

City of Kelowna

Public Hearing

AGENDA



Tuesday, June 12, 2018
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

(b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reason-able opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing. This Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after May 30, 2018 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

(d) Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.

(e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.

2. Notification of Meeting

The City Clerk will provide information as to how the Hearing was publicized.

3. Individual Bylaw Submissions

- | | | |
|------------|--|------------------|
| 3.1 | Holland Rd 3010, Z18-0010 (BL11620) - Scott and Chandra Payer & John and Alexandra Woodfield | 4 - 13 |
| | To rezone the subject property from RU1 - Large Lot Housing to RU6 – Two Dwelling Housing, to facilitate the development of two new dwellings. | |
| 3.2 | Pacific Ave 1145, Z17-0118 (BL11621) - Anagram Properties | 14 - 43 |
| | To rezone from RU6 – Two Dwelling Housing to RM5 – Medium Density Multiple Housing to accommodate a 31-unit apartment building. | |
| 3.3 | Taylor Cr 2424, Z18-0024 (BL11622) - Kerry and Nicole Begrand Fast | 44 - 49 |
| | To rezone to the RU1c – Large Lot Housing with Carriage House to facilitate the development of a carriage house. | |
| 3.4 | Implementing Agriculture Plan Policy Recommendations: PACKAGE 1 Bylaw Amendments OCP18-0003 (BL11616) and TA18-0002 (BL11617) | 50 - 108 |
| | To amend the Official Community Plan and Zoning Bylaw based on the recommended actions presented in the Agriculture Plan, endorsed August, 2017. | |
| 3.5 | Implementing Agriculture Plan Policy Recommendations - PACKAGE 2 Bylaw Amendments OCP18-0004 (BL11618) and TA18-0003 (BL11619) | 109 - 191 |
| | To amend the Official Community Plan and Zoning Bylaw based on the Agriculture Plan recommendations to ensure compliance with provincial standards and to update buffer specifications along agricultural properties. Further, some amendments have been made to provide additional clarification on policies. | |

4. Termination

5. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Land Use Management);
- (b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (d) The Chair will call for representation from the public in attendance as follows:
 - (i) The microphone at the public podium has been provided for any person(s) wishing to

make representation at the Hearing.

(ii) The Chair will recognize ONLY speakers at the podium.

(iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.

(e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.

(f) Questions by staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.

(g) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.

REPORT TO COUNCIL



Date: May 28, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (BBC)

Application: Z18-0010

Owners: Scott Richard Payer and
Chandra Sarasotee Payer; John
William Woodfield and
Alexandra Tiffany Woodfield

Address: 3010 Holland Road

Applicant: Urban Options Planning &
Permits

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z18-0010 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 14, District Lot 131, Osoyoos Division Yale District, Plan 10710, located at 3010 Holland Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" from the Development Engineering Department dated February 1, 2018.

2.0 Purpose

To rezone the subject property from RU1 - Large Lot Housing to RU6 - Two Dwelling Housing, to facilitate the development of two new dwellings.

3.0 Community Planning

Community Planning supports the proposed rezoning of the subject property from RU1 Large Lot Housing to RU6 – Two Dwelling Housing to facilitate the development of two new single home dwellings.

The property is located within the Permanent Growth Boundary in the South Pandosy – KLO neighbourhood of Kelowna. The application to rezone the parcel to RU6 to construct two additional single family dwellings is in line with the OCP Future Land Use Designation of S2RES – Single / Two Unit Residential. The proposed use is consistent with the OCP urban infill policies for Compact Urban Form and Sensitive Infill and the OCP generally supports the densification of neighbourhoods through appropriate infill development.

To fulfil Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on March 5, 2018, outlining that the neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Project Description

The proposal is to rezone the subject property parcel from the existing RU1 - Large Lot Housing to RU6 – Two Dwelling Housing to facilitate the development of two new dwellings. The property currently has a one storey single family dwelling which will be demolished prior to redevelopment. The proposed RU6 zoning will allow for the construction of two new single family dwellings; one unit located near the front and the second unit located in the rear of the property.

The proposed two single family dwellings meet all zoning requirements for the RU6 – Two Dwelling Housing zone. Parking requirements are met with attached double car garage for each proposed unit. An existing hedge located along the northern property line will be retained to maintain privacy.

The close proximity to parks, schools, downtown and nearby transit on Gordon Drive makes this an ideal location for increased density as per the OCP urban policies for Compact Urban Form and Sensitive Infill.

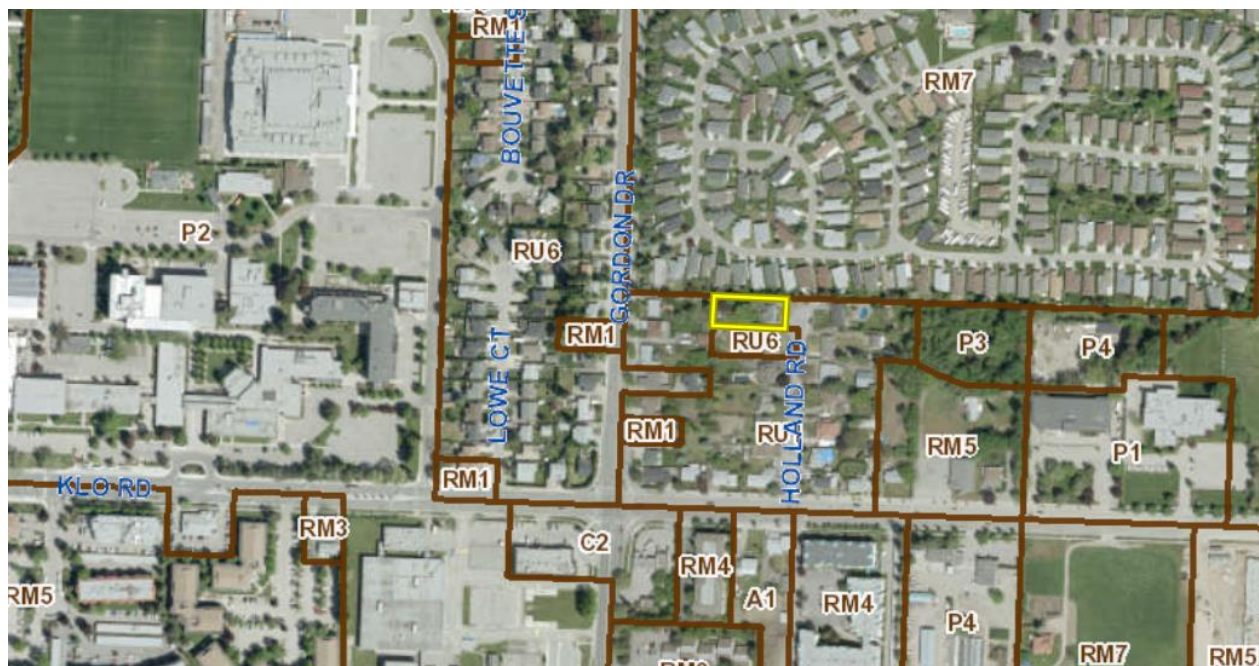
4.2 Site Context

The subject property is accessed from the end of Holland Road, a cul-de-sac, and is approximately 140 meters north of K.L.O. Road. The area is characterized primarily by single family dwellings, with a gated mobile-home community located adjacent and north of the subject property. The property is in close proximity to parks, schools, downtown and nearby transit on Gordon Drive and K.L.O Road.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing RM7 – Mobile Park Home	Residential
East	RU1 – Large Lot Housing	Residential
South	RU1 – Large Lot Housing	Residential
West	RU1 – Large Lot Housing	Residential

Subject Property Map: 3010 Holland Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Healthy Communities². Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

Sensitive Infill.³ Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

6.0 Technical Comments

6.1 Building & Permitting Department

- No concerns with rezoning application. A Full Plan check for Building Code related issues will be done at time of Building Permit applications.

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.27.6 (Development Process Chapter)

6.2 Development Engineering Department

- Please see attached Development Engineering Memorandum (Attachment A).

7.0 **Application Chronology**

Date of Application Received: January 3, 2018

Date Public Consultation Completed: March 5, 2018

Report prepared by: Barbara B. Crawford, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A – Development Engineering Memorandum dated February 1, 2018

Attachment B – Applicant's Rationale Letter

Schedule A – Site Plan, Conceptual Elevations, and Floor Plan

CITY OF KELOWNA

MEMORANDUM

Date: February 01, 2018
File No.: Z18-0010
To: Community Planning (BC)
From: Development Engineering Manager(JK)
Subject: 3010 Holland Road RU1 to RU6

The Development Engineering Department has the following comments and requirements associated with this rezoning application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Jason Angus

1. Domestic Water and Fire Protection

This property is currently serviced with a 19mm-diameter water service. The disconnection of the existing small diameter water services and the tie-in of a larger new 50mm service c/w two curb stops can be provided by City forces at the developer's expense. The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrades. For estimate inquiry's please contact Jason Angus, by email jangus@kelowna.ca or phone, 250-469-8783.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks box must be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade. For estimate inquiry's please contact Jason Angus, by email jangus@kelowna.ca or phone, 250-469-8783

3. Road Improvements

Holland Road must be upgraded to an urban arterial standard along the full frontage of this proposed development, including sidewalk, pavement removal and replacement, boulevard landscaping, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be **\$30,602.56** not including utility service cost.

4. Development Permit and Site Related Issues

Direct the roof drains into on-site rock pits or splash pads.

One access to the property will be permitted. A maximum 6m wide driveway will be permitted.

5. Electric Power and Telecommunication Services

The electrical and telecommunication services to this building must be installed in an underground duct system, and the building must be connected by an underground service. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

7. Bonding and Levy Summary**(a) Levies**

1. Holland Road. frontage improvements	\$30,602.56
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(b) Bonding

1. Service upgrades	To be determined
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James Kay, P. Eng.
Development Engineering Manager

JA



January 2, 2018

City of Kelowna
Urban Planning Department
1435 Water Street
Kelowna, BC

RE: Rezoning proposal at 3010 Holland Road Zone: RU1 - Large Lot Housing Zone

Dear Planning Staff:

We would like to rezone the property at 3010 Holland Road to the RU6 – Two Dwelling Housing zone. The property was recently purchased for infill development similar to the neighbour to the south, which was recently rezoned. The parcel is ample in size and over 60m deep. The property is unusual given that it's immediate neighbour to the north is a gated community with a continuous wood fence along the property line.

The existing home has not been kept up and will be demolished. The plan is to construct two new homes on the parcel. The submission materials include the proposed layout, elevation and design of the new single-family dwellings. The design is conservative with some contemporary elements and is expected to be complementary to the neighbourhood. The hedge along the north property line will be retained to maintain privacy.

The property is located within the "Permanent Growth Boundary" and has the correct future land use designation and exceeds the minimum requirements for two dwelling housing. The plan meets many policies objectives in the *Official Community Plan* including good infill development and compact urban form. We believe the project will easily integrated into the existing fabric of the neighbourhood and add much needed quality housing stock to the area.

Regards,

A handwritten signature in dark ink, appearing to read "Birte Decloux", written over the word "Regards,".

Birte Decloux

A

11

SCHEDULE A

This forms part of application

Z18-0010

Planner
Initials

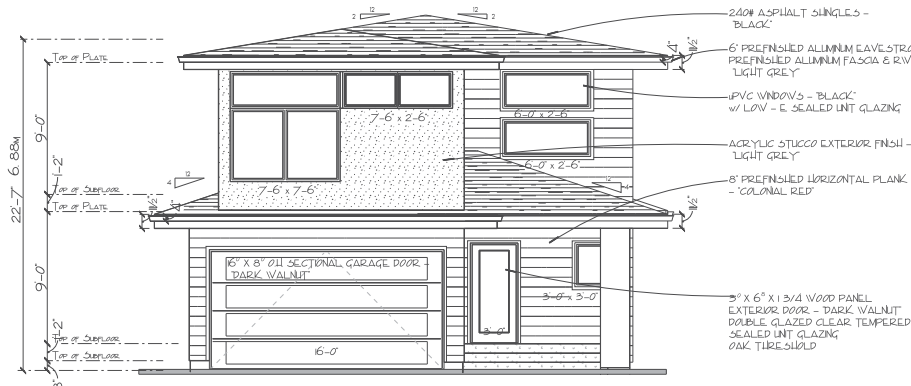
BC

City of
Kelowna
COMMUNITY PLANNING



FRONT ELEVATION

Scale: 1/4" = 1'-0"



REAR ELEVATION

Scale: 1/4" = 1'-0"



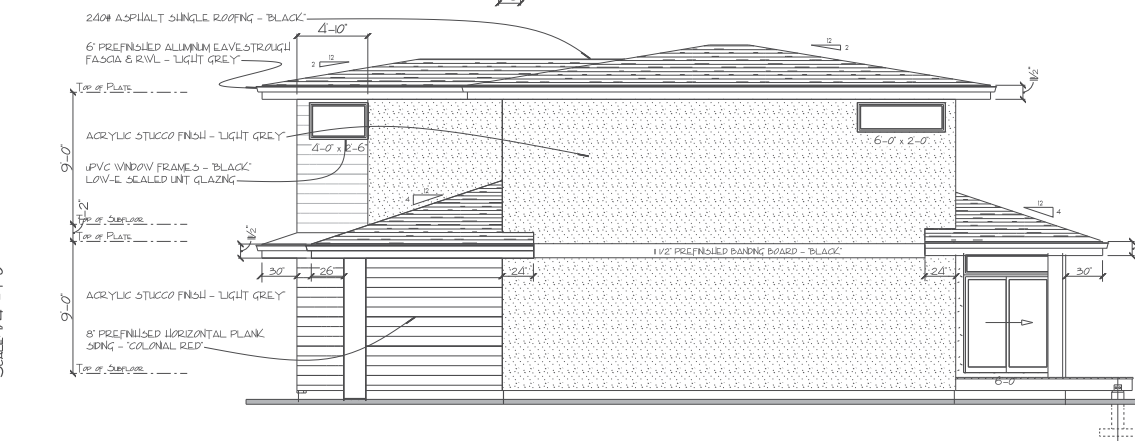
R. SIDE ELEVATION

Scale: 1/4" = 1'-0"



L. SIDE ELEVATION

Scale: 1/4" = 1'-0"



GENERAL NOTES:
ALL WORK SHALL BE EQUAL IN ALL RESPECTS TO GOOD BUILDING PRACTICES. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DRAWINGS.
THESE PLANS ARE FOR THE SOLE PURPOSE OF CONSTRUCTION ONLY. THEY MAY NOT BE USED FOR REPEAT CONSTRUCTION OR SOLD TO OTHERS FOR SUCH PURPOSES. THE DESIGN CONTAINED HEREIN IS TO BE A GUIDE ONLY AND IS SUBJECT TO CHANGE AT ANY TIME. PROTOCOL HOME PLANNING & DESIGN'S EMPLOYEES OR PRINCIPALS WILL NOT BE HELD RESPONSIBLE FOR ANY CHANGES DUE TO UNFORESEEN CIRCUMSTANCES IN CONSTRUCTION. BUILDING CODES, ENGINEERING, ORIGINAL DESIGN OR ANY OTHER CONDITION THAT MAY AFFECT THE OVERALL BUILDING OF THIS OR RELATED STRUCTURES.

