCP18 -00xx DRAFT PACKAGE 1
Amendments to Bylaw No. 10500 based on Agriculture Plan Recommendations

No.	Section	Existing	Proposed	Explanation
	sustainability icons to the policy.			
	Add a new policy to Objective 5.13 as Policy .5 Also add the economic and environmental sustainability icons to the policy.		Urban Agriculture. Expand urban agriculture opportunities as a way to improve food system resiliency and promote social inclusion, such as community gardens or urban farming.	Agriculture Plan recommendation 1.1f: "Expand urban agriculture opportunities as a way to improve food system resiliency and promote social inclusion, such as community gardens or urban farming."
	Chapter 7 – Infrastructure Add a new policy under Objective 7.22 as Policy.2. Also add the economic and environmental sustainability icons to the policy.		Restrict expansion of sewer into agricultural areas. Restrict community sewer service expansion into agricultural areas except where infrastructure is needed to address public health issues and protection of natural assets as identified by the City of Kelowna or senior government.	Agriculture Plan recommendation 1.1b: "Restrict community sewer service expansion into agricultural areas except where infrastructure is needed to address public health issues and protection of natural assets as identified by the City of Kelowna or senior government." Per Ministry of Agriculture Edge Planning Guidelines: p. 15 "Avoid utility extensions into ALR".
	Chapter 15 – Farm Protection Development Permit Guidelines Replace guideline 1.7	Require statutory covenants on non-agricultural land at subdivision to notify landowners that "normal farm practices" occur in close proximity.	Require statutory covenants on non-agricultural land through the development process. The covenant shall: <ul style="list-style-type: none"> • notify landowners that "normal farm practices" occur in close proximity; • require the ongoing maintenance of the landscape buffer; and 	Agriculture Plan recommendation 1.2f: "Update OCP Chapter 15 Farm Protection DP Guideline 1.7 to require statutory covenants on non-agricultural land through the development process to notify landowners that "normal farm practices" occur in close proximity as described in the <i>Appendix F:Edge</i>

APPENDIX C: OCP18 -00xx DRAFT PACKAGE 1
Amendments to Bylaw No. 10500 based on Agriculture Plan Recommendations

No.	Section	Existing	Proposed	Explanation
			<ul style="list-style-type: none"> • restrict the planting of species that potentially host pests. 	<p><i>Planning for Farmland Protection.</i>" Appendix F also recommends:</p> <ul style="list-style-type: none"> • Maintain the upkeep and integrity of the buffer. • Inform prospective buyers on the urban side of development restrictions within the edge. • Inform residents of restrictions of planting species that have potential host pests (e.g. codling moth hosts, in support of the OKSIR program); and • Inform urban residents of normal farm practices.
	<p>Chapter 15: Farm Protection DP Guidelines</p> <p>Add a new guideline as 1.9</p>		<p>On agricultural lands, design the residential footprint such that:</p> <p>1.9.1 The residential footprint is located within 60 meters of the road and/or located to maximize agriculture potential and limit negative impacts on the farm, whether or not the parcel is currently farmed;</p> <p>1.9.2 All underground residential services are located within the residential footprint;</p> <p>1.9.3 Only agricultural structures structures exclusively used for agriculture, including greenhouses, farm retail sales stands, and those structures associated with crop</p>	<p>Agriculture Plan recommendations:</p> <ul style="list-style-type: none"> • 1.2b "Include underground residential services within the Residential Footprint as required for the structures within it." • 1.2c "Only structures used exclusively for farm use, or have a direct and on-going benefit to agriculture, may be located outside the Residential Footprint." • 1.2e "Ensure the Residential Footprint maximizes the agriculture potential (e.g. soil, topography, etc.) and limits negative impacts on the farm,

APPENDIX C: OCP18 -00xx DRAFT PACKAGE 1
Amendments to Bylaw No. 10500 based on Agriculture Plan Recommendations

No.	Section	Existing	Proposed	Explanation
			storage, on-farm processing, stables, winery, cidery, brewery, distillery, meadery, processing and tasting facility or lounge, and temporary farm worker housing may be located outside the residential footprint.	whether or not the parcel is currently farmed.”
	Chapter 15 Farm Protection Development Permit Guidelines Add a new guideline as 1.10		On agricultural lands, locate farm retail sales, wineries, cideries, breweries, distilleries, and any other structures and services related to the public that are defined as farm uses under the ALC Act near the road entrance or in a location that minimizes road construction to reduce the footprint and extent of services through the lot with the goal of reducing impact on the agriculture potential.	Agriculture Plan recommendation 1.2d “On agricultural lands, locate farm retail sales, wineries, cideries, breweries, distilleries, and any other structures and services related to the public that are defined as farm uses under the ALC Act near the road entrance (or where geographically appropriate), in order to reduce the footprint and extent of services through the property with the intent of maximizing agricultural potential.”

APPENDIX D: TA18-00xx DRAFT PACKAGE 1
Amendments to Zoning Bylaw No. 8000 (Agriculture Plan Recommended)

No.	Section	Existing	Proposed	Explanation
	<p>Section 2.3.3 Interpretation</p> <p>Add definition for Immediate Family</p>		<p>IMMEDIATE FAMILY means, with respect to an owner, the owner's (a)parents, grandparents and great grandparents, (b)spouse, parents of spouse and stepparents of spouse, (c) brothers and sisters, and (d)children or stepchildren, grandchildren and great grandchildren.</p>	<p>Agriculture Plan recommendation 1.3c "Require that mobile homes on farmland be occupied by the owner's immediate family, be located on a non-permanent foundation without basement excavation, and be removed from the property within 90 days when no longer occupied. The site must be restored to a condition suitable for agricultural use following removal of the mobile home."</p> <p>Definition for immediate family added to achieve Agriculture Plan recommendation. Definition is consistent with ALC Regulation.</p>
	<p>Section 9.5b Carriage House Regulations</p> <p>Remove 9.5b.2 Development Regulations in Agricultural Zones</p>	<p>9.5b.2 Development Regulations in Agricultural Zones</p> <p>(a) The maximum site coverage is 90 m², except it is 100 m² if a carriage house is limited to one storey.</p> <p>(b) The maximum net floor area is the lesser of 90 m² or 75% of the net floor area of the principal dwelling.</p> <p>(c) The maximum height is 6.0 m.</p> <p>(d) The minimum front yard is 12.0 m except for double fronting lots. For double</p>	<p>9.5b2 [deleted]</p>	<p>Agriculture Plan recommendation 1.3d: "Remove "carriage house" as a permitted use within the A1 zone."</p> <p>Based on Council Policy 03: ALR Referrals, all carriage house applications are forwarded to the ALC. Since 2012, all applications for carriage houses on ALR land have been denied by the ALC.</p> <p>Carriage houses are also limited to properties on non-ALR A1 properties that are only above 1.0 ha to meet septic requirements, in accordance with Zoning Bylaw Section 9.5b.2.</p>

APPENDIX D: TA18-00xx DRAFT PACKAGE 1
Amendments to Zoning Bylaw No. 8000 (Agriculture Plan Recommended)

No.	Section	Existing	Proposed	Explanation
		<p>fronting lots, a carriage house shall be sited in accordance with the regulations for a single detached house in that zone.</p> <p>(e) The minimum side yard is 3.0 m, except it is 4.0 m from a flanking street.</p> <p>(f) The minimum rear yard is 3.0 m.</p> <p>(g) The minimum distance to a principal dwelling is 4.5 m and the maximum distance is 10.0 m.</p>		<p>Based on above, there are 176 properties zoned A1 that would qualify for an A1c designation.</p> <p>Carriage houses do not align with OCP policies of walkability, and complete communities etc.</p>
	<p>Section 9.5b Carriage House Regulations</p> <p>9.5b.3 Other Regulations</p> <p>Remove (g) and reletter</p>	<p>(g) A mobile home may be considered a carriage house only in agricultural zones where a carriage house is permitted.</p>		<p>Agriculture Plan recommendation 1.3d: "Remove "carriage house" as a permitted use within the A1 zone."</p> <p>Based on Council Policy 03: ALR Referrals, all carriage house applications are forwarded to the ALC. Since 2012, all applications for carriage houses on ALR land have been denied by the ALC.</p> <p>Carriage houses are also limited to properties on non-ALR A1 properties that are only above 1.0 ha to meet septic requirements, in accordance with Zoning Bylaw Section 9.5b.2.</p>

APPENDIX D: TA18-00xx DRAFT PACKAGE 1
Amendments to Zoning Bylaw No. 8000 (Agriculture Plan Recommended)

No.	Section	Existing	Proposed	Explanation
				<p>Based on above, there are 176 properties zoned A1 that would qualify for an A1c designation.</p> <p>Carriage houses do not align with OCP policies of walkability, and complete communities etc</p>
	Remove from 11.1	<p>A1c – Agriculture 1 with Carriage House A1t – Agriculture 1 with Agri-tourist Accommodation</p>		Remove the subzones titles from the A1 for A1t (prohibited in Aug. 2016) and A1c (per Agriculture Plan recommendation 1.3d: "Remove "carriage house" as a permitted use within the A1 zone.")
	<p>Remove in Section 11.1.3 Agricultural Zones – Secondary Uses</p> <p>And replace with Section 11.1.10 Prohibited Uses</p>	<p>The secondary uses in this zone are:</p> <p>(c) agri-tourist accommodation use prohibited <i>except</i> for operations approved and in conformance prior to August 8, 2016.</p> <p>(h) carriage house (A1c only)</p>	<p>11.1.10 Prohibited Uses</p> <p><i>The following uses are prohibited in the A1 – Agriculture 1 zone:</i></p> <p>(a) agri-tourist accommodation</p> <p>(b) carriage house</p>	<p>Agriculture Plan recommendation 1.3d: "Remove "carriage house" as a permitted use within the A1 zone."</p> <p>Based on Council Policy 03: ALR Referrals, all carriage house applications are forwarded to the ALC. Since 2012, all applications for carriage houses on ALR land have been denied by the ALC.</p> <p>Carriage houses are also limited to properties on non-ALR A1 properties that are only above 1.0 ha to meet septic requirements, in accordance with Zoning Bylaw Section 9.5b.2.</p> <p>Based on above, there are 176 properties zoned A1 that would qualify for an A1c designation.</p>

APPENDIX D: TA18-00xx DRAFT PACKAGE 1
Amendments to Zoning Bylaw No. 8000 (Agriculture Plan Recommended)

No.	Section	Existing	Proposed	Explanation				
				<p>Carriage houses do not align with OCP policies of walkability, and complete communities etc.</p> <p>The relocation of the placement within the bylaw of agri-tourist accommodation in the prohibited uses section is for consistency and clarification.</p>				
	<p>Replace in Section 11.1.3 Agricultural Zones – Secondary Uses</p> <p>Replace the site specific use of the Food primary establishment for the Hillcrest Café to a Section 11.1.9</p>	<p>(i) food primary establishment – *Only applies to Lot A, Section 24, Township 26, ODYD, Plan EPP7145 located at 700 Hwy 33 E also known as the “Hillcrest Farm Market Cafe”.</p> <p>This existing cafe is subject to the Agricultural Land Commission (ALC) Resolution #101/2014 for application #53542 (City of Kelowna File A13-0007) and which conditionally approved this non farm use on the subject property subject to the following condition:</p> <p>i) The Cafe facility is limited to current size being 25.3m2 (272ft2) indoor and 34.6m2 (372ft2) outdoor and that there be submission of notification or an application to the ALC should there be plans in the future for</p>	<p>11.1.9 Site Specific Uses and Regulations</p> <p><i>Uses and regulations apply to the A1 – Agriculture 1 zone on a site specific basis as follows:</i></p> <table border="1" data-bbox="1102 803 1474 1372"> <tr> <td colspan="2" data-bbox="1102 803 1474 941" style="text-align: center;"><i>Lot A, Section 24, Township 26, ODYD, Plan EPP7145 located at 700 Hwy 33 E</i></td> </tr> <tr> <td data-bbox="1102 941 1306 1372">food primary establishment</td> <td data-bbox="1306 941 1474 1372"><i>Subject to the restrictions of Agricultural Land Commission (ALC) Resolution #101/2014 for</i></td> </tr> </table>	<i>Lot A, Section 24, Township 26, ODYD, Plan EPP7145 located at 700 Hwy 33 E</i>		food primary establishment	<i>Subject to the restrictions of Agricultural Land Commission (ALC) Resolution #101/2014 for</i>	<p>Moving the location of this use in the bylaw, under the establishment of a section with 'Site Specific Uses and Regulations', which is more clear than a secondary use, which is not site specific.</p>
<i>Lot A, Section 24, Township 26, ODYD, Plan EPP7145 located at 700 Hwy 33 E</i>								
food primary establishment	<i>Subject to the restrictions of Agricultural Land Commission (ALC) Resolution #101/2014 for</i>							

APPENDIX D: TA18-00xx DRAFT PACKAGE 1
Amendments to Zoning Bylaw No. 8000 (Agriculture Plan Recommended)