ALL DIMENSIONS SHOWN ARE TO BE VERIFIED ON SITE BY THE BUILDING CONTRACTOR. LOCATIONS OF POST BEARING PADS AND BEARING WALL FOOTINGS ARE TO BE CONFIRMED AND THESE LOCATIONS DETERMINED TO BE ADEQUATE WITH PROPER BEARING OF SUBSTRATE AND POTENTIAL LATERAL SHIFT DUE TO VIBRATION AND/OR EARTH MOVEMENT. A GEO-TECHNICAL SURVEY IS TO BE CONDUCTED TO VERIFY SITE CONDITIONS AS REQUIRED.

ALL MAJOR STRUCTURAL COMPONENTS AND RELATED SUPPORTS & CONNECTIONS ARE TO BE ENGINEER REVIEWED & CERTIFIED AS REQUIRED BY THE MUNICIPAL AUTHORITY HAVING JURISDICTION AND THE LATEST VERSION OF THE NATIONAL & LOCAL BUILDING CODES AND AMENDMENTS THERE TO.

Scale:	AS SHOWN
Date:	27 NOV 2017
Drawn By:	LEE CASHLE
Checked By:	C & S PATER
Drawing Number:	PT1749 - 05 of 06

design concepts by:	2016 absolute interior design
inspired - creative - functional	GOLD WINNER



NOTE:
GENERAL CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE MUNICIPAL AUTHORITY HAVING JURISDICTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE MUNICIPAL AUTHORITY HAVING JURISDICTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE MUNICIPAL AUTHORITY HAVING JURISDICTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE MUNICIPAL AUTHORITY HAVING JURISDICTION.

REPORT TO COUNCIL



Date: May 28, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (AW)

Application: Z17-0118 **Owner:** Bradley & Jennifer McArthur

Address: 1145 Pacific Avenue **Applicant:** Anagram Properties

Subject: Rezoning Application

Existing OCP Designation: Multiple Unit Residential (Medium Density)

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: RM5 – Medium Density Multiple Housing

1.0 Recommendation

THAT Rezoning Application No. Z17-0118 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 District Lot 137 ODYD Plan 7833, located at 1145 Pacific Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated May 28, 2018;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

2.0 Purpose

To rezone from RU6 – Two Dwelling Housing to RM5 – Medium Density Multiple Housing to accommodate a 31-unit apartment building.

3.0 Community Planning

Community Planning Staff are supportive of the proposed rezoning to accommodate a 31-unit purpose-built rental apartment development, it is seen to meet the objectives and supporting policies of the Official

Community Plan (OCP). The RM5 – Medium Density Multiple Housing zone is the appropriate zone and facilitates a form of housing needed within this Urban Centre location. The subject property is located within the Capri / Landmark Urban Centre, along the Gordon Drive bus route and within walking distance to A.S. Matheson Elementary School and the Capri Centre Mall. The properties' Walk Score is 73 (Very Walkable – most errands can be accomplished on foot).

The surrounding area has long been designated for apartment housing to the west, east and south of the subject property and mixed-use to the north. Nearby projects are in various stages in the approval process with the area starting to be redeveloped in line with the OCP Future Land Use Designations. To fulfill Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on January 17, 2018, documenting that neighbours within 50m of the subject properties were notified.

Staff are currently tracking several variances for the project including site coverage, front and sideyard setbacks, height and parking. The proponent is proposing a height increase from 4.5 storeys to 5 storeys and a parking reduction of approximately 20%. A Development Permit & Development Variance Permit will be forwarded to Council at a later date should the zoning be supported.

4.0 Proposal

4.1 Project Description

The subject properties' current land use designation of MRM – Multiple Unit Residential (Medium Density) is consistent with the proposed RM5 – Medium Density Multiple Housing zone. The applicant is proposing the construction of a 31-unit purpose built rental housing apartment consisting of 5 - 1 bedroom units, 21 - 2 bedroom units and 5 - 3 bedroom units. Principal vehicular access for the units is via a driveway from Pacific Avenue. Parking for residents is provided under building with access provided from the internal driveway. The applicant has proposed a parking variance which would provide each unit with 1 parking stall plus a total of 5 visitor parking stalls. As this is a purpose built housing project the applicant has asked that the parking be varied in accordance with the existing Housing Strategy, Section 15 of the Housing Strategy suggests that parking should be reduced for multi-family housing projects located within the Urban Core. A Transportation Demand Strategy and summary of the anticipated users is also attached.

Long term bicycle parking is provided within individual storage units, and short term bicycle parking is provided adjacent to Pacific Avenue. The Pacific Avenue frontage has been improved from the initial submission to include a stronger pedestrian orientation, with two street oriented units as shown below:



Such design elements serve to activate these building frontages with heightened levels of pedestrian activity. The buildings are representative of a more contemporary aesthetic, having flat roofs and clean building lines. A full report on form and character will be forth coming to Council as part of the Development Permit should the land use be supported.

4.2 Site Context

The subject properties are in the Capri Landmark Urban Centre one block south of Sutherland Avenue in an area designated for an apartment form of housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Residential
East	Rezoning to RM5 / RU6 – Two Dwelling Housing	Vacant / Residential
South	RM5 – Medium Density Multiple Housing	Apartment Housing
West	RU6 – Two Dwelling Housing	Residential

Subject Property Map: 1145 Pacific Avenue



5.0 Current Development Policies

5.1 Housing Strategy

Section 15. Less Parking Required: Reduce minimum parking requirements in the Zoning By-law for new multi-unit housing in the Urban Core.

Rationale: This is a way to encourage or reward housing that conforms to OCP policy and make housing more financially viable. It also aligns with supporting transit and reducing vehicle use. Parking spaces are expensive to provide, ranging from about \$10,000 / surface parking space to \$30,000 + / space for under-building parking.

5.2 Kelowna Official Community Plan (OCP)

Goals for A Sustainable Future

Contain Urban Growth.¹ Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Future Land Use

Multiple Unit Residential (Medium Density) (MRM)²

Townhouses, garden apartments, and apartment buildings. Complementary uses (i.e. care centres, minor public services/utilities, and neighbourhood parks) which are integral components of urban neighbourhoods would also be permitted. Building densities would be consistent with the provisions of the RM₄ – Transitional Low Density Housing and RM₅ – Medium Density Multiple Housing zones of the Zoning Bylaw and may include CD Comprehensive Development zoning for similar densities or land uses.

Development Process

Compact Urban Form.³ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Ensure opportunities are available for greater use of active transportation and transit to: to improve community health; reduce greenhouse gas emissions; and increase resilience in the face of higher energy prices.⁴

6.0 Technical Comments

6.1 Building & Permitting Department

- No concerns with proposed land use.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

¹ Goal 1. (Introduction Chapter 1).

² Future Land Use Designations (Chapter 4).

³ Policy 5.3.2 (Development Process Chapter 5).

⁴ Objective 5.10 (Development Process Chapter 5).

6.2 Development Engineering Department

- See attached Schedule 'A'.

7.0 **Application Chronology**

Date of Application Received: November 19, 2017

Date Public Consultation Completed: January 17, 2018

Report prepared by: Alec Warrender, Property Officer Specialist

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule 'A' – Development Engineering Memorandum dated January 10, 2018

Applicant Letter of Rationale

Applicant's Transportation Demand Management Strategy

Site Plan and Conceptual Renderings

CITY OF KELOWNA

MEMORANDUM

SCHEDULE

A

This forms part of application
Z17-0118

Planner
Initials

AW



Date: January 10, 2018
File No.: Z17-0118
To: Community Planning (EW)
From: Development Engineering Manager (JK)
Subject: 1145 Pacific Ave

RU6 to RM5

The Development Engineering Department has the following comments and requirements associated with this rezoning application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Jason Angus

1. Domestic Water and Fire Protection

- a) This property is currently serviced with a 13mm-diameter water service. The developer's consulting mechanical engineer will determine the domestic, fire protection requirements of this proposed development and establish hydrant requirements and service needs. The applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost.
- b) A water meter is mandatory for this development and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system
- c) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. The applicant's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted for this development. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost.

3. Storm Drainage

The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Subdivision

Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems

4. Road Improvements

- (a) Pacific Ave must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, 1.5m sidewalk, drainage system including catch basins, manholes and pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. Road cross section to be used is a SS-R5

4. Road Dedication and Subdivision Requirements

- (a) Grant Statutory Rights of Way if required for utility services.
- (b) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, TELUS, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.
- (c) Dedicate 2.5m width along the full frontage of Pacific Ave.

5. Development Permit and Site Related Issues

- a) Direct the roof drains into on-site rock pits or splash pads.

6. Electric Power and Telecommunication Services

The electrical and telecommunication services to this building must be installed in an underground duct system, and the building must be connected by an underground service. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

Street lights along Pacific Ave must be installed.

7. Design and Construction

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.

- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

8. Servicing Agreement for Works and Services

- (a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

9. Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3.5% of Total Off-Site Construction Cost plus GST).

9. Survey, Monument and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

10. Geotechnical Report

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics.
- (b) Site suitability for development, unstable soils, etc.
- (c) Drill and / or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.

James Kay, P. Eng.
Development Engineering Manager
JA

April 26, 2018

Alec Warrender, Planner
City of Kelowna Planning Department
1435 Water Street
Kelowna, BC
V1Y 1J4

Re: Rezoning, and Development Application Development Rationale
Anagram PROPERTIES Inc. - Pacific Avenue RENTALS
Address: 1145 Pacific Avenue

Dear Alec,

MQN Architects and Anagram PROPERTIES Inc. have been working on a second project in Kelowna and are submitting the accompanying documentation for rezoning and development applications. The project at 1145 Pacific Avenue builds on the approach taken with the recently submitted Clement Avenue RENTALS and is further detailed in the design rationale below.

Design Rationale

MQN Architects is collaborating with Anagram PROPERTIES Inc. on the development of a multi-family rental development on Pacific Avenue in the Capri / Landmark area of Kelowna. The proposed development follows Anagram's corporate strategy of providing smart, sustainable and attainable properties. This purpose built rental project is situated a block south the Capri Centre Mall enabling residents to walk to work and social activities. Pacific Avenue is a mixed density neighbourhood which is surrounded by multiple family developments. Recent projects near to the Capri Centre Mall have focused on an increased density which is consistent with the proposal for 1145 Pacific Avenue and aligned with City of Kelowna's OCP.

Anagram PROPERTIES Inc. has selected this site in Kelowna for its central location. Pacific Avenue provides easy access to and from the Capri Centre Mall and to major thoroughfares and bus routes enabling residents reduce dependence on vehicular transit. To further enhance resident's ability to live car free, this project is providing two car share parking stalls which would be available to not just building residents but also residents of the surrounding neighbourhood. The Capri area and Gordon Drive have been evolving with new businesses locating in the area and increased residential density.

The OCP for the Capri / Landmark area states that the area is designated for generally 4 storeys with greater height (up to 12 storeys) at the Capri Mall site. The proposed building is 4 storeys of residential units on top of single level of parking. Due to the high water table this building is proposed with the parkade level at grade providing a total height of 5 storeys.

The current zoning for this property is RU6 residential which supports two dwelling residential. To achieve the proposed building scale on this site, the project is seeking a rezoning of the property to an RM5 Medium Density Apartment Housing zone.

Anagram PROPERTIES Inc. is interested in creating a design language for their projects which is shared across their developments in Kelowna. The 1145 Pacific Avenue project utilizes a similar exterior expression to the Clement project with colour banding highlighting the apartment balconies and neutral colour blocking of the protruding walls. The expression of the building includes a vertical entry feature to create street presence.