No.	Section	Existing	Proposed		Explanation
		any significant changes or plans to expand the current footprint.		<i>application #53542</i>	
	Replace 11.1.4 Buildings and Structures Permitted	<p>11.1.4 Buildings and Structures Permitted</p> <p>(a) one single detached house (which may contain a secondary suite);</p> <p>(b) one mobile home;</p> <p>(c) permitted accessory buildings or structures;</p> <p>(d) one carriage house (A1c only);</p> <p>(e) only one secondary dwelling unit is permitted (e.g. secondary suite or carriage house).</p> <p>(f) TFWH may be in one of the following structure types:</p> <p style="padding-left: 20px;">(ii) Existing structure with a Building Permit that was approved at least 2 years prior to TFWH application, to be converted into TFWH, on the parcel within the farm unit.</p>	<p>11.1.4 Buildings and Structures Permitted</p> <p>(a) one single detached house (which may contain a secondary suite);</p> <p>(b) one mobile home for immediate family;</p> <p>(c) permitted accessory buildings or structures;</p> <p>(d) only one secondary dwelling unit is permitted (e.g. secondary suite or mobile home for immediate family) not withstanding 11.1.4 (e);</p> <p>(e) TFWH may be in one of the following structure types:</p> <p style="padding-left: 20px;">(i) Existing structure with a Building Permit that was approved at least 2 years prior to TFWH application, to be converted into TFWH, on the parcel within the farm unit.</p> <p style="padding-left: 20px;">(ii) New TFWH must be in temporary structures on non-permanent foundations, such that it is designed to be</p>	<p>Agriculture Plan recommendation 1.3c "Require that mobile homes on farmland be occupied by the owner's immediate family, be located on a non-permanent foundation without basement excavation, and be removed from the property within 90 days when no longer occupied. The site must be restored to a condition suitable for agricultural use following removal of the mobile home."</p> <p>Note: a new definition for immediate family (see above) had to be added to achieve the recommendation. As well the requirements for the mobile home are in 11.1.7 "Other Regulations."</p> <p>Agriculture Plan recommendation 1.3d: "Remove "carriage house" as a permitted use within the A1 zone."</p> <p>Based on Council Policy 03: ALR Referrals, all carriage house applications are forwarded to the ALC. Since 2012, all applications for carriage houses on ALR land have been denied by the ALC.</p>	

APPENDIX D: TA18-00xx DRAFT PACKAGE 1
Amendments to Zoning Bylaw No. 8000 (Agriculture Plan Recommended)

No.	Section	Existing	Proposed	Explanation
		(iii) New TFWH must be in temporary structures on non-permanent foundations, such that it is designed to be removed by a truck or vehicle. Concrete pads or foundations are not permitted.	removed by a truck or vehicle. Concrete pads or foundations are not permitted.	<p>Carriage houses are also limited to properties on non-ALR A1 properties that are only above 1.0 ha to meet septic requirements, in accordance with Zoning Bylaw Section 9.5b.2.</p> <p>Based on above, there are 176 properties zoned A1 that would qualify for an A1c designation.</p> <p>Carriage houses do not align with OCP policies of walkability, and complete communities etc.</p>
	Replace 11.1.5 Subdivision Regulations (b)	(b) The minimum lot area is 4.0 ha except the minimum lot area is 2.0 ha when located within the Agricultural Land Reserve . That Lot B, Section 34, Township 29, ODYD, Plan KAP66973 be exempted from the minimum lot area requirements of this zone for a period of 3 years, effective July 30, 2002.	(b) The minimum lot area is 4.0 ha.	<p>Agriculture Plan recommendation 1.3e: "Update zoning bylaw subdivision regulations to increase the minimum lot size in the ALR from 2.0ha to 4.0ha in order to create a consistent minimum lot size of 4.0 ha for all the A1 zone.</p> <p>The wording "That Lot B, Section 34, Township 29, ODYD< Plan KAP66973...." has been removed as the effective period passed nearly 13 agos.</p>
	11.1.6 Development Regulations Replace entire section	(a) The maximum site coverage is 10% for residential development (inclusive of agri-tourist accommodation), and it is 35% for agricultural structures except it may be increased to 75% for greenhouses with closed	(a) For lots less than 0.4 ha, the maximum site coverage is 30%, unless section 1.7.1 applies. (b) For lots 0.4 ha and greater, a maximum residential footprint applies. The maximum residential	Agriculture Plan Recommendation 1.2a "Adopt Residential Footprint policies as per the Non-Farm Use White Paper (see Appendix G) in accordance with provincial standards including residential footprint size, building setbacks, and total floor

APPENDIX D: TA18-00xx DRAFT PACKAGE 1
Amendments to Zoning Bylaw No. 8000 (Agriculture Plan Recommended)

No.	Section	Existing	Proposed	Explanation
		<p>wastewater and storm water management systems.</p> <p>Site coverage of accessory buildings or structures and carriage house shall not exceed a combined 14%. The maximum floor area of a carriage house shall be 90 m² or 75% of the total floor area of the principal building. The maximum floor area of a carriage house may increase to a maximum of 100 m² only if the carriage house is limited to one (1) storey in height and is less than 75% of the total floor area of the principal building.</p> <p>(b) The maximum height is the lesser of 9.5 m or 2½ storeys, except it is 16.0m for agricultural structures and 6.0m for accessory buildings or structures.</p> <p>(c) The minimum front yard is 6.0 m.</p> <p>(d) The minimum side yard is 3.0 m, except it is 4.0 m from a flanking street.</p>	<p>footprint is 2,000 m². The residential footprint size may be increased by up to 1,000 m² for each mobile home for immediate family where permitted.</p> <p>(c) The maximum site coverage is 35% excluding the residential footprint. The maximum combined site coverage excluding the residential footprint may be increased to 75% for greenhouses and plant nurseries with closed wastewater and storm water management systems.</p> <p>(d) The maximum height is the lesser of 9.5 m or 2½ storeys, except it is 16.0m for agricultural structures and 6.0m for accessory buildings or structures.</p> <p>(e) The minimum front yard is 6.0 m.</p> <p>(f) The minimum side yard is 3.0 m, except it is 4.0 m from a flanking street.</p> <p>(g) The minimum rear yard is 10.0 m, except it is 3.0 m for accessory buildings.</p> <p>(h) Notwithstanding subsections 11.1.6(c) to (e), confined livestock</p>	<p>area of dwelling units. This includes establishing a maximum specific floor area for the Residential Footprint of 2,000 m² (0.2ha) within the ALR / A₁ zone."</p> <p>Residential footprint based on Provincial "Guide for Bylaw Development in Farming Areas"</p> <p>Additional notes:</p> <ul style="list-style-type: none"> • Zoning regulation 1.8.3 states "Where a lot is created with Agricultural Land Commission approval for severance of a home-site or a lot to be used in lieu, then the regulations of the RR₂ zone will apply." Homesite severances are typically between 0.2ha - 0.4 ha, so would not be subject to the gross floor area maximum (also note previously this is proposed to be changed to RR₃ regulations) This is addressed in Package 2. • Zoning regulation 1.7.1 Non-conforming Agricultural, Urban Residential, or Rural Residential lots less than 0.2 ha., which existed prior to August 10, 1976, shall be developed in accordance with the provisions and regulations of the RU₁, RU₁(c), or RU₁(h) zones which have a

APPENDIX D: TA18-00xx DRAFT PACKAGE 1
Amendments to Zoning Bylaw No. 8000 (Agriculture Plan Recommended)

No.	Section	Existing	Proposed	Explanation
		<p>(e) The minimum rear yard is 10.0 m, except it is 3.0 m for accessory buildings and a carriage house. A carriage house must be located no closer than 4.5 m to the principal dwelling and no further than 10m from the principal dwelling.</p> <p>(f) Notwithstanding subsections 11.1.6(c) to (e), confined livestock areas and/or buildings housing more than 4 animals, or used for the processing of animal products or for agricultural and garden stands, shall not be located any closer than 15.0 m from any lot line, except where the lot line borders a residential zone, in which case the area, building or stand shall not be located any closer than 30.0 m from the lot line.</p>	<p>areas and/or buildings housing more than 4 animals, or used for the processing of animal products or for agricultural and garden stands, shall not be located any closer than 15.0 m from any lot line, except where the lot line borders a residential zone, in which case the area, building or stand shall not be located any closer than 30.0 m from the lot line.</p>	<p>maximum site coverage of 40% and together with driveways and parking not to exceed 50%.</p> <ul style="list-style-type: none"> ALC has a regulation that any parcel less than 2 acres PRIOR to the ALR being formed in 1972, the ALC/ALR Regulations do not apply. <p>All references to carriage house have been removed as per above based on Agriculture Plan Recommendation 1.3d: "Remove "carriage house" as a permitted use within the A1 zone.")</p>
	<p>Replace 11.1.7 Other Regulations</p> <p>Replace section</p>	<p>(a) Notwithstanding subsection 11.1.4(b), when a home based business, rural involves the cutting and wrapping of wild game or any meat, the lot must have a minimum lot area greater than 0.33 ha.</p>	<p>(a) When a home based business, rural involves the cutting and wrapping of wild game or any meat, the lot must have a minimum lot area greater than 0.33 ha.</p> <p>(b) Major animal clinics or kennels and stables shall not be located on parcels less than 2.0 ha.</p>	<p>For (a) removed "notwithstanding subsection 11.1.4(b), as the reference is no longer applicable.</p> <p>Removed all references to carriage house (as it is proposed to be removed as a use above) which helps achieve "Agriculture Plan Recommendation 1.3d: "Remove</p>

APPENDIX D: TA18-00xx DRAFT PACKAGE 1
Amendments to Zoning Bylaw No. 8000 (Agriculture Plan Recommended)

No.	Section	Existing	Proposed	Explanation
		<p>(b) Major animal clinics or kennels and stables shall not be located on parcels less than 2.0 ha.</p> <p>(c) Agricultural and garden stands selling only produce grown on the site or another site operated by the same producer do not have a maximum area. The maximum gross floor area of stands selling produce that is produced off-site shall be 50.0 m². For sites within the Agricultural Land Reserve, the maximum gross floor area of agricultural and garden sales for produce produced off-site or off-farm products shall be the lesser of one-third of the total floor area of the agricultural and garden sales stand or 100.0 m².</p> <p>(d) In addition to the regulations listed above, other regulations may apply, including, but not limited to, other sections of this Zoning Bylaw, and any applicable regulations or requirements of the Land Reserve Commission.</p>	<p>(c) Agricultural and garden stands selling only produce grown on the site or another site operated by the same producer do not have a maximum area. The maximum gross floor area of stands selling produce that is produced off-site shall be 50.0 m². For sites within the Agricultural Land Reserve, the maximum gross floor area of agricultural and garden sales for produce produced off-site or off-farm products shall be the lesser of one-third of the total floor area of the agricultural and garden sales stand or 100.0 m².</p> <p>(d) In addition to the regulations listed above, other regulations may apply, including, but not limited to, other sections of this Zoning Bylaw, and any applicable regulations or requirements of the Land Reserve Commission.</p> <p>(e) Outside storage of recreational vehicles is not permitted, other than two (2) recreational vehicles that are registered to the property owner.</p> <p>(f) Intensive Agriculture uses shall be located only within those areas designated for Intensive Agricultural</p>	<p>"carriage house" as a permitted use within the A1 zone."</p> <p>Agriculture Plan recommendation 1.3c "Require that mobile homes on farmland be occupied by the owner's immediate family, be located on a non-permanent foundation without basement excavation, and be removed from the property within 90 days when no longer occupied. The site must be restored to a condition suitable for agricultural use following removal of the mobile home." This also complies with ALC Regulation and Policy L-08 (October 2016) and</p>

APPENDIX D: TA18-00xx DRAFT PACKAGE 1
Amendments to Zoning Bylaw No. 8000 (Agriculture Plan Recommended)

No.	Section	Existing	Proposed	Explanation
		<p>(e) A "c" notation shown on Schedule "A" as part of the identified zone classification indicates that a secondary use in the form of a carriage house is permitted on the properties so designated, subject to meeting the conditions of use of the zone. A "c" zoning classification on a property shall be established by rezoning the subject property to the "c" version of parent zone.</p> <p>(f) Outside storage of recreational vehicles is not permitted, other than two (2) recreational vehicles that are registered to the property owner.</p> <p>(g) A carriage house must not be closer than 3.0m to an existing principal building.</p> <p>(h) Intensive Agriculture uses shall be located only within those areas designated for Intensive Agricultural Use in accordance with Schedule "A" attached to this Bylaw.</p> <p>(i) A mobile home may be considered a carriage house only</p>	<p>Use in accordance with Schedule "A" attached to this Bylaw.</p> <p>(g) Bed and breakfast homes or group homes, minor in combination with a secondary suite shall not be located on parcels less than 2.0 ha in size.</p> <p>(h) Mobile home for immediate family, where permitted, must be located on a non-permanent foundation without basement excavation. When no longer occupied, the mobile home must be removed from the lot within 90 days and the site must be restored to a condition suitable for agricultural use.</p>	

APPENDIX D: TA18-00xx DRAFT PACKAGE 1
Amendments to Zoning Bylaw No. 8000 *(Agriculture Plan Recommended)*

No.	Section	Existing	Proposed	Explanation
		<p>in an A1c – Agricultural 1 with Carriage House zone.</p> <p>(j) Bed and breakfast homes or group homes, minor in combination with a secondary suite shall not be located on parcels less than 2.0 ha in size.</p>		