This project proposes varying the rear and side yard setbacks for the building. To achieve the parking required for this project the east side yard has been varied to 1.5m to accommodate the parking requirement. Residential units from the second to the fourth floor are stepped back to the 4.5m setback from the property line meeting the setback requirements and the fifth floor is 6.0m from the property line exceeding the setback requirements. The fifth floor is further inset on the east and west sides to reduce the scale of the building relative to the neighbouring properties. The rear yard of this project is varied to a 7.5m setback from the property line. The front yard of this facility is based on 2.5m dedication and a 1.5m setback to the ground and second level portion of the building. This setback is to accommodate ground level townhouses which front onto the street. The upper levels of the building are setback 6m from the original setback line and 3.5m from the proposed road dedication.

To achieve the proposed parking and massing of this project, the site coverage has been varied to 81% with 57% of that being the building and the remaining 24% being attributed to driveways and parking. Recognizing the potential impact that an increased site coverage will have on the storm water flow into the municipal systems we have been working with New Town Planning Services to identify storm water management options for this site. New Town has identified a preliminary concept which would include developing a storm retention tank beneath the proposed exterior driveway. The storm network would be composed of catch basins, drywells, and a variety of storm detention tanks. The storm retention tank and drywells would be designed to disperse the storm water through infiltration with storage capacity adequate to attenuate the 100-year storm, as per the City of Kelowna servicing bylaw requirements. Roof leaders and foundation drains would be designed to disperse to either rock pits or the storm network, at which point it would be allowed to infiltrate.

The Anagram building for Pacific Avenue has been designed to incorporate sustainability into project. Sustainable features for this project start from the location planning with the intent of providing housing within an urban location which reduces the need to vehicular travel. Two parking stalls have been included for car share parking providing residents and neighbours an option to owning a dedicated vehicle. The parking lot also includes four charging stations for electric vehicles spread between both the car share and private parking stalls. Approximately 100kw of solar power is planned for the project which would power the electric vehicle charging stations as well as providing electricity to the rental units and common areas.

To encourage alternative transit, a fully enclosed bicycle room for the residents providing secure, weather protected storage at the ground level. In addition to providing space for the storage of personal bikes, the client is also providing six shared bicycles for the building tenants which will be located within the parkade area along with a bicycle maintenance space for tenants. The City of Kelowna has been described as having the most extensive bicycle network for a city of its size and intends to build on this with its 20-year transportation plan. The inclusion of innovative programs such as this facility's bike share will augment Kelowna's vision.

Anagram PROPERTIES Inc. has made the decision to proceed with this project as a purpose built rental housing project. The project will apply to the City of Kelowna's Rental Housing Grants Program for a ten year tax abatement and to help offset DCC's. With recent rental vacancy rates in Kelowna 0.2% in 2017, the need for both rental and affordable housing is apparent. This project is designed to provide a variety of housing types from 1-3 bedroom mix to meet a diverse spectrum of needs for people seeking rental housing. The Pacific Avenue RENTALS project intends to help solve the rental housing crisis currently being experienced by the City of Kelowna.

We believe that this project is consistent with the objectives of the Official Community Plan and can provide a building which meets the client's focus for smart, sustainable and attainable housing. The urban location combined with family sized suites and sustainable features provides a residential product which can meet the needs of the community enabling people to live and work in the urban centre. The sustainable design approach for this building combined with the rental market in Kelowna, City of Kelowna Developer Incentives program support make this a purpose built rental project which is both desirable and needed for the City of Kelowna to meet current housing demands.

Regards,

Roger Green

Architect AIBC

CC: Reg Hamilton – Anagram PROPERTIES Inc.
Vicki Topping – MQN Architects

May 11, 2018

Alec Warrender, Planner
 City of Kelowna Planning Department
 1435 Water Street
 Kelowna, BC
 V1Y 1J4

**Re: Rezoning, and Development Application Development Rationale
 Anagram PROPERTIES Inc. - Pacific Avenue RENTALS
 Parking Variance**

Address: 1145 Pacific Avenue

Dear Alec,

Following our conference call yesterday, we have put together the following commentary on the approach to the parking for 1145 Pacific Avenue.

Pacific Avenue RENTALS is seeking a variance on parking for this project to reduce the number of parking stalls from the zoning bylaw requirements to a 1 stall per unit plus 1 stall per 7 units for visitors. The request for this reduction in parking has been based on several factors for the project ranging from demographics to location. The following rationale outlines the zoning baseline and the proposed parking approach.

The parking requirements by the zoning bylaw define parking for apartments as requiring parking based on the following ratios:

1.25 stalls per 1-bedroom unit / 1.5 per 2-bedroom unit / 2.0 per 3-bedroom unit

Based on these ratios the parking counts for the facility would be as follows:

<i>Unit Type</i>	<i>Count</i>	<i>Parking Ratio</i>	<i>Parking Required</i>
<i>Bachelor</i>	0	1.00	0
<i>1 Bedroom</i>	5	1.25	6.25
<i>2 Bedroom</i>	21	1.50	31.50
<i>3 Bedroom</i>	5	2.00	10.00
<i>Visitor</i>	31	1 per 7 units	4.43
			53

Based on the market evaluation and location the proposed variance for this project would be to reduce the parking requirements to a 1 stall per unit ratio plus visitor parking. This approach would provide the parking as follows:

<i>Unit Type</i>	<i>Count</i>	<i>Parking Ratio</i>	<i>Parking Required</i>
<i>Bachelor</i>	0	1.00	0
<i>1 Bedroom</i>	5	1.00	5
<i>2 Bedroom</i>	21	1.00	21
<i>3 Bedroom</i>	5	1.00	5
<i>Visitor</i>	31	1 per 7 units	4.43
			36

Parking Approach

Prior to starting this project Anagram PROPERTIES Inc. conducted a demographic and market study to determine their target audience for this project. The study completed in 2017 found that there has been a strong demand for rental housing in the Kelowna market with vacancy rates as low as 0.2%. In addition to a low rental vacancy rate, the demographics of incoming individuals to the area includes a large percentage of young working adults 15-34 years and retirees 65+ years. Based on these groups entering the Kelowna market, Anagram PROPERTIES Inc. is targeting the following five renter profiles:

Millennials: 40%

- *Late 20's to 30's.*
- *Partnered and creating families.*
- *Seeking work in the Health or Tech industry.*
- *May have relocated from areas such as Vancouver, Toronto or Calgary because of the high cost of living.*
- *Often one partner may be self-employed (associated with tech sector activities) and the other has a more traditional career.*
- *Priced out of the single-family market and subject to high purchase sensitivity.*
- *Highly impacted by financing and unable to secure a down payment to purchase.*
- *Value experiences over material items.*
- *Like the flexibility and the maintenance-free lifestyle that renting provides.*
- *Interested in being walking distance to the urban core.*
- *Want to be able to live, work and play in a high density environment surrounded by nightlife, restaurants, and entertainment.*

Students: 10%

- *17 to 25 years of age. Couples or single individuals.*
- *Studying at UBCO or Okanagan College.*
- *Tend not to have vehicles, but rather use public transportation, bikes and carpools.*
- *Inclined to reduce their cost of living by sharing housing with friends/family.*
- *Some may be working part/full time while attending school.*
- *Students from out of town have parents helping them with their living expenses.*
- *Cost of living off campus is comparable to the cost of living in campus residence,*

thus students prefer offsite living.

- *The idea of living downtown is appealing to a young individual.*

Restarts: 35%

- *40 to 60's. Divorced and may have financial equity available from the sale of a martial home.*
- *Likely have their children part-time and are more likely to be female than male.*
- *Some may be on fixed-incomes and typically continue to rent until they remarry or receive an inheritance.*
- *May have moved from Vancouver or Calgary for a slower pace of life and more relaxed lifestyle.*
- *Have guests that frequently visit and stay with them.*
- *Looking to live in a community close to amenities and activities.*
- *Enjoy dining out, socializing and recreational activities with friends.*
- *May currently be renting in the area with an eye out to purchase, but unsatisfied with re-sale options on the market.*
- *Interior design tastes and preferences are clean and contemporary.*

Downsizers: 10%

- *45 to 60 years of age, active married couples looking to sell their single-family home in Kelowna for a less maintenance intensive home in the immediate area.*
- *Approximately 40% will come from out of town, such as Vancouver, Alberta, and other BC communities looking for a change in lifestyle.*
- *May be looking to spend a portion of their year in another location and therefore value the option of "locking and leaving" their primary home in a secure community while they are away.*
- *Tend to be more interested in single level living with main floor master bedroom.*
- *They are looking ahead to aging in place.*
- *Proximity to Downtown Kelowna and access to natural amenities like the Knox mountain trail system is a primary consideration to these buyers.*
- *Proximity to the workplace is important to those buyers who are still working.*
- *Even though they are downsizing they have concerns about having enough space.*
- *Interior design tastes and preferences oriented to clean contemporary designs.*

Retirees: 5%

- *60+, either a couple or widow/widower.*
- *They have friends and family that like to stay occasionally.*
- *Interested in low maintenance and cost. Little need for amenities. Security and affordability is a concern because of fixed incomes.*
- *Very social and prefer high walkability to keep their mind and body active.*
- *They may be in a temporary transition from their larger single family home. Renting in the interim and planning to purchase a condo and age in place.*
- *May be past the need for home ownership.*

Based on these groups and their lifestyles, there is an expectation that there will be a lower dependence on personal vehicles than with traditional renters. Many studies have been completed on the millennial market finding that they are less likely to drive than previous age groups which fits well with a 1 car per unit ratio like students. The Restarts also are likely to only have a single vehicle based on the marital status. Retirees are also less likely to have a dependence on a multiple vehicle lifestyle due to not having to work. Based on the demographics of the intended rental pool it is possible that there will be units in the building which will not require parking. To address this possibility the parking for this project will not be provided based on a fixed stall per unit approach but rather will be a managed pool providing flexibility to the parking.

Based on an intent to provide the rental units for the above groups, Anagram PROPERTIES Inc. sought a property which is situated in a rising urban core of Kelowna. The Pacific Ave location was selected for this project based on the central location and the planned amenities nearby. The Capri/Landmark area of Kelowna is targeted in the OCP to experience a growth of 1250 multi unit housing, this growth is focused around the redevelopment of the Capri Mall location at the core. Pacific Avenue is one block away from the Capri Mall location and is well situated to provide a walkable lifestyle with nearby amenity space. As a defined urban centre within Kelowna, the Capri is currently serviced with public transit and will see this increasing as the urban network evolves further reducing car reliance. The combination of target renters having a lower than typical vehicular reliance with a central location and public transit provides the first portion of the rationale for a parking reduction, this project also includes amenities designed to further reinforce this approach.

Within the parameters of this project, Anagram PROPERTIES Inc. has approached the design from their ethos of Smart + Sustainable + Attainable. From the start of work on this project, there has been an intent to provide rental housing with amenities which enhance a reduced car lifestyle. Central to this approach has been the inclusion of a car share program with two dedicated parking stalls. Anagram PROPERTIES Inc. has been in discussion with local car share program operators to integrate their stalls into the existing car share program. The City of Kelowna has informed the design team that the City of Kelowna is working on a car share parking reduction which would allow a 5 to 1 ratio of stall reduction for every car share included in a project. This project is seeking a reduction towards the variance based on this approach. To further meet the intent of being Smart + Sustainable + Attainable, this project is integrating a solar array to the building roof. As part of the intent of this roof top solar system which will be used to reduce the costs for electricity for this building, Anagram is looking to make part of the car share an electric vehicle.

To increase this project's goals of promoting a sustainable lifestyle, the project is including a bike share program. This program would be open to the building residents and includes 3 bike share parking stalls within the building parkade. The intent of this bicycle program is to provide residents with an alternative to single vehicle transit to get around the city. This additional

bicycle program goes beyond the minimum parking requirements of the zoning bylaw providing a convenient service which should help to reduce vehicle reliance.

To summarize, the intent of this project to seek a parking variance of one stall per unit. Based on the demographics of the target audience, and urban location this project is well suited to promoting a lifestyle with reduced car dependence. The inclusion of amenities such as the car share and bicycle share programs at this project will work to further reinforce the one car lifestyle. Based on this approach the sought reduction of parking to 36 stalls we believe that this project aligns with the City of Kelowna's Community Vision to create urban communities that are compact and walkable with housing that is affordable.

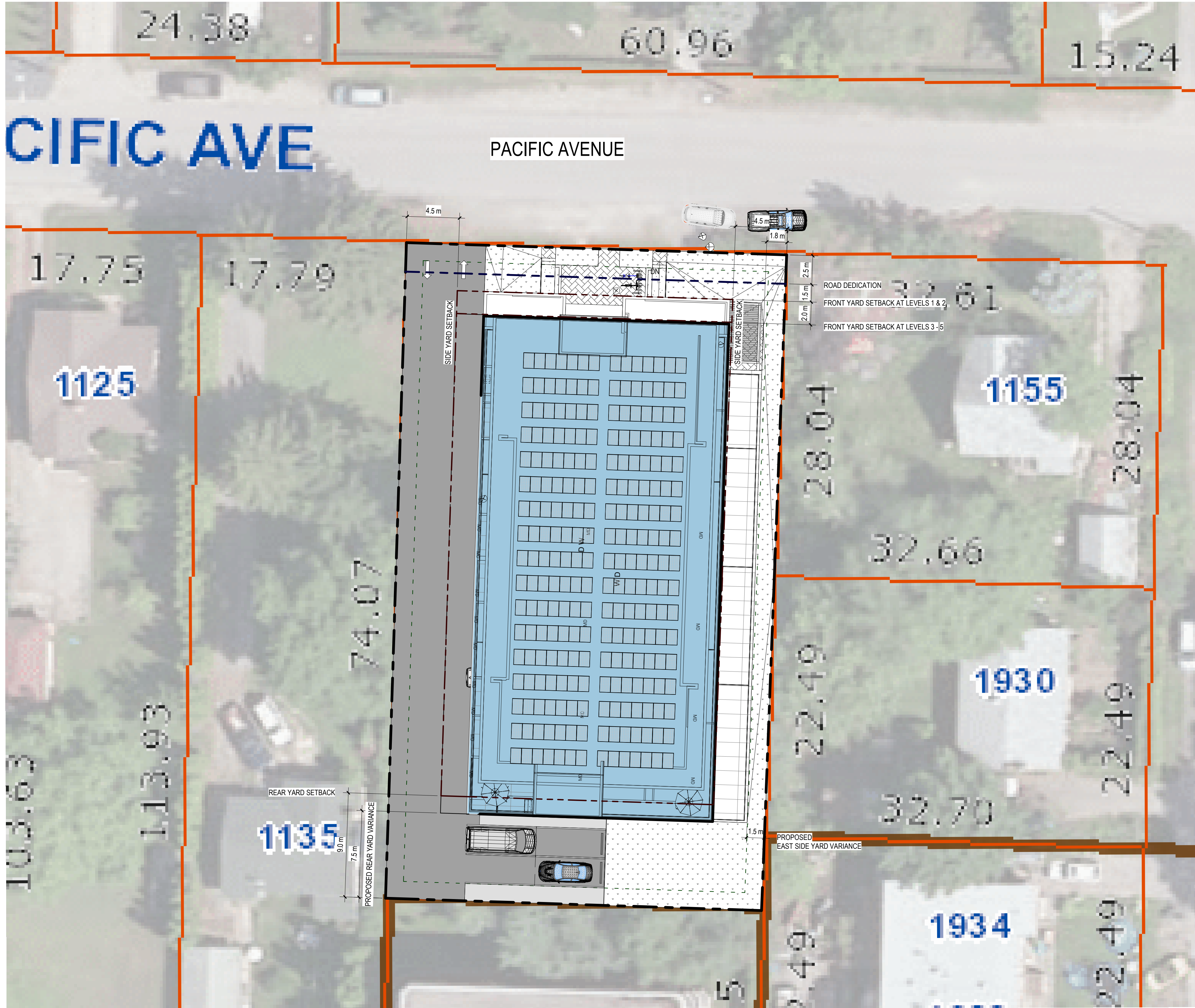
Regards,



Roger Green

Architect AIBC

CC: Reg Hamilton – Anagram PROPERTIES Inc.
Vicki Topping – MQN Architects



PACIFIC AVENUE PROPERTY - ANAGRAM

This project is planned for 1145 Pacific Avenue in Kelowna. The proposed project is a 31 unit apartment building consisting of a ground floor of parking and building entrance and four floors of residential units. The following is a summary of the proposed zoning for this site:

EXISTING ZONING: RU6 - TWO DWELLING HOUSING
PROPOSED ZONING: RM5 - MEDIUM DENSITY MULTIPLE HOUSING

ZONING REQUIREMENTS

	RM5	PROPOSED
MINIMUM LOT	30m X 35m	32.4m X 74.0m
MINIMUM AREA	1700m ²	1849.7m ²
MAX FAR	1.1 + 0.1 Parking + 0.2 Urban Center	1.4
BUILDING COVER	--	57%
SITE COVER	50%	81%
SETBACKS		
FRONT	6.0m	1.5m NORTH
SIDE	4.5m (6.0m FLANKING STREET)	1.5m WEST
		4.5m EAST
REAR	9.0m	7.5m SOUTH
PRIVATE OPEN SPACE		
1 BEDROOM	15.0m ²	
2+ BEDROOM	25.0m ²	
BUILDING HEIGHT	18.0m	17.4m PRIMARY ROOF, 18.3m ENTRY PARAPET

PROPOSED BUILDING CONFIGURATION

PRIVATE OPEN SPACE	721.7 m ²
UNITS	31 TOTAL (5 x 1BR, 21 x 2BR, 5 x 3BR)
PARKING	17 REGULAR (50%), 18 MEDIUM (50%), 0 SMALL (2%) + 1 HC = 36 STALLS
BICYCLE PARKING	18 CLASS I 6 CLASS II