Appendix E: Agricultural Residential Footprint Policy Examples in BC

Local Government	Farm Residential Footprint Provisions	Notes on Residential Footprint
Corporation of Delta ¹	<ul style="list-style-type: none"> • 3,600m² for one farm house • 5,000m² for one farm house and one additional farm house. 	Less restrictive, but developed prior to Minister's Bylaw Standard
District of Kent ²	<ul style="list-style-type: none"> • 2,023m² maximum • Additional 506 m² allowed to accommodate home occupation and/or farm employee residence. 	Consistent with Minister's Bylaw Standard. The farm residence, farm employee residence, home occupation, and all accessory residential facilities must be located within the home plate.
Squamish-Lilloet RD - Area D (Squamish Valley) ³	<ul style="list-style-type: none"> • 2,000m² maximum • additional 500m² allowed to accommodate a farm employee residence or TFWH 	Consistent with Minister's Bylaw Standard. Breweries, cideries, distilleries and wineries must be within the Footprint.
City of Port Coquitlam ⁴	<ul style="list-style-type: none"> • 10% of lot area up to a maximum of 2,000m² 	More restrictive than Minister's Bylaw Standard on lots < 2ha
City of Richmond ⁵	<ul style="list-style-type: none"> • Lots < 0.2ha 50% of lot area • Lots 0.2 - 1 ha 1,000m² • Lots > 1 ha 10% of lot to a max. of 2,000m² 	More restrictive than the Minister's Bylaw Standard on small lots.
City of Maple Ridge Zoning Bylaw ⁶	<ul style="list-style-type: none"> • 0.2ha maximum 	Residential Footprint area consistent with Standard.
City of Surrey	<ul style="list-style-type: none"> • Maximum of 2,000m²; • 1,000m² for each additional permitted farm residence on lots > 4 ha 	Consistent with Minister's Bylaw Standard.
District of Summerland ⁷	<ul style="list-style-type: none"> • 905m² • Maximum Farm Home Plate with a Temporary and/or Additional Dwelling for Farm Help – 1,500m². 	More restrictive than the Minister's Bylaw Standard
City of Abbotsford ⁸	Currently reassessing policies through AgRefresh Initiative	
Township of Langley ⁹	In discussions with Ministry of Agriculture on bylaw amendments	

¹ Corporation of Delta, 2016. Zoning Regulations Bylaw 2750 – Part V A1 Zone Agriculture

² District of Kent, 2016. Zoning Bylaw No. 1219, 2001. Part 7.14 Farm Home Plate and Farm Employee Residence - Siting and Floor Area Requirements

³ Squamish Lilloet Regional District, 2016. Squamish Lilloet Regional District Area D Zoning Bylaw No. 1350-2016 Section 6.1.3 Regulations

⁴ City of Port Coquitlam, 2107. Bylaw No. 3630 – Zoning Bylaw – Agricultural Zones Section 1.4 Regulations

⁵ City of Richmond, Dec. 13, 2017. Zoning Bylaw 8500 - Section 14. Agriculture and Golf Zones

⁶ City of Maple Ridge, Nov. 2017. City of Maple Ridge Bylaw No 3510 – 1985 Zoning. Section 402 Regulations for Permitted Uses of Land, Buildings & Structures. (7298-2016) (15) Farm Home Plate.

⁷ District of Summerland, 2017. 2000 – Schedule A Zoning Bylaw no. 2000-450

⁸ City of Abbotsford, Jan 2018. AGREFRESH, www.abbotsford.ca

⁹ Personnel Communication, Jan. 9, 2018, J. Chu, Planner, Township of Langley

COMMITTEE REPORT



Date: January 25, 2018

RIM No. 1210-20

To: Agricultural Advisory Committee (AAC)

From: Policy and Planning Department (TG/MS)

Application: Agriculture Plan Policy Implementation **Applicant:** City of Kelowna

Subject: Agriculture Plan Policy Implementation and Housekeeping – Package 2 Draft
Comprehensive Amendments to the Official Community Plan and Zoning Bylaw

1.0 Purpose

To obtain the Agricultural Advisory Committee’s recommendation on the proposed amendments and corresponding public engagement for updates to Bylaw No. 10500, Kelowna 2030 Official Community Plan and Bylaw No. 8000, Zoning Bylaw as per the recommendations that required further investigation presented in the Agriculture Plan, endorsed by Council in August, 2017.

2.0 Proposal

2.1 Background

Fifty-five percent of the Kelowna’s land base is zoned for agriculture (38 per cent of the land base is in the Agriculture Land Reserve). This land is often at risk as it tends to be flat, affordable, geographically appealing and often well located, making it attractive for urban development.

Council has identified a priority to “preserve agricultural land”, a sentiment that is echoed strongly by the public.¹ The updated Agriculture Plan, endorsed by Council in August 2017, has a vision that “*Kelowna is a resilient, diverse, and innovative agricultural community that celebrates farming and values farmland and food producers as integral to our healthy food system, economy and culture.*” The Agriculture Plan provides a series of policy recommendations, that when implemented will help achieve Council’s priority in addition to promoting and celebrating the vital role of agriculture in Kelowna today, and for decades to come.

Two packages of bylaw amendments are being proposed that ensure the Agriculture Plan is influencing policy and regulations in a meaningful and impactful way that advances the vision of agriculture for our community. This package proposes amendments to address the Agriculture Plan recommendations of ensuring “compliance with provincial standards”, “investigate adopting an a maximum home total floor area,” as well as a number of housekeeping amendments recommendations. This package is being

¹ A June 2016 survey, part of the development of Kelowna’s Agriculture Plan, showed that 95% of 563 respondents felt that policies to preserve farmland were important or very important. Note: these results are qualitative in nature as the survey was not a statistically valid random sample of all Kelowna citizens.

proposed concurrently to another package of amendments that are based on Agriculture Plan policy recommendations that provided clear, concise direction.

2.2 Propopsed Amendments:

In addition to some general housekeeping amendments, the series of proposed policy changes presented in this package are based primarily on three recommendations of the 2017 Agriculture Plan:

Ag Plan Reference ID	Recommendation
1.3a	Review and amend the A1 zone to ensure compliance with Provincial standards and objectives of the Agriculture Plan update.
1.3b	Investigate adopting a maximum home (principal dwelling) total floor area within the A1 zone based on Ministry of Agriculture guidelines, and other zones that may also be in the ALR.
1.3f	Update the Zoning Bylaw to reflect the vegetative buffer specifications as outlined in <i>Edge Planning White Paper</i> (see Appendix F).

The goals of the proposed amendments to the OCP and Zoning Bylaw are to strengthen the preservation of farmland, limit non-agricultural development, and minimize conflicts for farming areas. Further, the proposed amendments align with provincial standards, as Kelowna is one of four Farm Bylaw communities in the province and any amendments that may impact agriculture must be approved by the Minister of Agriculture prior to final adoption.

The proposed amendments seek to achieve:

Goal	Proposed Amendments	Policy
Ensure compliance between the A1 zone and provincial standards	<p>Zoning Bylaw Amendments</p> <ul style="list-style-type: none"> New land use definitions to align with the ALC including: Farm Retail Sales Stands (replacing Agricultural and Garden Stands), Immediate Family and Meaderies. Update Greenhouses and Plant Nurseries accessory use size requirements (from 400 m² maximum to 150 m² maximum) Replace the single Kennels and Stables definition with two separate definitions as the first is a permitted non-farm use and the second is a permitted farm use. Addition of stables as a principal use in the A1 zone, as they are a permitted farm use. Revised secondary uses for ALR properties to align with ALC approved uses, and introduce language for secondary uses for non-ALR properties. Introduce a table of development regulations to provide clarity and to update requirements to align with provincial regulations. 	<p>Section 2.3.3</p> <p>Section 11.1.7</p> <p>Section 2.3.3</p> <p>Section 11.1.2</p> <p>Section 11.2.3</p> <p>Section 11.1.6</p>
Address challenge of increasing farm land due to high capital inputs	<p>Zoning Bylaw Amendment</p> <ul style="list-style-type: none"> Introduce a maximum gross floor area (500 m²) based on Ministry of Agriculture Guide for Bylaw Development in Farming Areas (plus additional 300 m² for mobile home for immediate family). 	<p>Section 11.1.6</p>

Provide clarity on existing regulations	<p>OCP Farm Protection DP Guidelines</p> <ul style="list-style-type: none"> • Provide clarity when a Farm Protection DP is required. <p>Zoning Bylaw Amendments</p> <ul style="list-style-type: none"> • Revised definition for Agriculture, agricultural structures, farm retail sales stands, greenhouses and plant nurseries, and immediate family. 	<p>Chapter 15.1</p> <p>Section 2.3.3</p>
Limit conflicts with agriculture	<p>OCP Farm Protection DP Amendments</p> <ul style="list-style-type: none"> • Updates to landscape buffer requirements to align with proposed Zoning Bylaw landscape amendments. <p>Zoning Bylaw Amendments</p> <ul style="list-style-type: none"> • Revise landscape buffer requirements for land abutting ALR in accordance with Ministry of Agriculture Edge Planning Guidelines. 	<p>Chapter 15 Guideline 1.3</p> <p>Section 7.6.1 Table 7.1 Table 7.2</p>
Ensure consistency with proposed amendments in Package 1	<p>OCP Farm Protection DP Amendments</p> <ul style="list-style-type: none"> • Replace “agricultural and garden stands” with “farm retail sales stands” <p>Zoning Bylaw Amendments</p> <ul style="list-style-type: none"> • Revise 1.8.3 for home site severance lots to align with proposed footprint policies (30 % site coverage for lots under 0.4 ha). 	<p>Chapter 15.2</p> <p>Section 1.8.3</p>

Notably, two of the proposed amendments, house size and landscape buffers, address issues that many communities have been grappling with across the province. They address common challenges of increasing costs of farmland due to high cost capital inputs and urban-rural interface conflicts with agriculture. Both proposed amendments are discussed further below.

1. Home Size

Housing plays an important role on agriculture land, allowing farmers and their families to live on the farm and conveniently manage the farm operation. It has been found that house size has an impact on the overall value of a farm property, and the larger more expensive dwellings can increase the per acre value of farmland, increasing the costs for farmers as illustrated in sample real estate listings from fall, 2017:

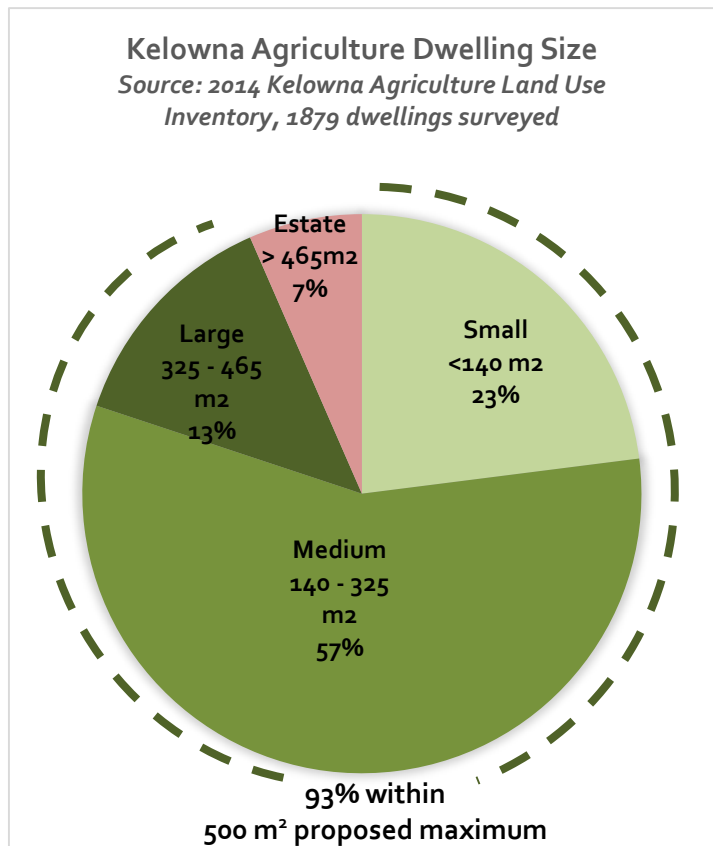
Property	Parcel Size	Existing Home Size <i>(proposed 500 m²)</i>	MLS Price
Hart Road	11.3 acres (4.5 ha)	858 m ² (9,238 ft ²)	\$5,500,000
Belgo Road	17.9 acres (7.2 ha)	662 m ² (7,127 ft ²)	\$2,995,000
Lakeshore Rd.	17.8 acres (7.2 ha)	1021 m ² (11,000ft ²)	\$13,995,000
East Kelowna Rd.	20 acres (8.1 ha)	606 m ² (6,533 ft ²)	\$4,650,000
Water Rd.	14.5 acres (5.9 ha)	929 m ² (10,000 ft ²)	\$5,585,000
KLO Rd	35 acres (14.2 ha)	552 m ² (5,940 ft ²)	\$6,800,000
Casorso Rd	9.2 acres (3.7 ha)	929 m ² (10,000 ft ²)	\$12,998,000

Note: prices will be influenced by size and design of home on property as well as the residential footprint which includes landscaping, pools, tennis courts, and driveways.

Gross floor area is defined as the total floor area of the **building** or **structure** contained within the exterior and **basement** walls. The Agriculture Plan recommends investigating adopting a maximum gross floor area consistent with the provincial “Guide for Bylaw Development in Farming Areas” of 500m² for each principal residence plus 300m² for a mobile home for immediate family where permitted.

The 2014 provincial Agriculture Land Use Inventory for Kelowna, showed that of the 1879 residences surveyed on ALR parcels, 93 per cent are within the 500m² proposed maximum. The trend between 2007 and 2014, is for a larger portion of homes to be built to “estate size” (i.e. greater than 500m²). During this period, 31 per cent of dwellings constructed on ALR land were greater than 500m² (5380 square feet).

To satisfy some of the desire for building an estate type home in a pastoral setting, it is being proposed that gross floor area does not apply on A1 lots less than 0.4ha (1 acre). Examining the Agriculture Land Use Inventory found that of the 296 ALR properties less than 1 acre, only seven per cent (21 properties) are farmed. Further, with allowances for site coverage for the residence, very little of most of these properties would be available for farming.