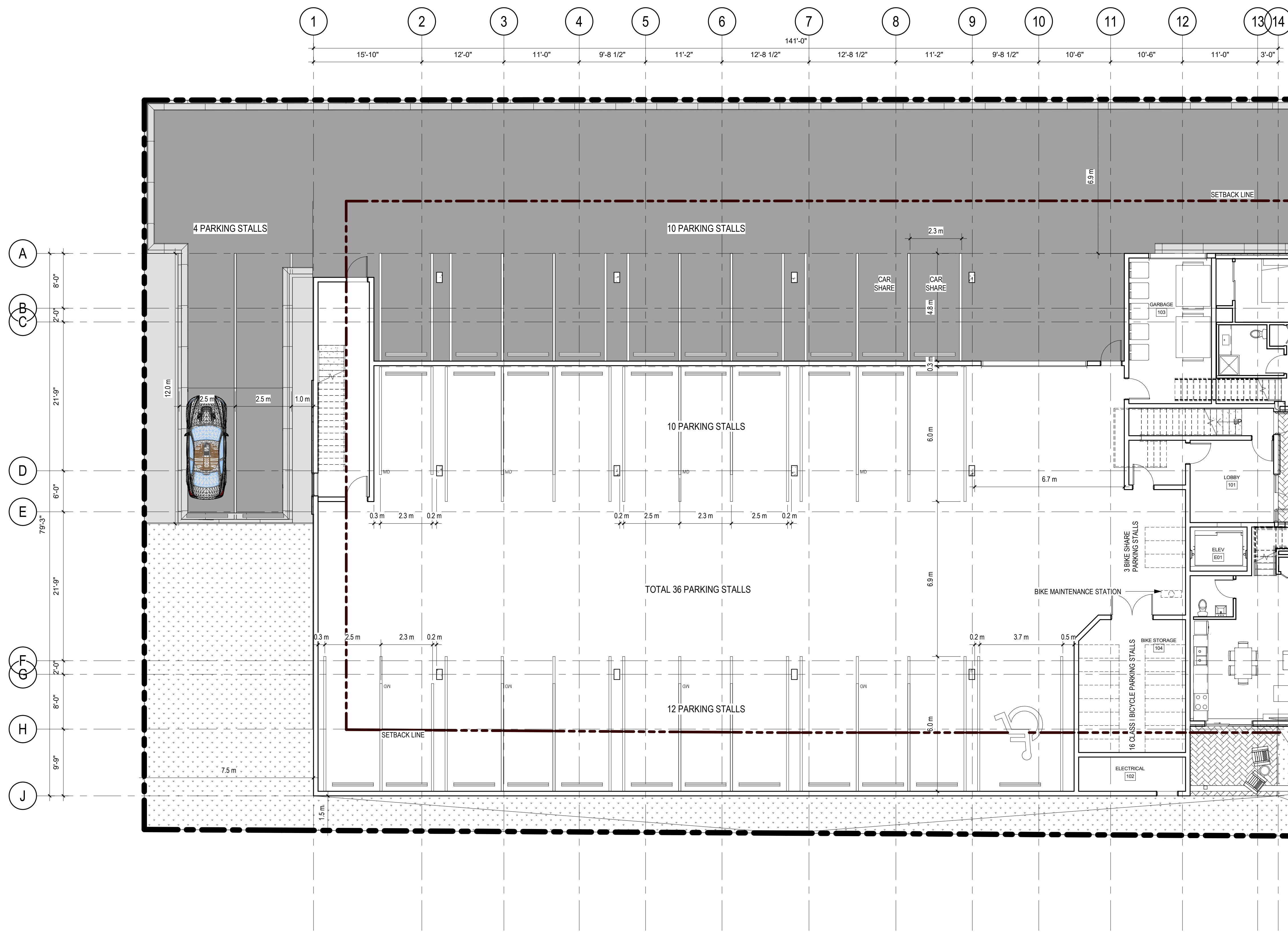
IMQN
ARCHITECTS

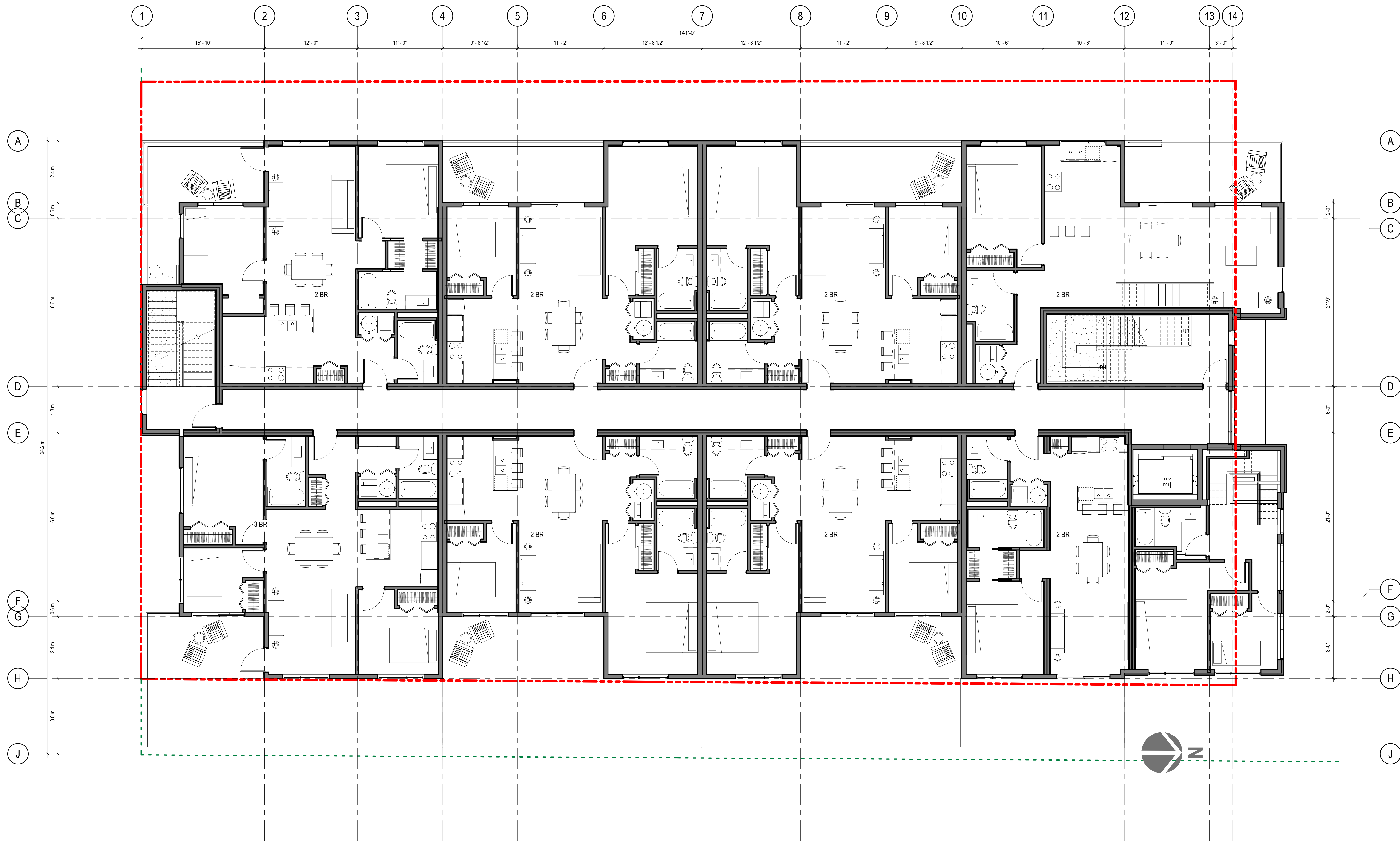
SITE PLAN

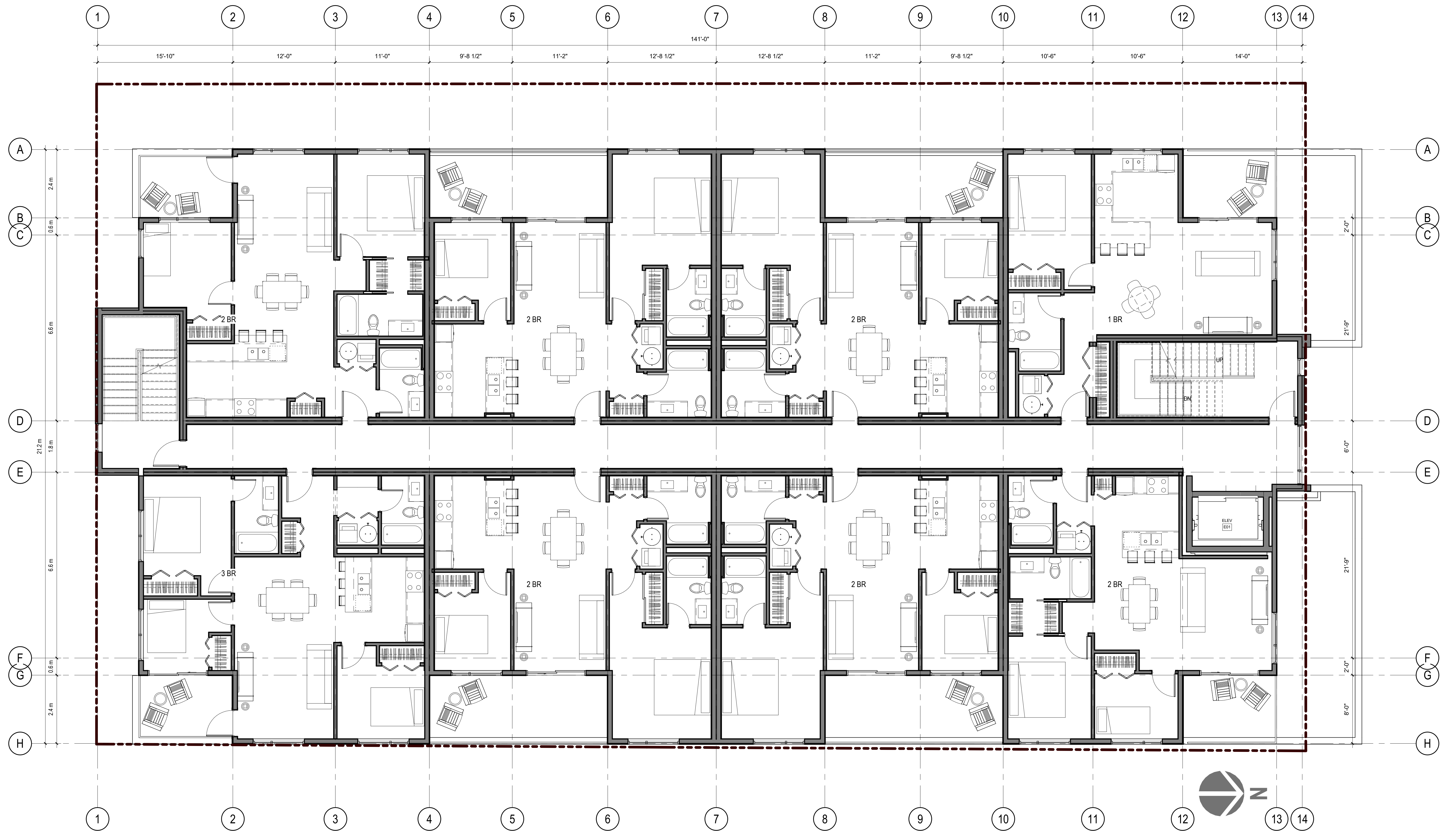
ANAGRAM ON PACIFIC
1145 PACIFIC AVE, KELOWNA BC

ANAGRAM
PROPERTIES

DRAWING: A01
PROJECT: 17167
DATE: 2018/04/23
SCALE: 1/16" = 1'-0"











ROOFING - LIGHT GREY SBS



CEMENTITIOUS PANEL - WHITE



WOOD ACCENT



CEMENTITIOUS CLADDING - AGED PEWTER



CONCRETE



CEMENTITIOUS PANELS (LIGHT BLUE)

CEMENTITIOUS PANELS (MID BLUE)

CEMENTITIOUS PANELS (DARK BLUE)







PERSPECTIVE LOOKING WEST



PERSPECTIVE LOOKING EAST



AERIAL LOOKING NORTHWEST



AERIAL LOOKING SOUTHEAST



PERSPECTIVE VIEWS

ANAGRAM ON PACIFIC
1145 PACIFIC AVE, KELOWNA BC



DRAWING: A09

PROJECT: 17167

DATE: 2018/04/23

SCALE:



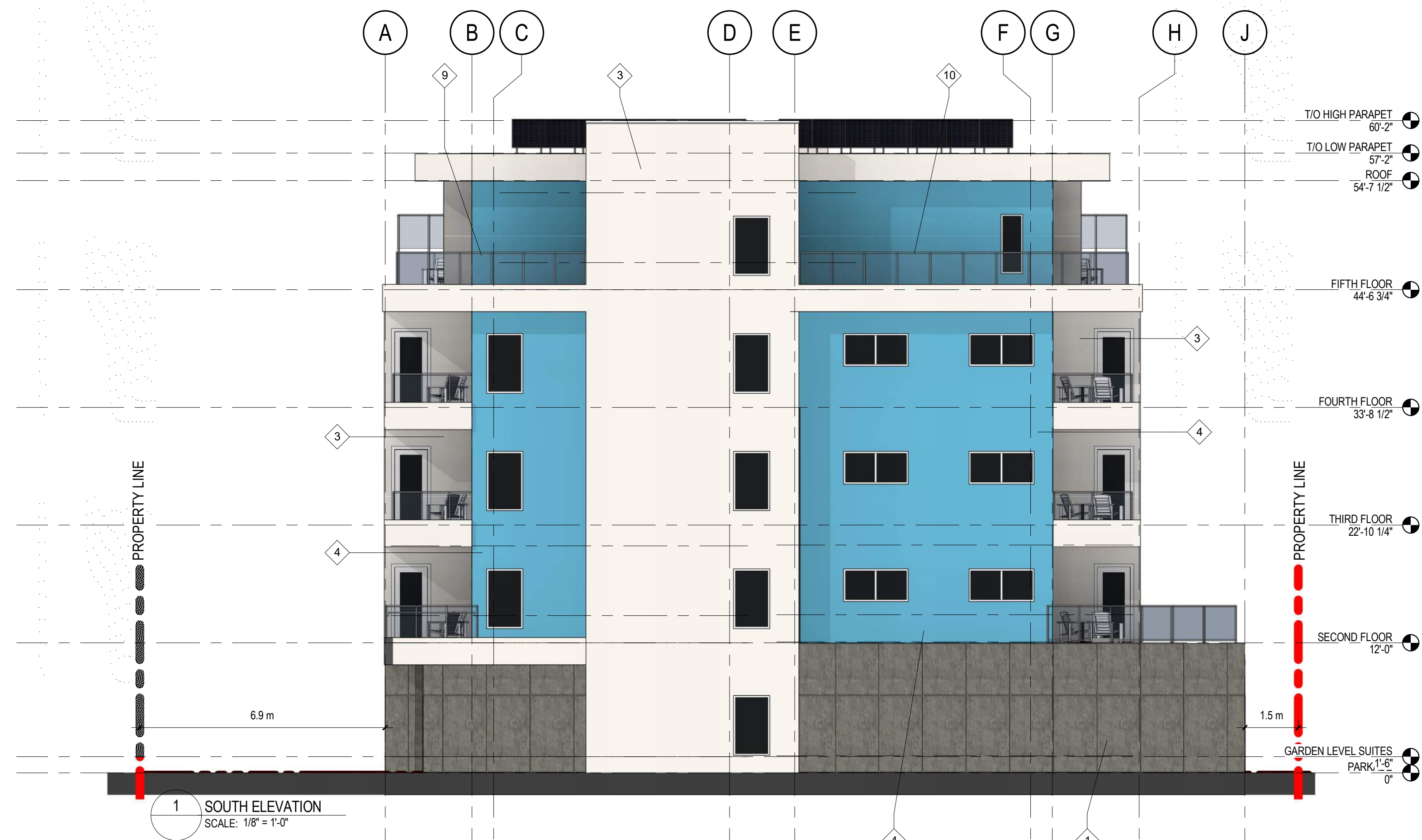
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2 EAST ELEVATION
SCALE: 1/8" = 1'-0"

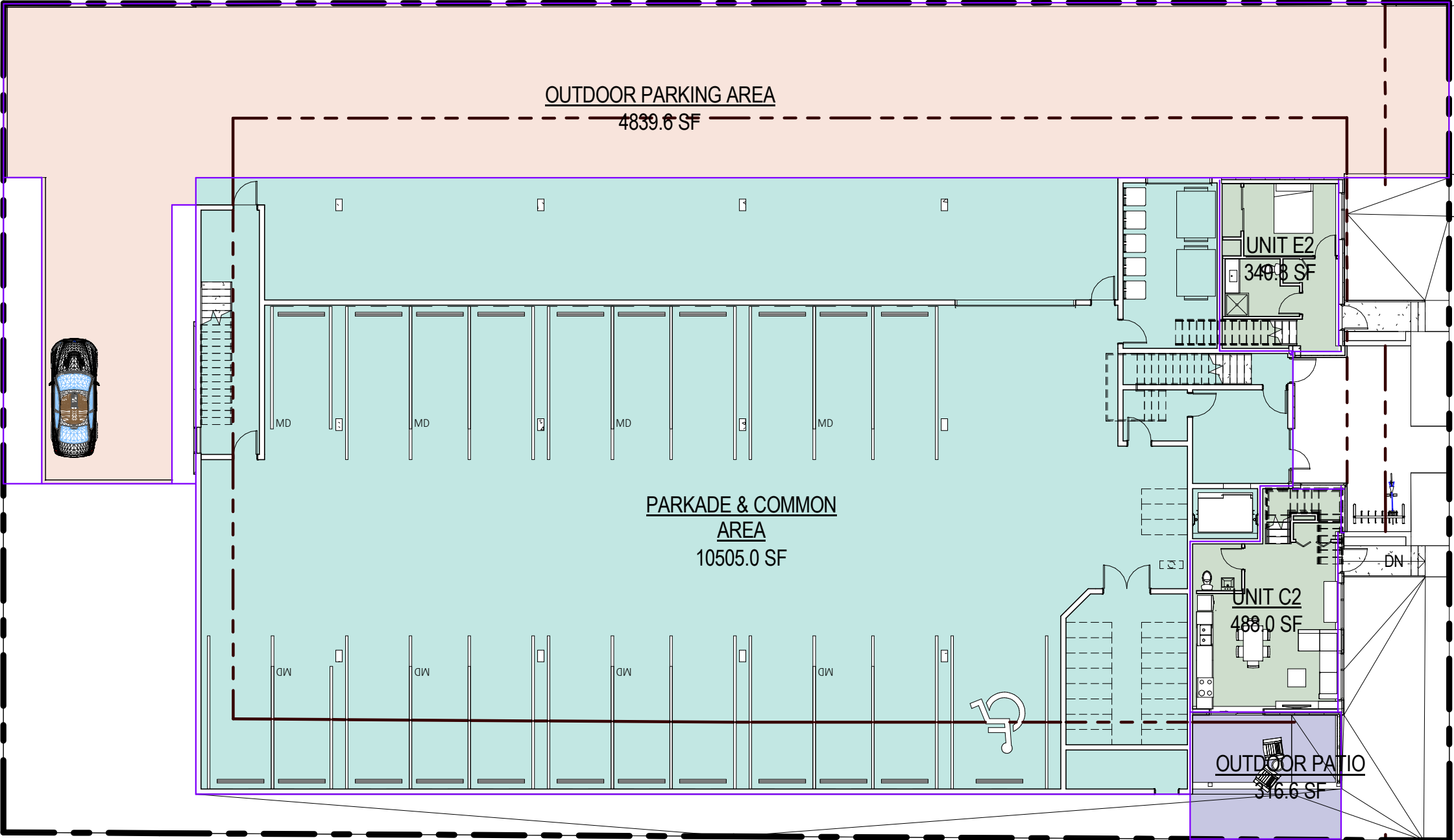
EXTERIOR FINISH LEGEND

- 1 ARCHITECTURAL CONCRETE, CONE SNAP TIE FORMING
PROFILE: SMOOTH HORIZONTAL FORMS C/W 2" REVEALS
COLOUR: NATURAL CONCRETE (NO TINT OR SEALER)
- 2 CHARCOAL FIBRE CEMENT LAP SIDING
PRODUCT: HARDIPANEL
COLOUR: AGED PEWTER
- 3 WHITE FIBRE CEMENT PANEL
PRODUCT: HARDIPANEL
COLOUR: ATRIUM WHITE
- 4 LIGHT BLUE FIBRE CEMENT PANEL
PRODUCT: HARDIPANEL
COLOUR: POOL PARTY 2059-50 BENJAMIN MOORE
- 5 MEDIUM BLUE FIBRE CEMENT PANEL
PRODUCT: HARDIPANEL
COLOUR: FINLEY CW-620 BENJAMIN MOORE
- 6 DARK BLUE FIBRE CEMENT PANEL
PRODUCT: HARDIPANEL
COLOUR: CHAMPION COBALT 2061-20 BENJAMIN MOORE
- 7 STAINED CEDAR HORIZONTAL SHIPLAP CLADDING
PROFILE: 19mm x 89mm ROUGH CUT CEDAR SHIPLAP
COLOUR: SIKKENS CETOL LOG & SIDING "SIK42078 NATURAL" TRANSLUCENT FINISH, 2 COATS
- 8 EXTERIOR CLEAR GLAZING
FRAMING: VINYL
COLOUR: WHITE
- 9 ALUMINUM CURTAINWALL WITH CLEAR GLAZING
PRODUCT: CURTAINWALL
COLOUR: CLEAR ANODIZED
- 10 EXTERIOR GLASS RAILING
FRAMING: ALUMINUM
COLOUR: CLEAR ANODIZED