Of ten BC municipalities surveyed (See Appendix C: Agriculture Home Size Policies in BC), six have maximum home size regulations within their zoning bylaws, and two are in discussions with the Ministry of Agriculture on the topic. When comparing the six communities to the Ministry of Agriculture guidelines of 500m², one aligns (Port Coquitlam), three communities are more restrictive (Delta, Kent, Squamish-Lillooet) and 2 allow for a larger house size (Maple Ridge allows up to 650m² and Richmond allows up to 1,000m² on properties over 0.2ha).

2. Landscape Buffers

With urban land uses intensifying, the urban-rural interface is an area of possible land use conflict if not effectively managed, potentially straining relationships between farm and non-farm neighbours. A landscape buffer minimizes the effects of normal farm practices on urban activities through visual and spatial separation. The buffer provides benefits to non-agricultural parcels by

protecting from dust and noise while also creating a barrier from agricultural spray practices. The landscape buffer also provides protection to the agricultural parcel by creating a physical barrier to agricultural practices as well as providing an appropriate transition between urban and farming areas.

The Agriculture Plan recommended to “update the Zoning Bylaw to reflect the vegetative buffer specifications as outlined in the Edge Planning White Paper.” The buffer specifications presented in the Agriculture Plan have been refined in response to the Ministry of Agriculture’s Guide to Edge Planning and in response to potential scenarios on agricultural lands in and outside of the ALR.

Different amendments are proposed in the OCP Farm Protection DP Guidelines and the Zoning Bylaw Landscape Buffer Treatment Levels to address buffers both on the urban-side of agriculture as well as on the farm-side, where residences and non-farm uses exist.

a) Urban-Side Buffers

Updating the landscape buffers for those urban properties adjacent to agricultural land helps to minimize conflict, protect farmland from urban encroachment, and promotes more sustainable urban design.

The Zoning Bylaw currently requires a Level 5 landscape buffer for all land abutting the ALR on the urban side of the property. The current requirement is for a 3.0 meter wide vegetated buffer and a fence, in addition to the required setback of the zone. Taking guidance from the Ministry of Agriculture’s Edge Planning Guidelines, the proposed amendments for properties adjacent to ALR land include wider buffers (except for existing residential lots) plus the existing required setback of the zone . Further, this also specifies a minimum distance that a structure may be to the ALR boundary.

b) Farm-side buffers

Updating buffers on farmland (specifically for residential and non-farm uses) provides a barrier from agricultural sprays and practices for those residing on or visiting the farm. A 3.0 meter buffer is proposed around the residential or non-farm uses only. Farm uses and farm buildings would be unaffected.

2.3 Next Steps

The next steps towards adopting the proposed amendments will be influenced by the discussion with the Agricultural Advisory Committee. It is anticipated that the following will be undertaken:

- Circulation of the proposed amendments to major stakeholders including BC Fruit Growers Association, Central Okanagan Food Policy Council, Ministry of Transportation and Infrastructure, Improvement Districts, Interior Health, and Urban Development Institute.
- Engagement could include things such as a survey, farmer conversation and/or open house.
- Refinement of the proposed amendments based on input.

It is expected that the above will be completed and the draft amendments will be presented to Council for first reading this spring.

2.4 Conclusion

Collectively, these policy recommendations express a commitment to the preservation and strengthening of farmland with the aim of:

- limiting non-agricultural development within the agricultural landscape and development controls that support the agricultural industry;
- Minimizing conflicts between producers and non-producers;
- Proactively using and managing farmland for agriculture; and
- Providing efficiency and transparency, and ease of understanding of development regulations, with the goal of reducing work load volume and bylaw infractions.

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Approved for Inclusion:

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Attachments:

- Appendix A: Draft Package 2 – Proposed Agriculture Zone – Phase II Comprehensive Amendments
- Appendix B: Agriculture Plan Implementation Proposed Official Community Plan Amendments
- Appendix C: Agriculture Plan Implementation Proposed Zoning Bylaw Amendments
- Appendix D: House Examples from BC

Section 11 – Agricultural Zones

11.1 A1 – Agriculture 1

11.1.1 Purpose

The purpose is to provide a zone for rural areas and agricultural uses as well as other complementary **uses** suitable in an agricultural setting. A maximum of one single **dwelling** house is permitted. In addition, a **secondary suite** may be permitted when in accordance with relevant provisions of this bylaw including subsection 6.5 and 9.5.

11.1.2 Principal Uses

The **principal uses** in this zone are:

- (a) **agriculture**
- (b) **aquaculture**
- (c) **greenhouses and plant nurseries**
- (d) **intensive agriculture**
- (e) **single dwelling housing**
- (f) **stables**
- (g) **utility services, minor impact**

11.1.3 Secondary Uses

The **secondary uses** in this zone for lots within the **Agriculture Land Reserve** are:

- (a) **agri-tourism**
- (b) **bed and breakfast homes**
- (c) **breweries and distilleries, major**
- (d) **breweries and distilleries, minor**
- (e) **child care centre, minor**
- (f) **farm retail sales stands**
- (g) **forestry**
- (h) **group homes, minor**
- (i) **home based businesses, major**
- (j) **home based businesses, minor**
- (k) **home based businesses, rural**
- (l) **kennels**
- (m) **meadery**
- (n) **mobile home for immediate family**
- (o) **on-farm processing**
- (p) **secondary suite**
- (q) **temporary farm worker housing**
- (r) **wineries and cideries**

The **secondary uses** in this zone for lots outside of the **Agriculture Land Reserve** are:

- (a) **agri-tourism**
- (b) **animal clinics, major**
- (c) **animal clinics, minor**
- (d) **bed and breakfast homes**
- (f) **child care centre, minor**
- (g) **group homes, minor**
- (h) **home based businesses, major**
- (i) **home based businesses, minor**
- (j) **home based businesses, rural**
- (k) **kennels**
- (l) **secondary suite**
- (m) **temporary farm worker housing**

11.1.4 Buildings and Structures Permitted

- (a) one **single detached house** (which may contain a **secondary suite**);
- (b) one **mobile home for immediate family**;
- (c) permitted accessory buildings or structures;
- (d) only one secondary dwelling unit is permitted (e.g. secondary suite or **mobile home for immediate family**, notwithstanding 11.1.4(e)).
- (e) **TFWH** may be in one of the following structure types:
 - (i) Existing **structure** with a Building Permit that was approved at least 2 years prior to **TFWH** application, to be converted into **TFWH**, on the parcel within the **farm unit**.
 - (ii) New **TFWH** must be in temporary **structures** on non-permanent foundations, such that it is designed to be removed by a truck or vehicle. Concrete pads or foundations are not permitted.

11.1.5 Subdivision Regulations

- (a) The minimum **lot width** is 40.0 m.
- (b) The minimum **lot area** is 4.0 ha except the minimum **lot area**.

11.1.6 Development Regulations

- (a) *Development regulations vary depending upon the use as indicated in Table 11.1.*
- (b) *For lots 0.4 ha and greater, a maximum **residential footprint** applies. The maximum **residential footprint** is 2,000 m². The residential footprint size may be increased by up to 1,000 m² for each **mobile home for immediate family** where permitted.*
- (c) *Notwithstanding subsections 11.1.6(a), **confined livestock areas** and/or **buildings** housing more than 4 animals, or used for the processing of animal products, shall not be located any closer than 15.0 m from any **lot line**, except where the **lot line** borders a **residential zone**, in which case it shall not be located any closer than 30.0 m from the **lot line**.*

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

Table 11.1 to accompany section 11.1.6 Development Regulations

Use	Gross Floor Area	Front Yard and Flanking Street	Side Yard	Rear Yard	Site Coverage	Height
Single detached housing on lots less than 0.4 ha, unless section 1.7.1 applies	N/A	6.0 m	3.0 m	10.0 m	30%	9.5 m
Single detached housing on lots 0.4 ha or greater ^a	500 m ²	6.0 m	3.0 m	10.0 m	Must be included in Farm Residential Footprint	9.5 m
Accessory Buildings or Structures (including Garage / Carport)	130 m ²	6.0 m	3.0 m	3.0 m	Must be included in Farm Residential Footprint	6.0 m
Mobile Home for Immediate Family, where permitted (ALR only)	300 m ² , maximum 9 m wide	6.0 m	3.0 m	10.0 m	Must be included in Farm Residential Footprint	4.8 m
Agricultural Structures	N/A	4.5 m	3.0 m	3.0 m	35%	16.0 m
Greenhouses and Plant Nurseries, with closed wastewater and storm water management systems	N/A	6.0 m	3.0 m	3.0 m	75%	16.0 m
Farm Retail Sales Stands ^b	300 m ² ^d	6.0 m ^f	3.0 m	3.0 m	35%	6.0 m
Kennel	500 m ²	6.0 m	6.0 m	10.0 m	Building Footprint not to exceed 250m ²	16.0 m
Stables ^b	N/A	15.0 m	15.0 m	15.0 m	35%	16.0 m
Wineries and Cideries, Breweries and Distilleries, and Meaderies processing facility, ^b	b	6.0 m	3.0 m	3.0 m	35%	9.5 m
Wineries and Cideries, Breweries and Distilleries, and Meaderies, tasting facility or lounge, ^b	b	6.0 m	6.0 m	10.0 m	35%	9.5 m

- a) The maximum **gross floor area** for a **single detached housing** is 500 sq. m. For the purpose of calculating **gross floor area** in the A1 (A1c/A1t) zone(s), **basements** less than 1.95 in height and attached carports/garages less than 42m² shall be excluded as per the Ministry of Agriculture Guide for Bylaw Development in Farming Areas.¹
- b) In addition to the regulations listed above, other regulations may apply, including, but not limited to, other sections of this Zoning Bylaw, and any applicable regulations or requirements of the **Agricultural Land Commission**.
- c) Maximum combined **site coverage** not to exceed 35% excluding the **residential footprint**. The maximum combined **site coverage** may be increased to 75% for **greenhouses and plant nurseries** with closed wastewater and storm water management systems.
- d) **Farm Retail Sales Stands**, selling only produce grown on the **site** or another **site** operated by the same producer do not have a maximum area. If non-farm products are being sold, then the total area, both indoors and outdoors, used for retail sales of all products must not exceed 300m² and at least 50 per cent of the that retail sales area must be for the sale of farm products produced on the farm.

11.1.7 Other Regulations

- (a) When a **home based business, rural** involves the cutting and wrapping of wild game or any meat, the **lot** must have a minimum **lot area** greater than 0.33 ha.
- (b) **Major animal clinics**, where permitted, **kennels** and **stables** shall not be located on parcels less than 2.0 ha.
- (c) In addition to the regulations listed above, other regulations may apply, including, but not limited to, other sections of this Zoning Bylaw, and any applicable regulations or requirements of the **Agriculture Land Commission**.
- (e) Outside storage of recreational vehicles is not permitted, other than two (2) recreational vehicles that are registered to the property owner.
- (g) **Intensive Agriculture** uses shall be located only within those areas designated for Intensive Agricultural Use in accordance with Schedule "A" attached to this Bylaw.
- (j) **Bed and breakfast homes, minor or group homes, minor** in combination with a **secondary suite** shall not be located on parcels less than 2.0 ha in size.
- (h) **Mobile home for immediate family**, where permitted, must be located on a non-permanent foundation without basement excavation. When no longer occupied, the **mobile home** must be removed from the **lot** within 90 days and the site must be restored to a condition suitable for agricultural use.
- (i) **Greenhouses and Plant Nurseries** may include the accessory sale of landscaping and gardening products and materials such as tools, soil, and fertilizers, provided that this accessory use is limited to 150 m² on the **lot**.

11.1.8 [deleted in its entirety]

11.1.9 Site Specific Uses and Regulations

Uses and regulations apply to the A1 – Agriculture 1 zone on a site specific basis as follows:

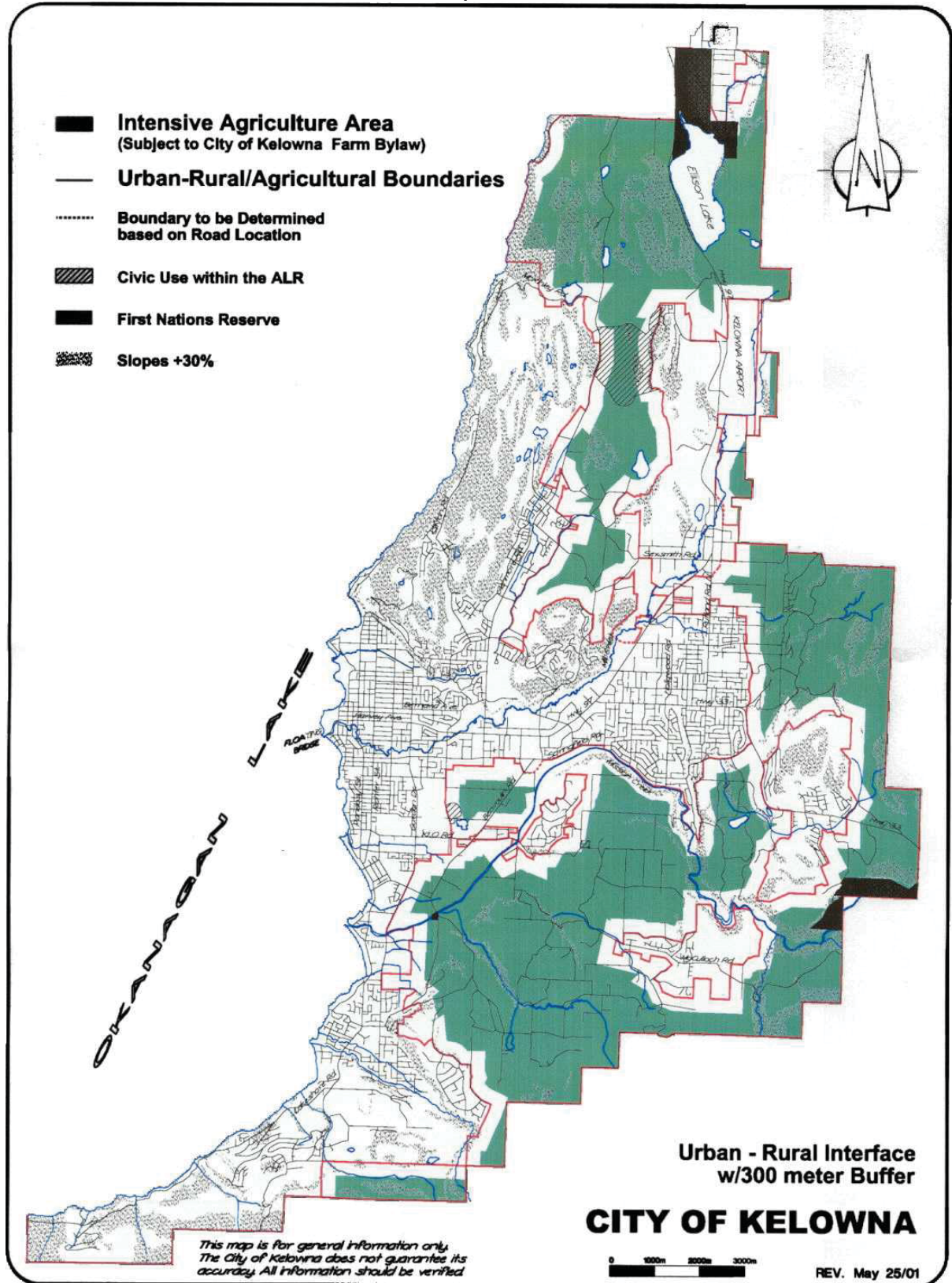
<i>Lot A, Section 24, Township 26, ODYD, Plan EPP7145 located at 700 Hwy 33 E</i>	
food primary establishment	<i>Subject to the restrictions of Agricultural Land Commission (ALC) Resolution #101/2014 for application #53542</i>

11.1.10 Prohibited Uses

The following uses are prohibited in the A1 – Agriculture 1 zone:

- (a) *agri-tourist accommodation*
- (b) *carriage house*

Schedule "A" – Note for a Clearer Image of this Map see "Section 11 – Urban Rural Interface Map"



Section 11 – Agricultural Zone amended as follows:

Section 11.1 – A1 – Agriculture 1/A1 – Agriculture 1 with Secondary Suite – BL8404, BL10269

Sub-Section 11.1.1 – Purpose – BL8760, BL9120, BL11265

Sub-Section 11.1.2 – Principal Uses – BL8760, BL9120, BL11083

Sub-Section 11.1.3 – Secondary Uses – BL8404, BL8654, BL8760, BL8881, BL9120, BL9953, BL10686, BL11440, BL11374

Sub-Section 11.1.4 – Buildings and Structures Permitted – BL9120, BL10686, BL10986, BL11374, BL11369

Sub-Section 11.1.5 – Subdivision Regulations – BL8862

Sub-Section 11.1.6 – Development Regulations – BL8760, BL9003, 8881, 8654, BL10796, BL10986, BL11369

Sub-Section 11.1.7 – Other Regulations – BL8367, BL8404, BL8760, BL10510, BL10269, BL10686, BL10986, BL11265, BL11369

Sub-Section 11.1.8 – Other Regulations – Agri-tourist accommodation – BL10269, BL11188, BL11265

Section 11.2 – A2 – Agriculture Zone – BL8760

APPENDIX B: OCP18 -00xx DRAFT PACKAGE 2
Amendments to Bylaw No. 10500 Housekeeping and Agriculture Plan Recommendations

No.	Section	Existing	Proposed	Explanation
	<p>Chapter 15: Farm Protection DP Guidelines</p> <p>Under "Properties Affected" replace 1)</p>	<p>1) Any development located on Agricultural Lands before:</p> <p>a. Subdivision of land;</p> <p>b. A Building Permit, Soil Permit, or alteration of land associated with the following uses:</p> <p>i. agri-tourism;</p> <p>ii. agri-tourist accommodation;</p> <p>iii. agricultural dwellings, additional;</p> <p>iv. secondary suite (within an accessory building or structure);</p> <p>v. utility services, minor impact;</p> <p>vi. wineries and cideries;</p> <p>vii. greenhouses and plant nurseries;</p> <p>viii. agricultural and garden stands;</p> <p>ix. temporary farm worker housing.</p>	<p>1) Any development located on Agricultural Lands before:</p> <p>a. Subdivision of land;</p> <p>b. A Building Permit, Soil Permit, or alteration of land unless listed in exemptions below.</p>	<p>Housekeeping: The revised policy ensures all non farming related development is reviewed through a Farm DP.</p>
	<p>Chapter 15: Farm Protection DP Guidelines</p> <p>Under "Exemptions" replace "Agricultural and garden stands" with "farm retail sales stands"</p>	<p>Agricultural and garden stands where all of the farm products offered for sale are produced on the farm on which the retail sales are taking place; or</p>	<p>Farm retail sales stands where all of the farm products offered for sale are produced on the farm on which the retail sales are taking place; or</p>	<p>Consistency with the name change proposed in the zoning bylaw that aligns with Agriculture Land Commission regulation.</p>
	<p>Chapter 15: Farm Protection DP Guidelines</p>		<p>Agricultural structures used exclusively for agriculture or intensive impact agriculture.</p>	<p>Provides clarity to when a Farm DP is required.</p>

APPENDIX B: OCP18 -00xx DRAFT PACKAGE 2
Amendments to Bylaw No. 10500 Housekeeping and Agriculture Plan Recommendations

No.	Section	Existing	Proposed	Explanation
	Under "Exemptions" add a bullet			
	Chapter 15 – Farm Protection Development Permit Guidelines Replace guideline 1.3	<p>1.3 On agricultural and non-agricultural lands, establish and maintain a landscape buffer along the agricultural and/or property boundary, except where development is for a permitted farm use that will not encourage public attendance and does not concern additional residences (including secondary suites), in accordance with the following criteria:</p> <p>1.3.1 Consistent with guidelines provided by Ministry of Agriculture "Guide to Edge Planning" and the ALC report "Landscape Buffer Specifications" or its replacement;</p> <p>1.3.2 Incorporate landscaping that reinforces the character of agricultural lands. A majority of plant material selected should include low maintenance, indigenous vegetation;</p> <p>1.3.3 Preserve all healthy existing mature trees located within the buffer area;</p> <p>1.3.4 Integrate double rows of trees, including coniferous trees, and dense vegetation into the buffer;</p>	<p>1.3 Establish landscape buffers around residential and non-farm uses within and adjacent to agricultural lands, using where appropriate, roads, topographic features, watercourses, ditching, no-build areas, vegetated and fenced barriers, consistent with guidelines provided by Ministry of Agriculture "Guide to Edge Planning".</p>	<p>Agriculture Plan recommendation 1.3f: "Update the Zoning Bylaw to reflect the vegetative buffer specifications as outlined in Edge Planning White Paper."</p> <p>The buffer guidelines are being removed from the Farm Protection Development Permit Guidelines so that they don't conflict with the guidelines established in the Zoning Bylaw.</p> <p>Removed the reference to "Landscape Buffer Specifications" as it has been incorporated in the new edition of the "Guide to Edge Planning".</p>

APPENDIX B: OCP18 -00xx DRAFT PACKAGE 2
Amendments to Bylaw No. 10500 Housekeeping and Agriculture Plan Recommendations

No.	Section	Existing	Proposed	Explanation
		<p>1.3.5 Install and maintain a continuous fence along the edge of agricultural land. A permeable fence which allows for the movement of wildlife (i.e. split rail) in combination with dense and continuous evergreen hedge is preferred. Impermeable fencing will not be permitted;</p> <p>1.3.6 Utilize where appropriate, roads, topographic features, watercourses, ditching, no-build areas, vegetated and fenced barriers as buffers to preserve larger farm units and areas from the gradual encroachment of non-agricultural uses. Where appropriate use statutory covenants to ensure that buffers are established and maintained.</p>		
	<p>Chapter 17 Definitions Replace Agricultural Lands definition</p>	<p>Agricultural Lands Lands considered "agriculture" shall include the following:</p> <ul style="list-style-type: none"> • lands classified as farm by the BC Assessment Authority; • lands less than 30% slope and designated Resource Protection Area in OCP Bylaw 10500 and/or zoned A1 in the Zoning Bylaw; 	<p>Agricultural Lands Lands considered "agriculture" shall include the following:</p> <ul style="list-style-type: none"> • lands classified as farm by the BC Assessment Authority; or • lands less than 30% slope and designated Resource Protection Area in OCP Bylaw 10500 and zoned A1 in the Zoning Bylaw; or 	<p>Providing clarification to the bulleted list to clarify when a Farm Protection DP is required.</p>

APPENDIX B: OCP18 -00xx DRAFT PACKAGE 2
Amendments to Bylaw No. 10500 Housekeeping and Agriculture Plan Recommendations

No.	Section	Existing	Proposed	Explanation
		lands situated in the Agricultural Land Reserve (ALR).	<ul style="list-style-type: none"> • lands situated in the Agricultural Land Reserve (ALR). 	

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
	Replace in Section 1.8.3	Where a lot is created with Agricultural Land Commission approval for severance of a home-site or a lot to be used in lieu, then the regulations of the RR2 zone will apply.	Where a lot is created with Agricultural Land Commission approval for severance of a home-site or a lot to be used in lieu, then the regulations of the RR3 zone will apply.	<p>This proposed policy amendment assumes that the Agriculture Plan Recommendation 1.2a “Adopt Residential Footprint policies of 2,000 m²” was approved in TA18-00xx is approved, and changes proposed build on that amendment.</p> <p>As part of Agriculture Plan Recommendation 1.2a “Adopt Residential Footprint Policies of 2,000m² (0.2ha) within the ALR/A1 zone” properties less than 0.4 ha are proposed to use maximum site coverage of 30%, by updating section 1.8.3 to use RR3 regulations for home site severance properties would then site coverages would be consistent to other A1 properties less than 0.4ha</p>
	Replace in Section 2.3.3 Interpretation	AGRICULTURE means development or use for the primary production of farm products such as dairy products, poultry products, cattle, hogs, sheep or other animals, wheat or other grains, and vegetables, orchards or other field crops. This use is limited to one dwelling , and the processing and marketing of the products of the farm and those off-farm products permitted by the Agricultural Land Commission .	AGRICULTURE means development or use for the primary production of farm products such as dairy products, poultry products, apiculture, cattle, hogs, sheep or other animals, wheat or other grains, and vegetables, fruits, or other field crops.	<p>Housekeeping – revising definition for clarification as:</p> <ul style="list-style-type: none"> • Dwelling use is listed as a principal use • Under 11.1.4 Building and Structures Permitted, clarifies the number of dwellings allowed. • Processing and retail sales marketing are proposed as permitted secondary uses specified in the A1 Zone

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
	Remove in Section 2.3.3 Interpretation	AGRICULTURAL AND GARDEN STANDS means those accessory buildings and structures for retailing agricultural products on a farm.		Housekeeping / Agriculture Plan Recommendation 1.3a "Review and amend the A1 zone to ensure compliance with Provincial standards and objectives of the Agriculture Plan update." Agricultural and Garden Stands is not a term used in ALR/ALC regulation. Propose to update term to Farm Retail Sales Stands Sales Stands to match the term used in the ALR Regulation.
	Replace in Section 2.3.3 Interpretation	AGRICULTURAL STRUCTURES are those buildings or structures used for agriculture or intensive impact agriculture .	AGRICULTURAL STRUCTURES are those buildings or structures used for agriculture or intensive impact agriculture , but does not include buildings or structures for wineries and cideries, breweries and distilleries, meaderies, home based business (rural), kennels or farm retail sales stands .	Housekeeping: Providing clarification to what is included as an "agricultural structure" but excludes other specific definitions.
	Add to section 2.3.3 Interpretation		FARM RETAIL SALES STANDS, means those accessory buildings and structures for retailing agricultural products on a farm as permitted by the ALR Regulation, as it may change from time to time.	Housekeeping / Agriculture Plan Recommendation 1.3a "Review and amend the A1 zone to ensure compliance with Provincial standards and objectives of the Agriculture Plan update." Agricultural and Garden Stands is not a term used in ALR/ALC regulation. Propose to update term to Farm Retail Sales Stands Sales Stands to match the term used in the ALR Regulation.