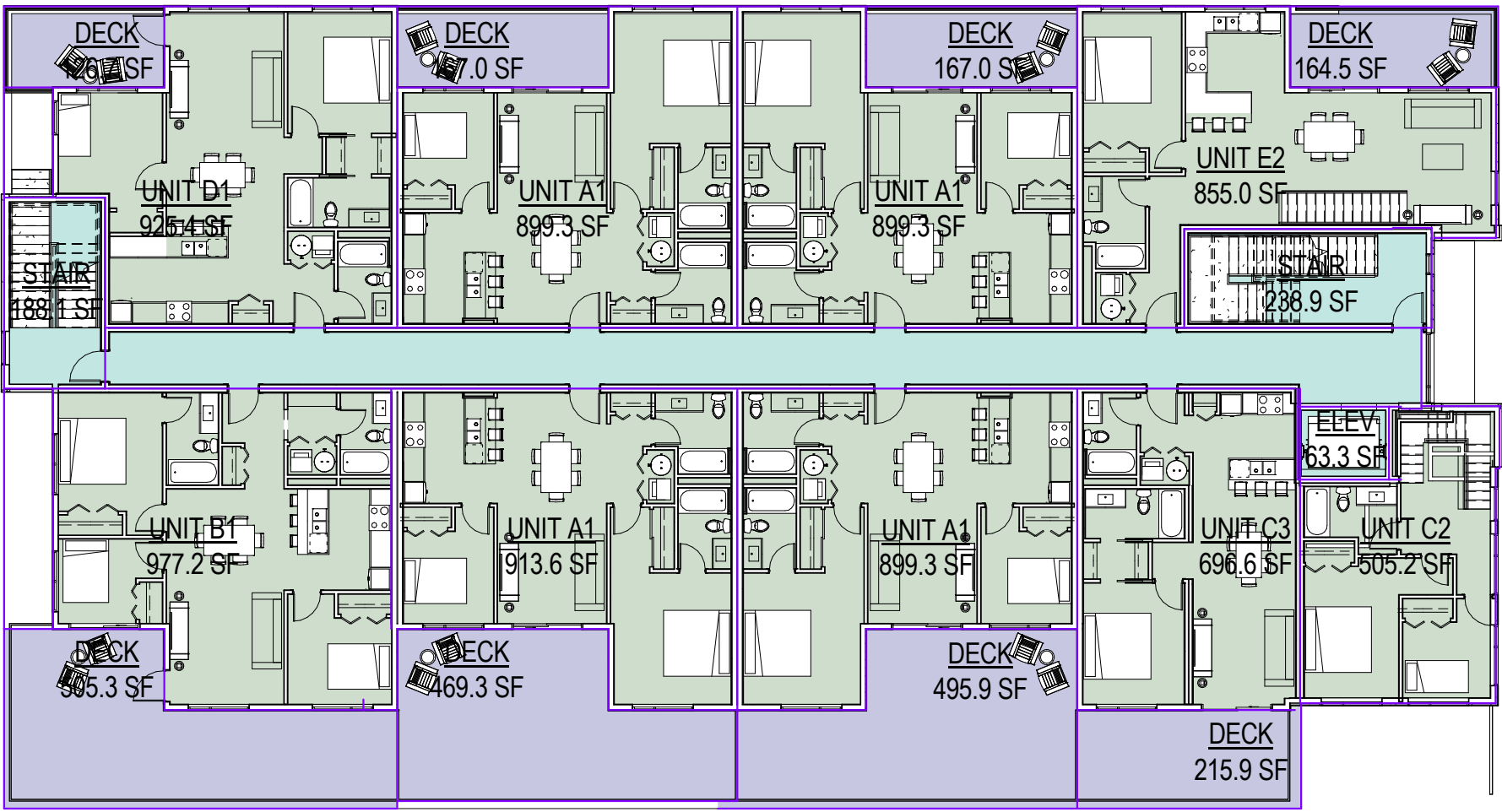


EXTERIOR FINISH LEGEND

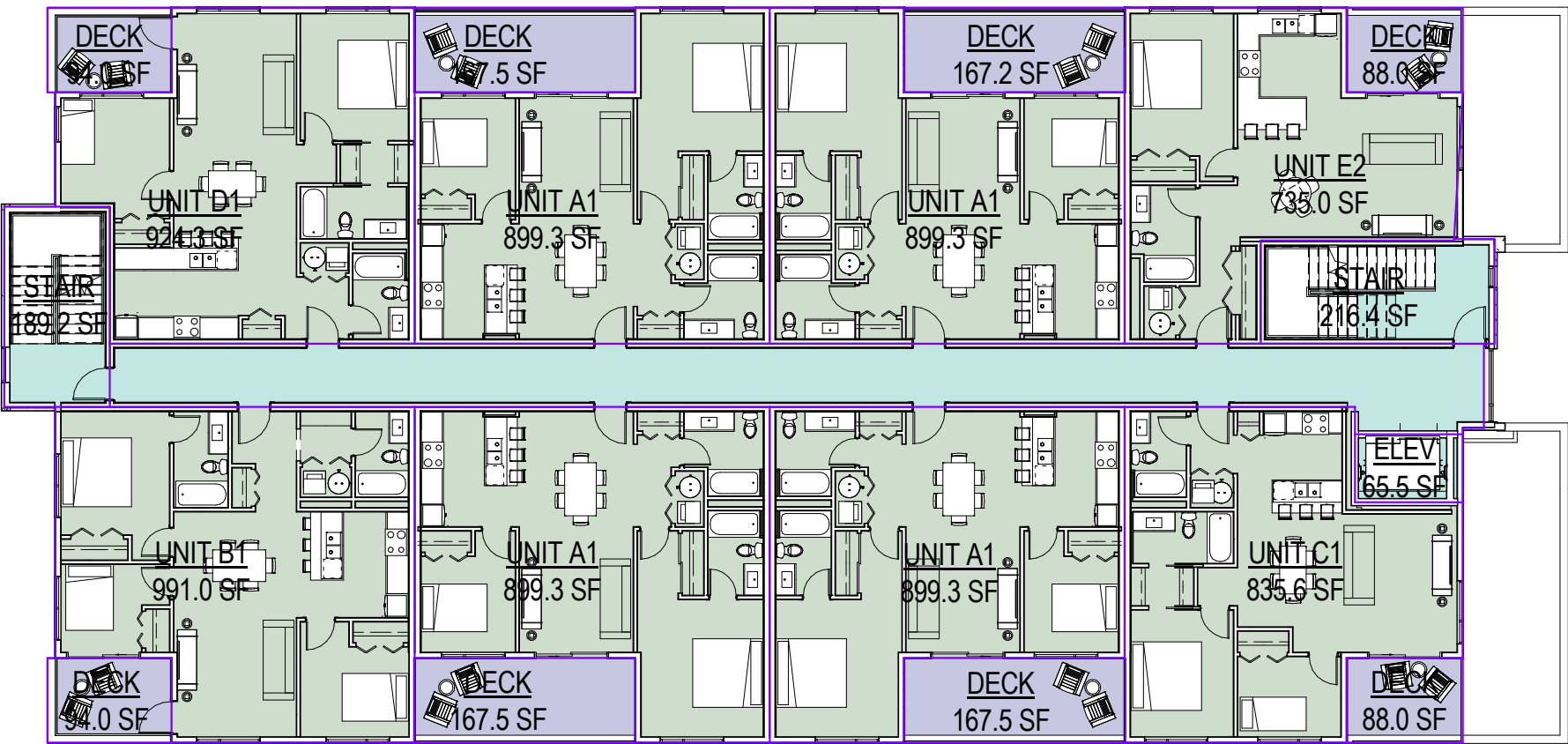
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FRAMING: ALUMINUM
COLOUR: CLEAR ANODIZED



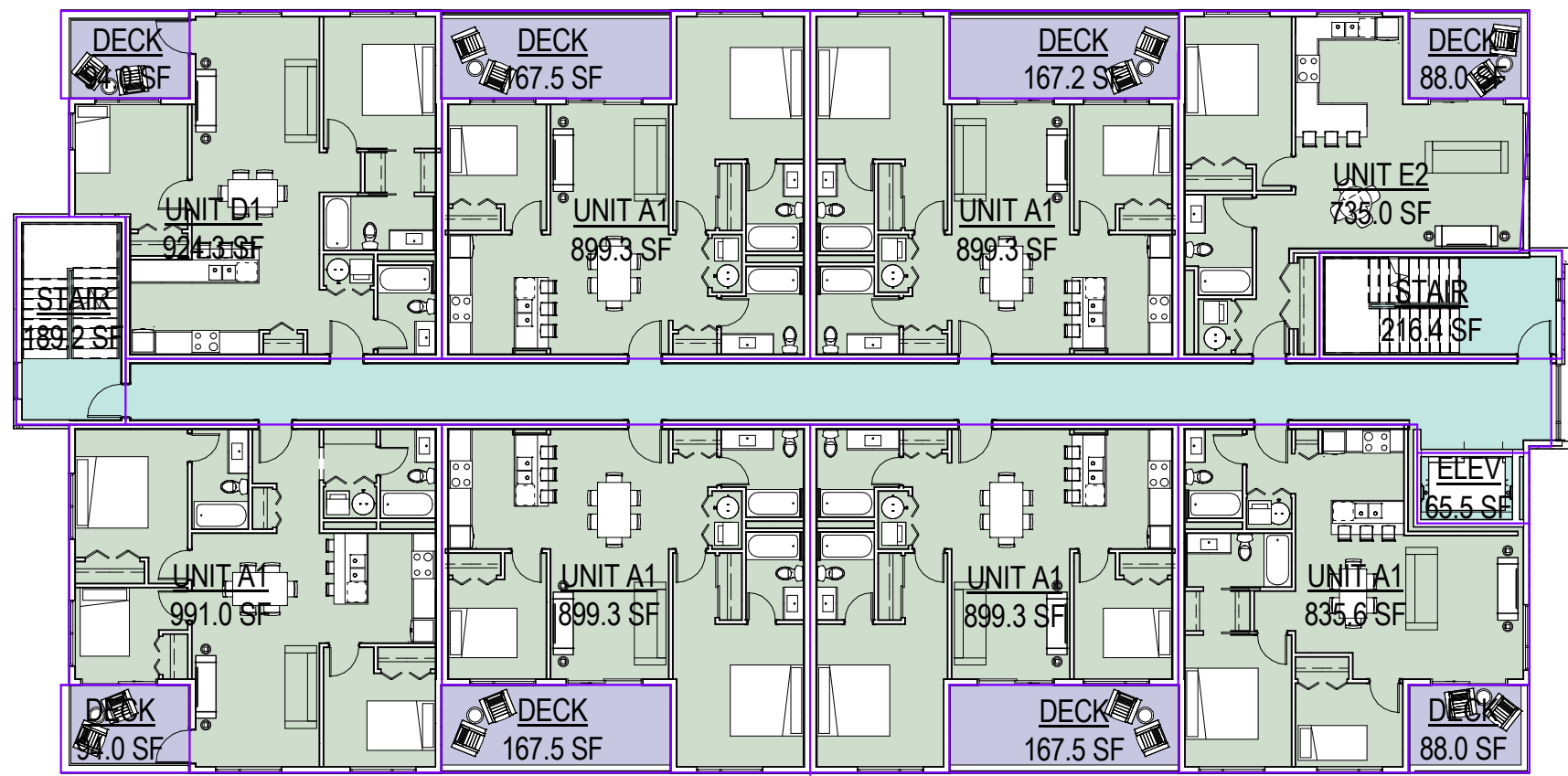
1 PARKADE
SCALE: 1/16" = 1'-0"