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
	Replace all instances in the Zoning Bylaw	Agricultural and Garden Stands	Farm Retail Sales Stands	Housekeeping / Agriculture Plan Recommendation 1.3a "Review and amend the A1 zone to ensure compliance with Provincial standards and objectives of the Agriculture Plan update." Agricultural and Garden Stands is not a term used in ALR/ALC regulation. Propose to update term to Farm Retail Sales Stands Sales Stands to match the term used in the ALR Regulation.
	Replace in Section 2.3.3 Interpretation	GREENHOUSES AND PLANT NURSERIES means development used primarily for the cultivation, storage and sale of produce, bedding, household and ornamental plants, trees, bushes, sod and related materials and may include the accessory sale of landscaping and gardening products and materials such as tools, soil, and fertilizers, provided that this accessory use is limited to 400 m ² on the lot . This use does not include landscaping, excavating or soil processing businesses or operations.	GREENHOUSES AND PLANT NURSERIES means development used primarily for the cultivation, storage and sale of produce, bedding, household and ornamental plants, trees, bushes, sod and related materials and may include the accessory sale of landscaping and gardening products and materials such as tools, soil, and fertilizers. This use does not include landscaping, excavating or soil processing businesses or operations.	Housekeeping / Agriculture Plan Recommendation 1.3a "Review and amend the A1 zone to ensure compliance with Provincial standards and objectives of the Agriculture Plan update." Removed the "provided that this accessory use is limited to 400 m2 on the lot" from the definition and updated the number to conform with the ALR regulation of 150 m2 and proposed to include as part of 11.1.7 other regulations.
	Addition in Section 2.3.3 Interpretation		IMMEDIATE FAMILY means, with respect to an owner, the owner's (a) parents, grandparents and great grandparents,	Housekeeping: Addition of definition for clarification and consistency with requirements of

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
			(b) spouse, parents of spouse and stepparents of spouse, (c) brothers and sisters, and (d) children or stepchildren, grandchildren and great grandchildren.	the ALC Regulation with respect to family use for mobile homes on ALR properties.
	Addition to Section 2.3.3 Interpretation		MEADERIES means a meadery, as applicable, that is licensed under the <i>Liquor Control and Licensing Act</i> to produce mead.	Housekeeping / Agriculture Plan Recommendation 1.3a "Review and amend the A1 zone to ensure compliance with Provincial standards and objectives of the Agriculture Plan update." To create a definition to meaderies and add as permitted farm use in the ALR per Order in Council 771/2015 Amendments to BC Regulation 171/2002 (June 15, 2015)
	Remove from Section 2.3.3 Interpretation	KENNELS AND STABLES means premises used for the breeding, buying, selling or overnight boarding of animals including individual dogs, cats, horses or other domesticated animals excluding livestock other than horses.		Housekeeping / Agriculture Plan Recommendation 1.3a "Review and amend the A1 zone to ensure compliance with Provincial standards and objectives of the Agriculture Plan update." Separating kennels and stables as two separate definitions as stables are a permitted farm use in the ALR Regulation, but kennels are a permitted non-farm use.
	Addition to Section 2.3.3 Interpretation		KENNELS means building used for the breeding, buying, selling or overnight boarding of animals	Housekeeping / Agriculture Plan Recommendation 1.3a "Review and amend the A1 zone to ensure

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
			including individual dogs, cats, or other domesticated animals excluding livestock and horses.	<p>compliance with Provincial standards and objectives of the Agriculture Plan update.”</p> <p>Separating kennels and stables as two separate definitions as stables are a permitted farm use in the ALR Regulation, but kennels are a permitted non-farm use.</p>
	Addition in Section 2.3.3. Interpretation		STABLES means building with a maximum of 40 permanent stalls used for horse riding, training and boarding.	<p>Housekeeping / Agriculture Plan Recommendation 1.3a “Review and amend the A1 zone to ensure compliance with Provincial standards and objectives of the Agriculture Plan update.”</p> <p>Separating kennels and stables as two separate definitions as stables are a permitted farm use in the ALR Regulation, but kennels are a permitted non-farm use.</p>
	Replace 7.6.(b)	Level 2: a minimum 3.0m landscape buffer is required to separate uses from adjacent properties and will consist of a vegetative buffer where no continuous opaque barrier is required.	Level 2: a minimum 3.0m landscape buffer is required to separate uses from adjacent properties and will consist of a vegetative buffer where no continuous opaque barrier is required. For properties zoned agriculture only, the Level 2 buffer is required for those portions of the lot used for residential and non-farm uses , between those	<p>Agriculture Plan recommendation 1.3f “Update the Zoning Bylaw to reflect the vegetative buffer specifications as outlined in Edge Planning White Paper”.</p> <p>To require a 3m vegetated buffer between residential and other non-farm uses and adjacent properties zoned for agriculture.</p>

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
			uses and adjacent properties zoned for agriculture.	
	Replace 7.6.1(e)	Level 5: a landscape buffer is required for all land abutting ALR land where non-farm uses exist. The minimum buffer shall be 3.0m wide and include an opaque barrier immediately adjacent to the boundary(s) abutting the ALR on the urban side of the property. This standard may be replaced or modified as a result of conditions of a decision by the Agricultural Land Commission . The buffer area shall be in addition to the required setback for Rural and Urban Residential zones.	Level 5: A landscape buffer is required for all land abutting ALR , as outlined in Table 7.2. This standard may be replaced or modified as a result of conditions of a decision by the Agricultural Land Commission . The landscape buffer area shall be in addition to the required setback specified for the zone.	Agriculture Plan recommendation 1.3f "Update the Zoning Bylaw to reflect the vegetative buffer specifications as outlined in Edge Planning White Paper". A new table (7.2) is proposed below for Section 7 and outlines the specific requirements for buffers adjacent to agricultural land.
	Replace Table 7.1 Row 1	All properties abutting Agricultural Land Commission	All lots abutting the Agricultural Land Reserve excluding those zoned for agriculture.	Agriculture Plan recommendation 1.3f "Update the Zoning Bylaw to reflect the vegetative buffer specifications as outlined in Edge Planning White Paper". A new table (7.2) is proposed below for Section 7 and outlines the specific requirements for buffers abutting agricultural land.
	Replace Table 7.1 Row 3	A1, A1s	A1	Housekeeping: A1s is no longer used in the Zoning Bylaw.
	Replace Table 7.1 Row 3	Front: 1/ Rear Yard: 1/ Side Yard: 1	Front: 2/ Rear Yard: 2/ Side Yard: 2	Agriculture Plan recommendation 1.3f "Update the Zoning Bylaw to reflect the vegetative buffer specifications as

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
				<p>outlined in Edge Planning White Paper".</p> <p>To accommodate a 3m landscape buffer around residential and non-farm uses as a minimum in the A1 zone.</p>
	Insert Table 7.2		<p>Table 7.2 Minimum buffers for non-ALR lots abutting the ALR^a</p>	<p>Agriculture Plan recommendation 1.3f "Update the Zoning Bylaw to reflect the vegetative buffer specifications as outlined in Edge Planning White Paper".</p> <p>The recommended buffers in the table have been updated from the Agriculture Plan to more accurately align with the Ministry of Agriculture Guide for Bylaw Development in Farming Areas.</p>

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

Table 7.2

Minimum buffers for non-ALR lots abutting the ALR^a

	AREA A Minimum setback (on and off-site from adjacent agricultural parcel to on-site structures) ^a	AREA B Minimum on-site landscape buffer	AREA C Minimum on-site setback from landscape buffer
Existing Urban Residential Lot < 0.4ha	N/A	3m	As per zone
New Residential Subdivision	20m	15m ^b	As per zone
Multi-Unit Residential	20m	15m ^b	As per zone
Commercial	15m	8m ^b	As per zone
Institutional	90m	15m ^b	As per zone
Industrial	15m	8m ^b	As per zone

a) Refer to Diagram 7.6 Buffer Plan and Diagram 7.7 Buffer Section

b) Exception to Level 1 Residential Urban-side Buffer requirements:

Residential parcels that are separated from the agricultural area by a road allowance can reduce the size of the Level 1 buffer, provided new driveway accesses from these parcels onto the subject road allowance are avoided. The siting of the structure should still be as noted but the vegetative buffer can be reduced to 7.5 metre width and located as near and parallel to the agricultural area boundary as possible.

Notes:

- All minimums must be achieved.
- The Area B Minimum On-Site Landscape Buffer is required in addition to the required setback of the zone.
- Fencing along Agriculture Buffer to be minimum 1.8 m height and maximum 2.4 m (where permitted).
- Required plantings within Area B are in addition to those required trees for parking lot spaces or other required landscaping according to the zone.
- Existing vegetation that meets the specifications of required Area B Minimum On-site Landscape Buffer may be accepted as required buffer if 50% canopy permeability / closure is attained.

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
	Replace Diagram 7.6	Minimum Landscape Buffer Treatment – ALR – Level 5 Diagram 7.6	Replace with Diagram 7.6 and Diagram 7.7	<p>Agriculture Plan recommendation 1.3f “Update the Zoning Bylaw to reflect the vegetative buffer specifications as outlined in Edge Planning White Paper”.</p> <p>A new table (7.2) is proposed for Section 7 and outlines the specific requirements for buffers adjacent to agricultural land as well as new diagrams are proposed to complement the table.</p>
	Section 11.1.2 Principal Uses Add stable as a principal use		11.1.2 Principal Uses (f) stables	<p>Housekeeping / Agriculture Plan Recommendation 1.3a “Review and amend the A1 zone to ensure compliance with Provincial standards and objectives of the Agriculture Plan update.”</p> <p>Added Stables as a principal use as they are permitted farm use in the ALR Regulation.</p>
	Section 11.1.2 Principal Uses – Remove animal clinics, major and renumber the section	(b) animal clinics, major where in existence prior to July 1st, 1998		<p>Housekeeping / Agriculture Plan Recommendation 1.3a “Review and amend the A1 zone to ensure compliance with Provincial standards and objectives of the Agriculture Plan update.”</p> <p>Remove animal clinics, as they are not a permitted use in the ALR. They have been specified as a secondary use in non-ALR/A1 properties, below.</p>

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
	Replace in Section 11.1.3 Agricultural Zones – Secondary Uses	<p>The secondary uses in this zone are:</p> <p>(a) agricultural dwelling(s) additional</p> <p>(b) agri-tourism</p> <p>(c) agri-tourist accommodation use prohibited except for operations approved and in conformance prior to August 8, 2016.</p> <p>(d) animal clinics, major</p> <p>(e) animal clinics, minor</p> <p>(f) bed and breakfast homes</p> <p>(g) child care centre, minor</p> <p>(h) carriage house (A1c only)</p> <p>(i) food primary establishment – *Only applies to Lot A, Section 24, Township 26, ODYD, Plan EPP7145 located at 700 Hwy 33 E also known as the “Hillcrest Farm Market Cafe”. This existing cafe is subject to the Agricultural Land Commission (ALC) Resolution #101/2014 for application #53542 (City of Kelowna File A13-0007) and which conditionally approved this non farm use on the subject property subject to the following condition: i) The Cafe facility is limited to current size being 25.3m² (272ft²) indoor and 34.6m² (372ft²) outdoor and that there be submission of notification or an application to the ALC should there be plans in the future for any significant</p>	<p>The secondary uses in this zone for lots within the Agriculture Land Reserve are:</p> <p>(a) agri-tourism</p> <p>(b) agri-tourist accommodation use prohibited except for operations approved and in conformance prior to August 8, 2016.</p> <p>(c) bed and breakfast homes</p> <p>(d) breweries and distilleries, major</p> <p>(e) breweries and distilleries, minor</p> <p>(f) child care centre, minor</p> <p>(g) food primary establishment - *Only applies to Lot A, Section 24, Township 26, ODYD, Plan EPP7145 located at 700 Hwy 33 E also known as the “Hillcrest Farm Market Cafe”.</p> <p>(h) farm retail sales stands</p> <p>(i) forestry</p> <p>(j) group homes, minor</p> <p>(k) home based businesses, major</p> <p>(l) home based businesses, minor</p> <p>(o) home based businesses, rural</p> <p>(m) kennels</p> <p>(n) meadery</p> <p>(o) mobile home for immediate family</p>	<p>This proposed policy amendment assumes that the Agriculture Plan Recommendation 1.3d “remove carriage house as a permitted use in the A1 zone” was approved in TA18-00xx is approved, and changes proposed build on that amendment.</p> <p>Housekeeping / Agriculture Plan Recommendation 1.3a “Review and amend the A1 zone to ensure compliance with Provincial standards and objectives of the Agriculture Plan update.”</p> <p>Propose to separate out secondary uses for ALR properties to align with ALR regulations. If an ALR use is on a non-ALR property, the City doesn't have the regulation to back up the requirements for ALR properties (e.g. ALC has conditions for approval such as minimum growing on site for breweries and distilleries, farm retail sales stands, forestry, meadery, on-farm processing, and wineries and cideries)</p> <p>For A1 within the ALR:</p> <ul style="list-style-type: none"> Agricultural dwelling(s) additional removed and replaced with types of dwellings allowed (i.e. mobile home for immediate family and temporary farm worker housing)

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
		<p>changes or plans to expand the current footprint.</p> <p>(j) forestry</p> <p>(k) group homes, minor</p> <p>(l) home based businesses, major</p> <p>(m) home based businesses, minor</p> <p>(n) home based businesses, rural</p> <p>(o) kennels and stables</p> <p>(p) secondary suite</p> <p>(q) wineries and cideries</p>	<p>(p) on-farm processing</p> <p>(q) secondary suite</p> <p>(r) temporary farm worker housing</p> <p>(s) wineries and cideries</p> <p>The secondary uses in this zone for lots outside of the Agriculture Land Reserve are:</p> <p>(a) agri-tourism</p> <p>(b) animal clinics, major</p> <p>(c) animal clinics, minor</p> <p>(d) bed and breakfast homes</p> <p>(f) child care centre, minor</p> <p>(g) group homes, minor</p> <p>(h) home based businesses, major</p> <p>(i) home based businesses, minor</p> <p>(j) home based businesses, rural</p> <p>(k) kennels</p> <p>(l) secondary suite</p> <p>(m) temporary farm worker housing</p>	<p>Secondary suite already was included.</p> <ul style="list-style-type: none"> • removed animal clinics major and animal clinics minor as secondary use as they are not a permitted non-farm use under the ALR Regulation, however are proposed for A1 lots outside the ALR • Added breweries and distilleries, on-farm processing, farm retail sales stands, and meaderies to secondary uses for ALR properties as they are an approved use by the Agriculture Land Commission. • Kennels and stables have been separated, and stables have been included as a principal use as it is a farm use under the ALR Regulation. <p>For A1 lots outside of the ALR:</p> <ul style="list-style-type: none"> • Agricultural dwelling(s) additional removed and replaced with types of dwellings allowed (temporary farm worker housing). (Note: secondary suite already included). • Removed breweries and distilleries, on-farm processing, farm retail sales stands, and meaderies to secondary uses for ALR properties as they are an approved use by the Agriculture Land Commission and City does

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
				<p>not have the additional regulation that the ALC has for these uses.</p> <ul style="list-style-type: none"> • Kennels and stables have been separated, and stables have been included as a principal use as it is a farm use under the ALR Regulation.
	11.1.6 Development Regulations	<p>(a) The maximum site coverage is 10% for residential development (inclusive of agri-tourist accommodation), and it is 35% for agricultural structures except it may be increased to 75% for greenhouses with closed wastewater and storm water management systems. Site coverage of accessory buildings or structures and carriage house shall not exceed a combined 14%. The maximum floor area of a carriage house shall be 90 m² or 75% of the total floor area of the principal building. The maximum floor area of a carriage house may increase to a maximum of 100 m² only if the carriage house is limited to one (1) storey in height and is less than 75% of the total floor area of the principal building.</p>	<p>(a) Development regulations vary depending upon the use as indicated in Table 11.1.</p> <p>(b) For lots 0.4 ha and greater, a maximum residential footprint applies. The maximum residential footprint is 2,000 m². The residential footprint size may be increased by up to 1,000 m² for each mobile home for immediate family where permitted.</p> <p>(c) Notwithstanding subsections 11.1.6(a) to (b), confined livestock areas and/or buildings housing more than 4 animals, or used for the processing of animal products, shall not be located any closer than 15.0 m from any lot line, except where the lot line borders a residential zone, in which case it shall not be located any closer than 30.0 m from the lot line.</p>	<p>This proposed policy amendment assumes that the Agriculture Plan Recommendation 1.2a "Adopt Residential Footprint policies of 2,000 m²" was approved in TA18-00xx is approved, and changes proposed build on that amendment.</p> <p>Table 11.1 introduced to provide easy reference for development regulations. Some of the regulations were already included as text in the zoning bylaw, others have been updated and those are circled in blue.</p> <p>On Table 11.1: Gross Floor Area Size for residence:</p> <ul style="list-style-type: none"> • Agriculture Plan recommendation 1.3b states "Investigate adopting a maximum home (principal dwelling) total floor area within the A1 zone based on Ministry of Agriculture guidelines, and other zones that may also be in the ALR."

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
		<p>(b) The maximum height is the lesser of 9.5 m or 2½ storeys, except it is 16.0m for agricultural structures and 6.0m for accessory buildings or carriage house.</p> <p>(c) The minimum front yard is 6.0 m.</p> <p>(d) The minimum side yard is 3.0 m, except it is 4.0 m from a flanking street.</p> <p>(e) The minimum rear yard is 10.0 m, except it is 3.0 m for accessory buildings and a carriage house. A carriage house must be located no closer than 4.5 m to the principal dwelling and no further than 10m from the principal dwelling.</p> <p>(f) Notwithstanding subsections 11.1.6(c) to (e), confined livestock areas and/or buildings housing more than 4 animals, or used for the processing of animal products or for agricultural and garden stands, shall not be located any closer than 15.0 m from any lot line, except where the lot line borders a residential zone, in which case the area, building or</p>		<ul style="list-style-type: none"> • Ministry of Agriculture Guide for Bylaw Development in Farming Areas recommends 500 m² maximum for principal farm residence and 300 m² for additional farm residence where permitted (in this case mobile home for immediate family on ALR land). • Agriculture Land Use Inventory shows that of the 1887 residences surveyed, 93% are within the 500 m² proposed maximum. <p>Other changes on Table 11.1</p> <ul style="list-style-type: none"> • Housekeeping / Agriculture Plan Recommendation 1.3a "Review and amend the A1 zone to ensure compliance with Provincial standards and objectives of the Agriculture Plan update." • Agriculture Plan Appendix G: Non-Farm Uses on ALR White Paper – Establish a building envelope from front and side lot lines and height restrictions, using BC Ministry of Agriculture standards. • Regulations that have been added or updated to comply with the Ministry of Agriculture Guide for Bylaw Development in Farming Areas are:

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
		stand shall not be located any closer than 30.0 m from the lot line.		<ul style="list-style-type: none"> • Addition of Single detached housing Gross Floor Area (GFA) of 500 m² • Addition of Mobile Home for Immediate Family GFA of 300 m² • Replace Agricultural Structures setback from <ul style="list-style-type: none"> - Front yard 6.0 m to 4.5 m • Replace Farm Retail Sales Stands from 50 m² (outside the ALR) and non-farm product area not to exceed 100 m², to 300 m², with 50% not to exceed non-farm products. • Farm Retail Sales Stands setbacks from: <ul style="list-style-type: none"> - Front yard 15.0 m to 6.0 m - Side yard 15.0 m to 3.0 m - Rear yard 15.0 m to 3.0 m • Addition of Stables of: <ul style="list-style-type: none"> - Front yard 15.0 m - Side yard 15.0 m - Rear yard 15.0 m • Addition of Site Coverage of Single detached housing for lots < 0.4 ha of 30% to correspond to similar sized lot coverage in the RR3 zone; • Addition of GFA for Accessory Buildings or Structures (residential use) of 130 m² to adequately accommodate a home based business and garage;

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
				<ul style="list-style-type: none"> • Addition of Mobile Home for Immediate Family height of 4.8 m • Addition of a Kennel maximum GFA of 500 m² and a maximum Building Envelope of 250 m² • Replace the Kennel setback from: <ul style="list-style-type: none"> - Side yard 3.0 m to 6.0 m

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

Table 11.1 to accompany section 11.1.6 Development Regulations

Use	Gross Floor Area	Front Yard and Flanking Street	Side Yard	Rear Yard	Site Coverage	Height
Single detached housing on lots less than 0.4 ha, unless section 1.7.1 applies	N/A	6.0 m	3.0 m	10.0 m	30%	9.5 m
Single detached housing on lots 0.4 ha or greater ^a	500 m ²	6.0 m	3.0 m	10.0 m	Must be included in Farm Residential Footprint	9.5 m
Accessory Buildings or Structures (including Garage / Carport)	130 m ²	6.0 m	3.0 m	3.0 m	Must be included in Farm Residential Footprint	6.0 m
Mobile Home for Immediate Family, where permitted (ALR only)	300 m ² , maximum 9 m wide	6.0 m	3.0 m	10.0 m	Must be included in Farm Residential Footprint	4.8 m
Agricultural Structures	N/A	4.5 m	3.0 m	3.0 m	35%	16.0 m
Greenhouses and Plant Nurseries, with closed wastewater and storm water management systems	N/A	6.0 m	3.0 m	3.0 m	75%	16.0 m
Farm Retail Sales Stands ^b	300 m ² ^d	6.0 m ^f	3.0 m	3.0 m	35%	6.0 m
Kennel	500 m ²	6.0 m	6.0 m	10.0 m	Building Footprint not to exceed 250m ²	16.0 m
Stables ^b	N/A	15.0 m	15.0 m	15.0 m	35%	16.0 m
Wineries and Cideries, Breweries and Distilleries, and Meaderies processing facility, ^b	b	6.0 m	3.0 m	3.0 m	35%	9.5 m
Wineries and Cideries, Breweries and Distilleries, and Meaderies, tasting facility or lounge, ^b	b	6.0 m	6.0 m	10.0 m	35%	9.5 m

- a) The maximum **gross floor area** for a **single detached housing** is 500 sq. m. For the purpose of calculating **gross floor area** in the A1 (A1c/A1t) zone(s), **basements** less than 1.95 in height and attached carports/garages less than 42m² shall be excluded as per the Ministry of Agriculture Guide for Bylaw Development in Farming Areas.¹
- b) In addition to the regulations listed above, other regulations may apply, including, but not limited to, other sections of this Zoning Bylaw, and any applicable regulations or requirements of the **Agricultural Land Commission**.
- c) Maximum combined **site coverage** not to exceed 35% excluding the **residential footprint**. The maximum combined **site coverage** may be increased to 75% for **greenhouses and plant nurseries** with closed wastewater and storm water management systems.
- d) **Farm Retail Sales Stands**, selling only produce grown on the **site** or another **site** operated by the same producer do not have a maximum area. If non-farm products are being sold, then the total area, both indoors and outdoors, used for retail sales of all products must not exceed 300m² and at least 50 per cent of the that retail sales area must be for the sale of farm products produced on the farm.

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
	Replace 11.1.7 Other Regulations	<p>(a) Notwithstanding subsection 11.1.4(b), when a home based business, rural involves the cutting and wrapping of wild game or any meat, the lot must have a minimum lot area greater than 0.33 ha.</p> <p>(b) Major animal clinics or kennels and stables shall not be located on parcels less than 2.0 ha.</p> <p>(c) Agricultural and garden stands selling only produce grown on the site or another site operated by the same producer do not have a maximum area. The maximum gross floor area of stands selling produce that is produced off-site shall be 50.0 m². For sites within the Agricultural Land Reserve, the maximum gross floor area of agricultural and garden sales for produce produced off-site or off-farm products shall be the lesser of one-third of the total floor area of the agricultural and garden sales stand or 100.0 m².</p>	<p>(a) When a home based business, rural involves the cutting and wrapping of wild game or any meat, the lot must have a minimum lot area greater than 0.33 ha.</p> <p>(b) Major animal clinics, where permitted, kennels and stables shall not be located on parcels less than 2.0 ha.</p> <p>(c) In addition to the regulations listed above, other regulations may apply, including, but not limited to, other sections of this Zoning Bylaw, and any applicable regulations or requirements of the Agriculture Land Commission.</p> <p>(e) Outside storage of recreational vehicles is not permitted, other than two (2) recreational vehicles that are registered to the property owner.</p> <p>(g) Intensive Agriculture uses shall be located only within those areas designated for Intensive Agricultural Use in accordance</p>	<p>This proposed policy amendment assumes that the Agriculture Plan Recommendation 1.3d "remove carriage house as a permitted use in the A1 zone" and Agriculture Plan Recommendation 1.3c "Require that mobile homes on farmland be occupied by the owner's immediate family, be located on a non-permanent foundation..." was approved in TA18-00xx is approved, and changes proposed build on that amendment</p> <p>Housekeeping / Agriculture Plan Recommendation 1.3a "Review and amend the A1 zone to ensure compliance with Provincial standards and objectives of the Agriculture Plan update."</p> <ul style="list-style-type: none"> • In (a) the notwithstanding subsection 11.1.4(b) reference is no longer applicable. • Major animal clinics only permitted on non-ALR A1 properties due to ALC regulation, so "where permitted" was added, as well kennels and stables are separated as two definitions. • Agricultural and garden stands (now called Farm Retail Sales Stands) moved to 11.6 table and modified for clarification to match

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*)

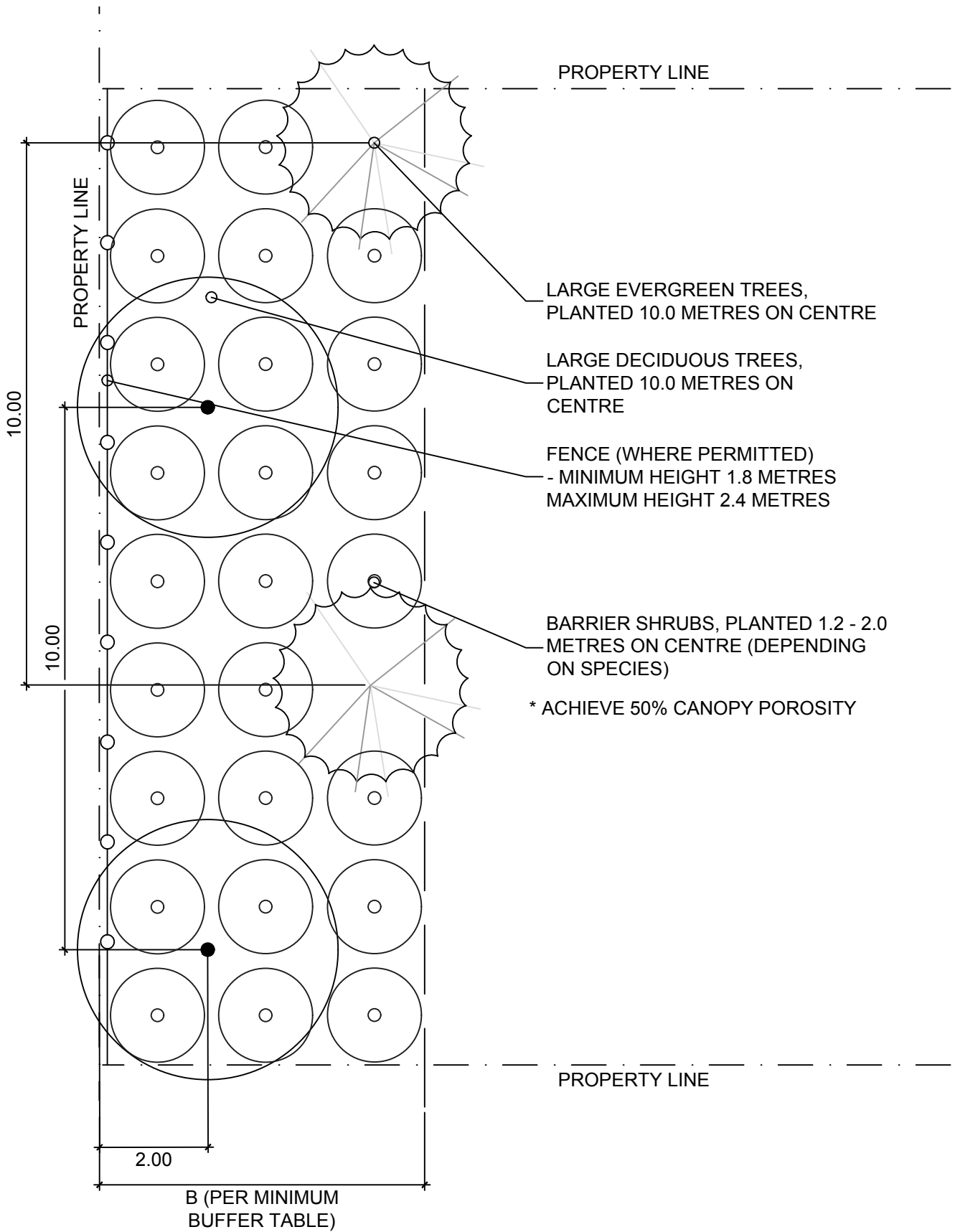
(Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