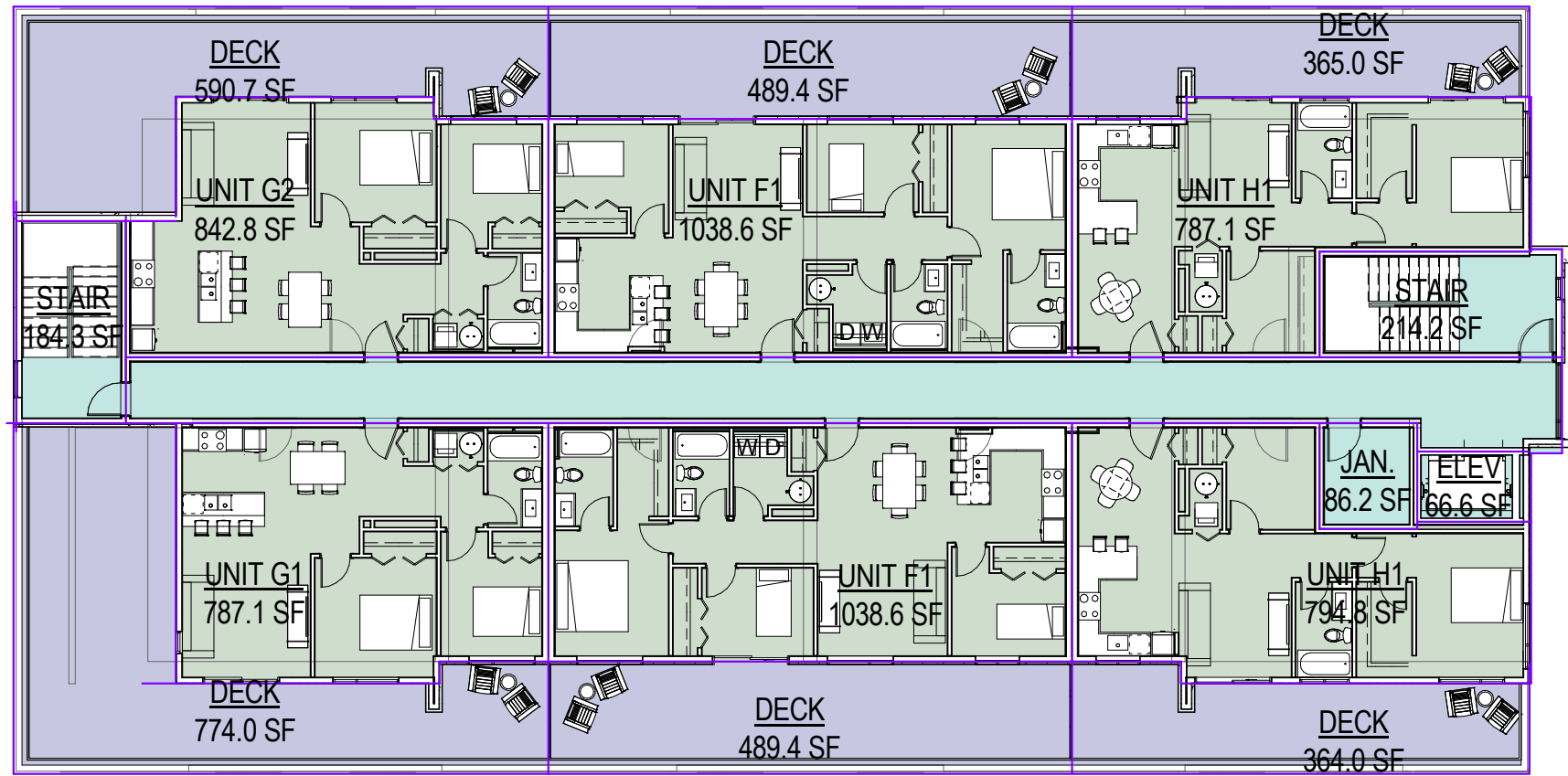
2 SECOND FLOOR
SCALE: 1/16" = 1'-0"



3 THIRD FLOOR
SCALE: 1/16" = 1'-0"



4 FOURTH FLOOR
SCALE: 1/16" = 1'-0"



5 FIFTH FLOOR
SCALE: 1/16" = 1'-0"

SITE COVERAGE CALCULATION

TOTAL SITE AREA	1849.7 m ²
BUILDING AREA	1052.9 m ²
PARKING AREA	449.6 m ²
BUILDING COVERAGE	0.57
PARKING COVERAGE	0.24
TOTAL SITE COVERAGE:	0.81
(BUILDINGS, DRIVEWAYS, & PARKING)	

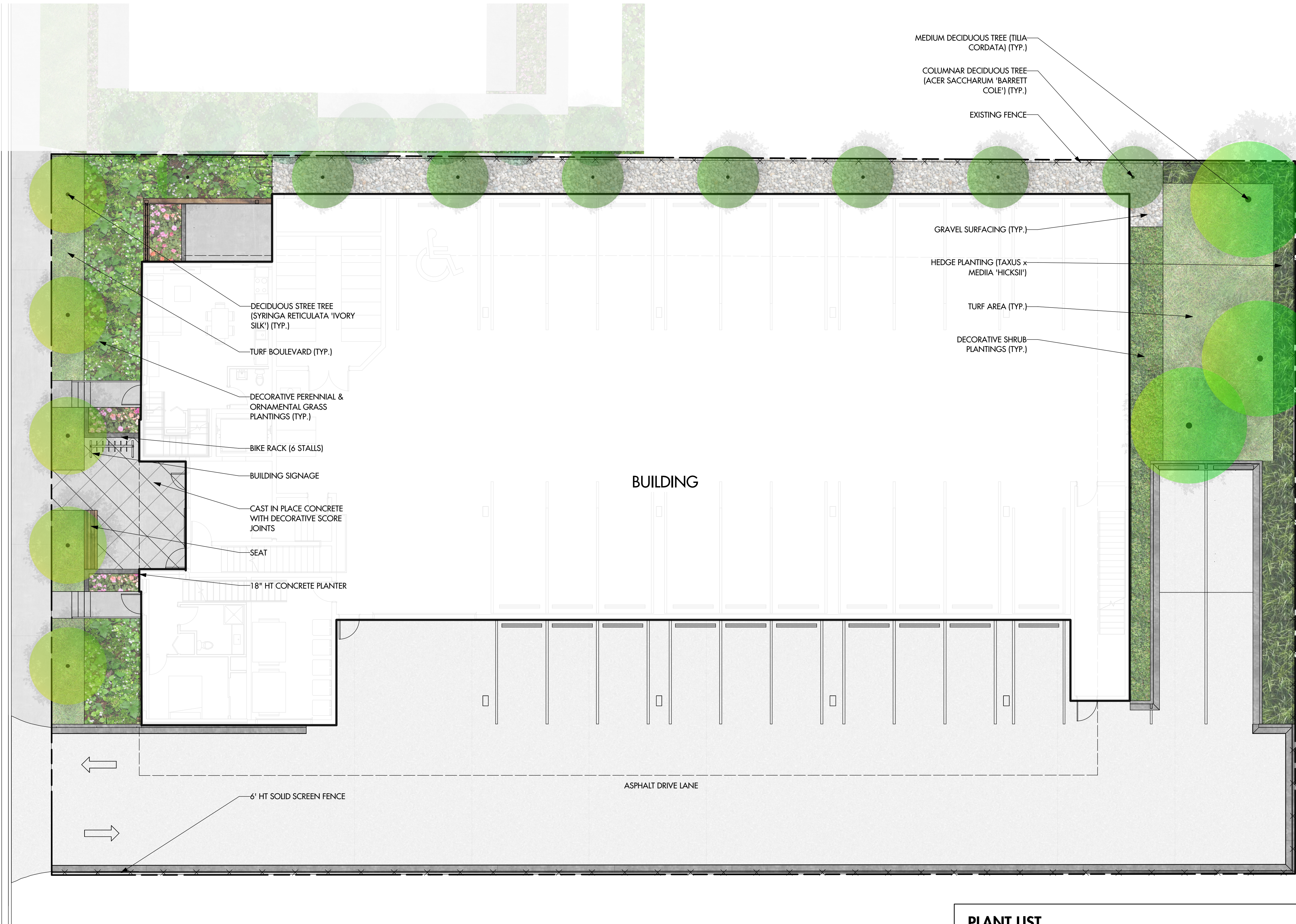
FAR CALCULATION

TOTAL SITE AREA	1849.7 m ²
EXCLUDED AREA	1461.6 m ²
INCLUDED AREA	2587.8 m ²
PARKING AREA	449.6 m ²
PRIVATE OPEN SPACE	721.7 m ²
FLOOR AREA RATIO:	1.40

FAR AREAS

INCLUDED AREA
EXCLUDED AREA
PRIVATE OPEN SPACE
PARKING AREA

PACIFIC AVENUE



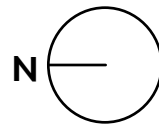
- NOTES**
1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED C.N.L.A. STANDARDS.
 2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
 3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 50mm WOOD MULCH. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
 4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
 5. TURF AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 100mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.

PLANT LIST			
BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
TREES			
ACER SACCHARUM 'BARRETT COLE'	APOLLO MAPLE	8	6cm CAL.
SYRINGA RETICULATA 'IVORY SILK'	IVORY SILK TREE LILAC	5	6cm CAL.
TILIA CORDATA	LITTLE LEAF LINDEN	3	6cm CAL.
SHRUBS			
BUXUS 'GREEN GEM'	GREEN GEM BOXWOOD	18	#01 CONT. /0.75M O.C. SPACING
CORNUS STOLONIFERA 'FARROW'	ARCTIC FIRE RED TWIG DOGWOOD	10	#01 CONT. /1.0M O.C. SPACING
HYDRANGEA PANICULATA 'JANE'	LITTLE LIME HYDRANGEA	7	#01 CONT. /1.2M O.C. SPACING
PHILADELPHUS 'SNOWBELLE'	SNOWBELLE MOCKORANGE	10	#01 CONT. /1.0M O.C. SPACING
SYRINGA MEYERII 'PALIBIN'	DWARF KOREAN LILAC	7	#01 CONT. /1.2M O.C. SPACING
TAXUS X MEDIA 'HICKSII'	HICK'S YEW	64	#01 CONT. /0.75M O.C. SPACING
PERENNIALS & GRASSES			
ASTILBE JAPONICA 'PEACH BLOSSOM'	PEACH BLOSSOM FALSE SPIREA	15	#01 CONT. /0.75M O.C. SPACING
CALAMAGROSIS ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	15	#01 CONT. /0.75M O.C. SPACING
ECHINACEA PURPUREA 'MAGNUS'	PURPLE CONEFLOWER	24	#01 CONT. /0.6M O.C. SPACING
SALVIA NEMOROSA 'MAY NIGHT'	MAY NIGHT MEADOW SAGE	15	#01 CONT. /0.75M O.C. SPACING



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PROJECT TITLE
1145 PACIFIC AVENUE

Kelowna, BC

DRAWING TITLE
**CONCEPTUAL
LANDSCAPE PLAN**

ISSUED FOR / REVISION		
1	18.04.26	Review
2		
3		
4		
5		

PROJECT NO.	17-141
DESIGN BY	FB
DRAWN BY	NG
CHECKED BY	FB
DATE	APR. 26, 2018
SCALE	1:100

SEAL



DRAWING NUMBER

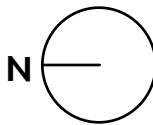
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PROJECT TITLE

1145 PACIFIC AVENUE

Kelowna, BC

DRAWING TITLE

WATER CONSERVATION
PLAN

ISSUED FOR / REVISION

1	18.04.26	Review
2		
3		
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5		

PROJECT NO. 17-141

DESIGN BY FB

DRAWN BY NG

CHECKED BY FB

DATE APR. 26, 2018

SCALE 1:100

SEAL



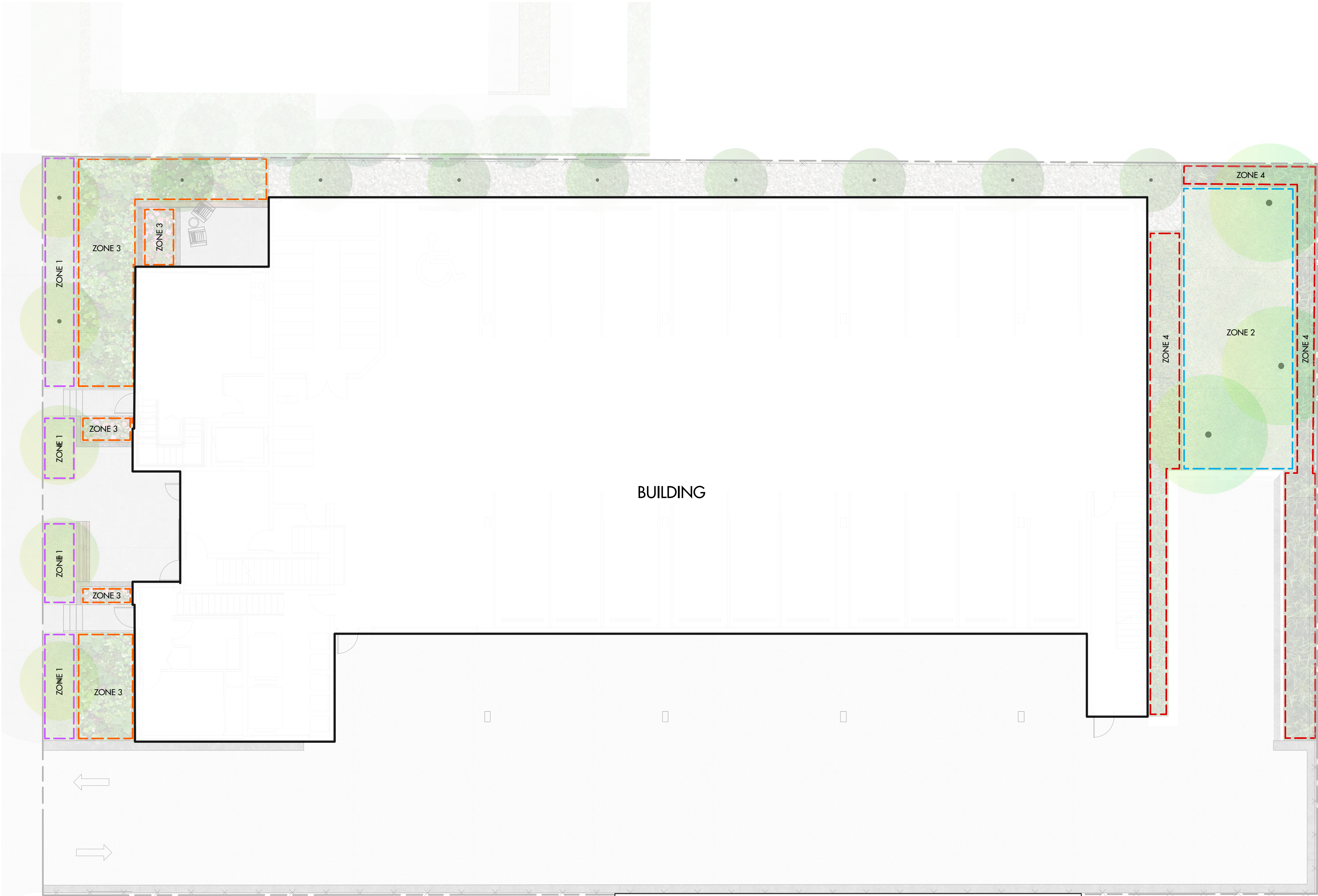
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PACIFIC AVENUE