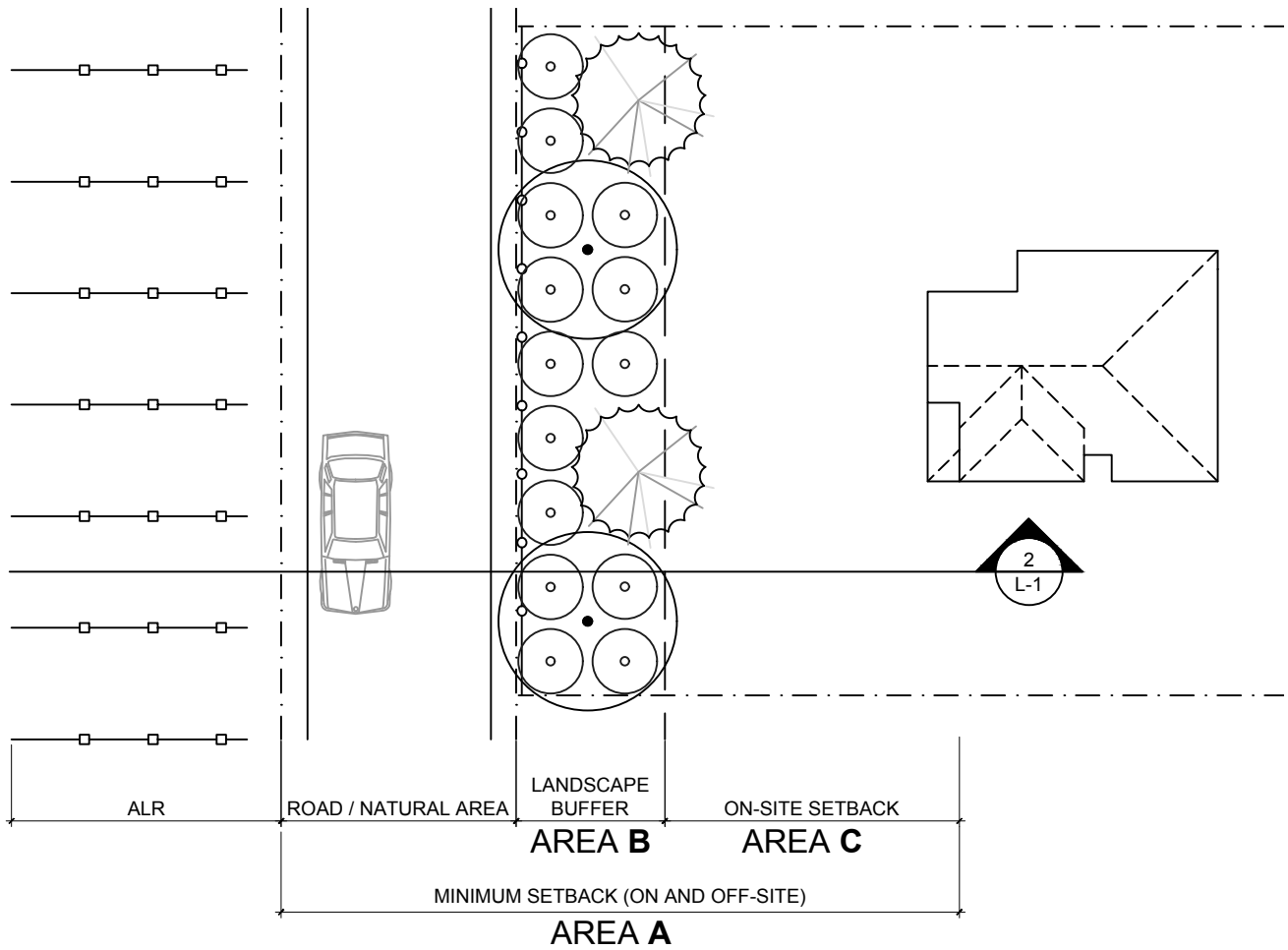
No.	Section	Existing	Proposed	Explanation
		<p>(d) In addition to the regulations listed above, other regulations may apply, including, but not limited to, other sections of this Zoning Bylaw, and any applicable regulations or requirements of the Land Reserve Commission.</p> <p>(e) A "c" notation shown on Schedule "A" as part of the identified zone classification indicates that a secondary use in the form of a carriage house is permitted on the properties so designated, subject to meeting the conditions of use of the zone. A "c" zoning classification on a property shall be established by rezoning the subject property to the "c" version of parent zone.</p> <p>(f) Outside storage of recreational vehicles is not permitted, other than two (2) recreational vehicles that are registered to the property owner.</p> <p>(g) A carriage house must not be closer than 3.0m to an existing principal building.</p>	<p>with Schedule "A" attached to this Bylaw.</p> <p>(j) Bed and breakfast homes or group homes, minor in combination with a secondary suite shall not be located on parcels less than 2.0 ha in size.</p> <p>(h) Mobile home for immediate family, where permitted, must be located on a non-permanent foundation without basement excavation. When no longer occupied, the mobile home must be removed from the lot within 90 days and the site must be restored to a condition suitable for agricultural use.</p> <p>(i) Greenhouses and Plant Nurseries may include the accessory sale of landscaping and gardening products and materials such as tools, soil, and fertilizers, provided that this accessory use is limited to 150 m² on the lot.</p> <p>(j) For Lot A, Section 24, Township 26, ODYD, Plan EPP7145 located at 700 Hwy 33 E also known as the "Hillcrest Farm Market Cafe".</p>	<p>the ALC Farm Retail Sales Policy No. L-02 (Feb. 2016)</p> <ul style="list-style-type: none"> • Replace Land Reserve Commission with Agriculture Land Commission to be current. • Greenhouse and Plant Nursery sale accessory sale information removed from definition and placed in the regulation. • Hillcrest Market Café specific use information moved from Section 11.1.3

APPENDIX C: TA18-00xx DRAFT PACKAGE 2

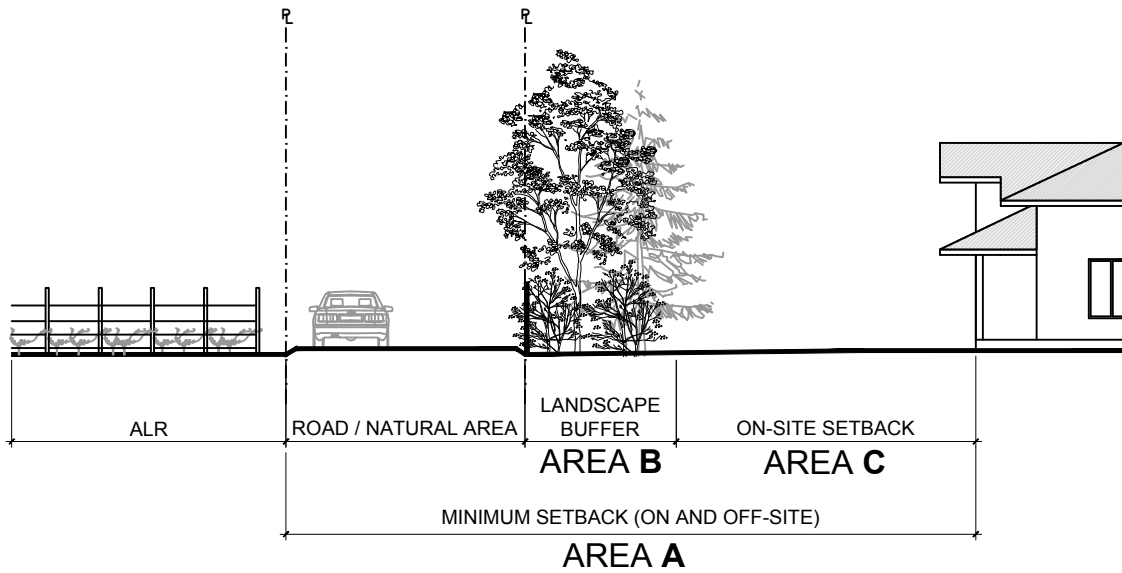
Amendments to Zoning Bylaw No. 8000 (*Housekeeping and Agriculture Plan Investigate*) (Note: several of the proposed amendments assume TA18-00xx Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
		<p>(h) Intensive Agriculture uses shall be located only within those areas designated for Intensive Agricultural Use in accordance with Schedule "A" attached to this Bylaw.</p> <p>(i) A mobile home may be considered a carriage house only in an A1c – Agricultural 1 with Carriage House zone.</p> <p>(j) Bed and breakfast homes or group homes, minor in combination with a secondary suite shall not be located on parcels less than 2.0 ha in size.</p>	<p>This existing cafe is subject to the Agricultural Land Commission (ALC) Resolution #101/2014 for application #53542 (City of Kelowna File A13-0007) and which conditionally approved this non farm use on the subject property subject to the following condition:</p> <p style="padding-left: 40px;">i) The Cafe facility is limited to current size being 25.3m² (272ft²) indoor and 34.6m² (372ft²) outdoor and that there be submission of notification or an application to the ALC should there be plans in the future for any significant changes or plans to expand the current footprint.</p>	





1 BUFFER
L-1 SCALE 1:200



2 BUFFER
L-1 SCALE 1:200

Appendix D: Agricultural House Size Policy Examples in BC

Local Government	Maximum House Size	Notes on House Size Policy
Corporation of Delta ¹	<ul style="list-style-type: none"> • Lots < 8ha 330m² • Lots > 8ha 465m² • Additional Farm House <ul style="list-style-type: none"> ○ Lots < 8ha 180 m² ○ Lots > 8ha 233m² 	More restrictive than Minister's Bylaw Standard.
District of Kent ²	<ul style="list-style-type: none"> • Lots < 8ha 372m² • Lots > 8ha 465m² 	More restrictive than Minister's Bylaw Standard
Squamish-Lilloet RD - Area D (Squamish Valley) ³	<ul style="list-style-type: none"> • principal residence 250m² • employee residence 180m². 	More restrictive than Minister's Bylaw Standard
City of Port Coquitlam ⁴	<ul style="list-style-type: none"> • 500m² 	Consistent with Minister's Bylaw Standard.
City of Richmond ⁵	<ul style="list-style-type: none"> • Lots < 0.2 ha 500m² • Lots > 0.2 ha 1,000m² 	Less restrictive than the Minister's Bylaw Standard for house size on large lots.
City of Maple Ridge Zoning Bylaw ⁶	650 m ²	Less restrictive than the Minister's Bylaw Standards
City of Surrey	N/A	
District of Summerland ⁷	N/A	
City of Abbotsford ⁸	Currently reassessing policies through AgRefresh Initiative	
Township of Langley ⁹	In discussions with Ministry of Agriculture on bylaw amendments	

¹ Corporation of Delta, 2016. Zoning Regulations Bylaw 2750 – Part V A1 Zone Agriculture

² District of Kent, 2016. Zoning Bylaw No. 1219,2001. Part 7.14 Farm Home Plate and Farm Employee Residence - Siting and Floor Area Requirements

³ Squamish Lilloet Regional District, 2016. Squamish Lilloet Regional District Area D Zoning Bylaw No. 1350-2016 Section ⁶.1.3 Regulations

⁴ City of Port Coquitlam, 2107. Bylaw No. 3630 – Zoning Bylaw – Agricultural Zones Section 1.4 Regulations

⁵ City of Richmond, Dec. 13, 2017. Zoning Bylaw 8500 - Section 14. Agriculture and Golf Zones

⁶ City of Maple Ridge, Nov. 2017. City of Maple Ridge Bylaw No 3510 – 1985 Zoning. Section 402 Regulations for Permitted Uses of Land, Buildings & Structures. (7298-2016) (15) Farm Home Plate.

⁷ District of Summerland, 2017. 2000 – Schedule A Zoning Bylaw no. 2000-450

⁸ City of Abbotsford, Jan 2018. AGREFRESH, www.abbotsford.ca

⁹ Personnel Communication, Jan. 9, 2018, J. Chu, Planner, Township of Langley