BUILDING

WATER CONSERVATION CALCULATIONS

LANDSCAPE MAXIMUM WATER BUDGET (WB) = 289 cu.m. / year
ESTIMATED LANDSCAPE WATER USE (WU) = 206 cu.m. / year
WATER BALANCE = 83 cu.m. / year
*REFER ATTACHED IRRIGATION APPLICATION FOR DETAILED CALCULATIONS

IRRIGATION NOTES

1. IRRIGATION PRODUCTS AND INSTALLATION METHODS SHALL MEET OR EXCEED THE REQUIREMENTS OF THE WATER USE REGULATION BYLAW NO. 10480 AND THE SUPPLEMENTARY SPECIFICATIONS IN THE CITY OF KELOWNA BYLAW 7900 (PART 6, SCHEDULE 5).
2. THE IRRIGATION SYSTEM SHALL MEET THE REQUIREMENTS, REGULATIONS, AND BYLAWS OF THE WATER PURVEYOR.
3. THE IRRIGATION SYSTEM SHALL BE EQUIPPED WITH AN APPROVED BACKFLOW PREVENTION DEVICE, WATER METER, AND SHUT OFF VALVE LOCATED OUTSIDE THE BUILDING ACCESSIBLE TO THE CITY.
4. AN APPROVED SMART CONTROLLER SHALL BE INSTALLED. THE IRRIGATION SCHEDULING TIMES SHALL UTILIZE A MAXIMUM ET VALUE OF 7" / MONTH (KELOWNA JULY ET), TAKING INTO CONSIDERATION SOIL TYPE, SLOPE, AND MICROCLIMATE.
5. DRIP LINE AND EMITTERS SHALL INCORPORATE TECHNOLOGY TO LIMIT ROOT INTRUSION.
6. IRRIGATION SLEEVES SHALL BE INSTALLED TO ROUTE IRRIGATION LINES UNDER HARD SURFACES AND FEATURES.
7. IRRIGATION PIPE SHALL BE SIZED TO ALLOW FOR A MAXIMUM FLOW OF 1.5m /SEC.
8. A FLOW SENSOR AND MASTER VALVE SHALL BE CONNECTED TO THE CONTROLLER AND PROGRAMMED TO STOP FLOW TO THE SYSTEM IN CASE OF AN IRRIGATION WATER LEAK.

IRRIGATION LEGEND

- ZONE #1: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREA
TOTAL AREA: 32 sq.m.
MICROCLIMATE: NORTH EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 74 cu.m.
- ZONE #2: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREA
TOTAL AREA: 64 sq.m.
MICROCLIMATE: SOUTH EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 91 cu.m.
- ZONE #3: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 60 sq.m.
MICROCLIMATE: NORTH EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 25 cu.m.
- ZONE #4: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
TOTAL AREA: 64 sq.m.
MICROCLIMATE: SOUTH EXPOSURE, PARTIALLY SHADED BY TREES
ESTIMATED ANNUAL WATER USE: 19 cu.m.

REPORT TO COUNCIL



Date: May 28, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (AF)

Application:	Z18-0024	Owner:	Kerry Begrand Fast Nicole Begrand Fast
Address:	2424 Taylor Crescent	Applicant:	Urban Options Planning & Permits

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z18-0024 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 17, District Lot 14, ODYD, Plan 7336 located at 2424 Taylor Crescent, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Variance Permit for the subject property.

2.0 Purpose

To consider a development application to rezone to RU1c – Large Lot Housing with Carriage House to facilitate the development of a carriage house.

3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House as it is in line with the Official Community Plan (OCP) Future Land Use Designation of S2RES – Single/Two Unit Residential for the subject property and is located within the

Permanent Growth Boundary. The property is fully serviced and is in close proximity to transit, parks, and schools. It is therefore consistent with the OCP Urban Infill Policy of Compact Urban Growth. The addition of a carriage house on the property represents a modest increase in density and the one-storey proposal should sensitively integrate with neighboring properties.

Currently, staff are tracking one proposed variance to allow additional driveway access from Taylor Crescent as well as required access from the lane. Community Planning is not supportive of the request for a second driveway access. Should the zoning be supported by Council, a full staff report on the variance would come forth for consideration.

4.0 Proposal

4.1 Background

Currently, there is a single family dwelling and a few accessory structures located on the subject property. The existing single family dwelling and accessory structures are to be demolished and subsequently removed to facilitate the construction of a new single family dwelling and carriage house.

4.2 Project Description

The proposed rezoning from RU1 to RU1c would facilitate the development of a 58m² one storey carriage house on the subject property.

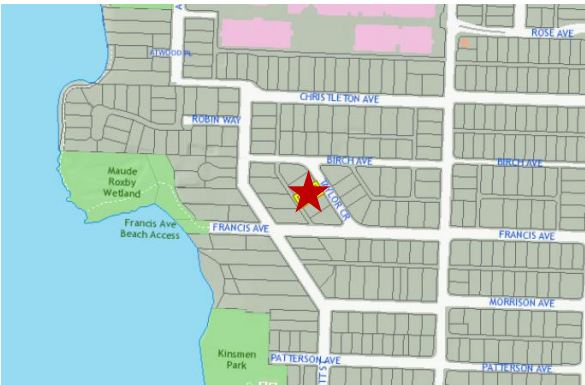
4.3 Site Context

The subject property is located in South Pandosy near the intersection of Pandosy Street and Francis Avenue and just northeast of Kinsmen Park. It is in close proximity to transit routes located along Pandosy Street and is within walking distance to both Kinsmen Park and Strathcona Beach Park. The surrounding neighbourhood consists largely of RU1 – Large Lot Housing zoned properties with a several RU1c – Large Lot Housing with Carriage House and RU6 – Two Dwelling Housing zoned properties.

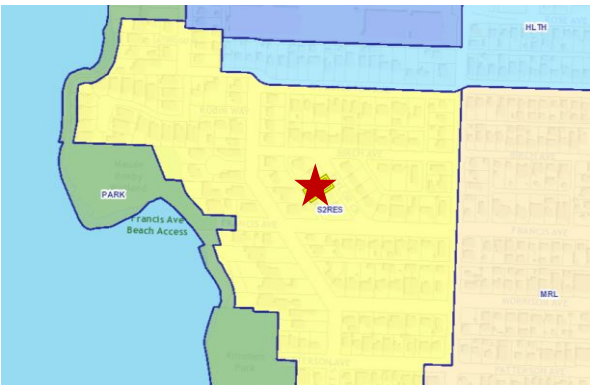
Specifically, adjacent land uses are as follows:

North	RU1 – Large Lot Housing	Residential
East	RU1 – Large Lot Housing	Residential
South	RU1 – Large Lot Housing	Residential
West	RU1 – Large Lot Housing	Residential

Site Context Map



Future Land use Map



Subject Property Map: 2424 Taylor Crescent



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Sensitive Infill.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

Carriage Houses & Accessory Apartments.³ Support carriage houses and accessory apartments through appropriate zoning regulations.

6.0 Technical Comments

6.1 Building & Permitting Department

- No concerns with zoning application.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- See attached memorandum dated March 7, 2018

7.0 Application Chronology

Date of Application Received: February 13, 2018

Date Public Consultation Completed: April 7, 2018

Report prepared by: Andrew Ferguson, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Site and Floor Plan

Attachment B: Development Engineering Technical Comments

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.22.12 (Development Process Chapter).

PROJECT DATA

1. LEGAL DESCRIPTION	CIVIC ADDRESS
LOT 17, PLAN 7336	2424 TAYLOR CR. KELOWNA, BC
2. ZONING	
RU1c - PROPOSED ZONING CHANGE	
3. LOT AREA	
646.50 m²	

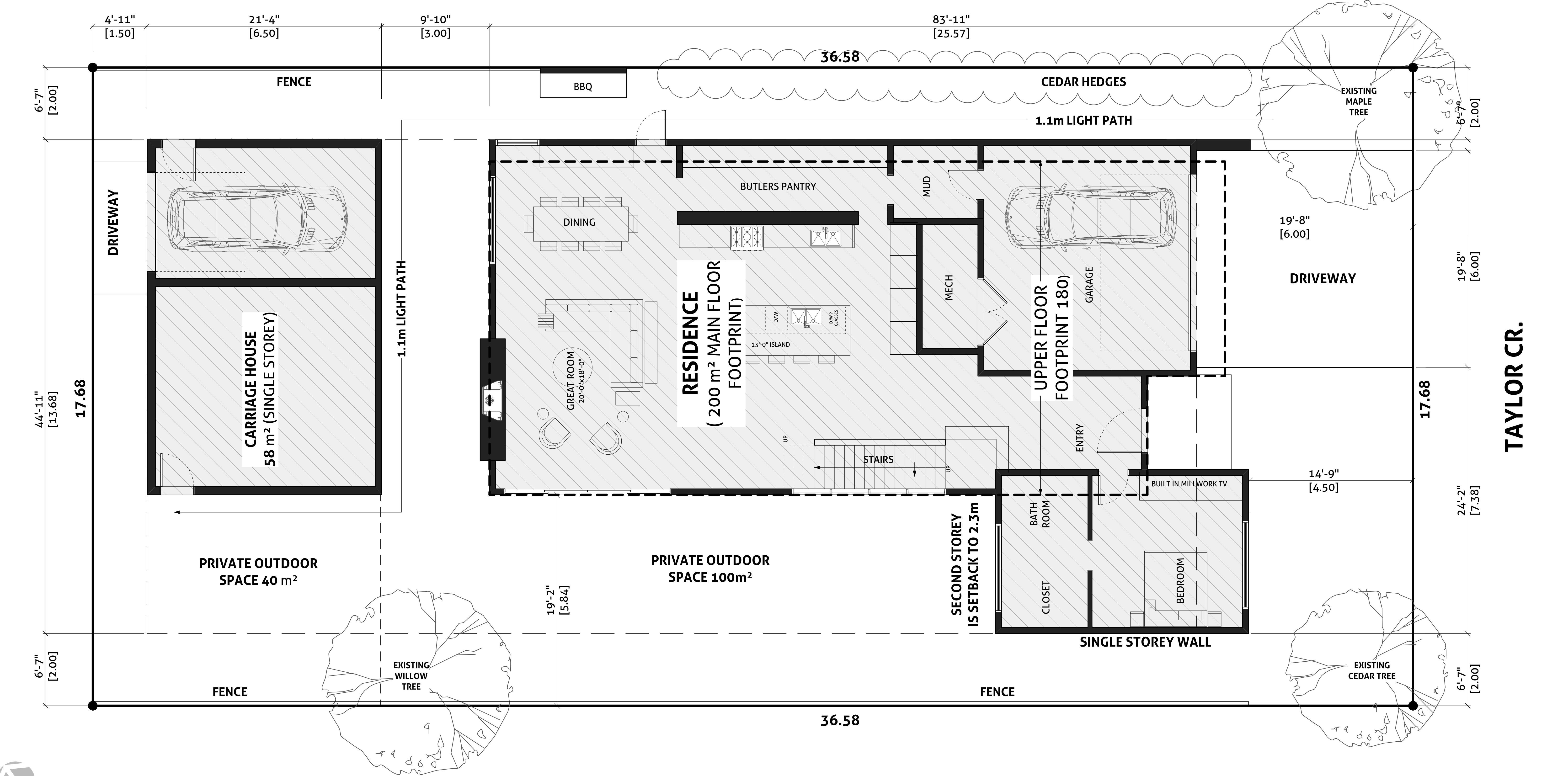
4. SITE COVERAGE	
PRINCIPAL RES. (MAIN FLOOR)	= 200.0 m²
PRINCIPAL RES. (UPPER FLOOR)	= 180.0 m²
CARRIAGE HOUSE	= 58.0 m²
DRIVEWAY	= 34.0 m²
BUILDING FOOTPRINT COV.	= 40.0 %
BUILDING & DRIVEWAYS	= 45.7 %

ATTACHMENT A

This forms part of application # Z18-0024

Planner Initials AF

City of Kelowna
COMMUNITY PLANNING



CITY OF KELOWNA

MEMORANDUM

Date: March 7, 2018
File No.: Z18-0024
To: Community Planning (AF)
From: Development Engineering Manager(JK)
Subject: 2424 Taylor Cr



RU1 – RU1c Carriage House

Development Engineering has the following comments and requirements associated with this application. The utility upgrading requirements outlined in this report will be a requirement of this development.

1. Domestic Water and Fire Protection

This property is currently serviced with a 19mm-diameter water service. The service will be adequate for this application. One metered water service will supply both the main residence and the carriage house.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks box should be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. **The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade.** For estimate inquiry's please contact Jason Angus, by email jangus@kelowna.ca or phone, 250-469-8783.

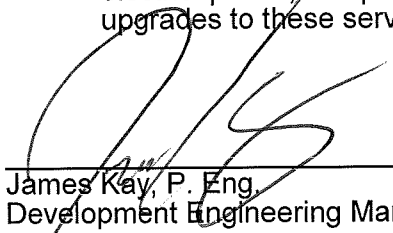
3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

Driveway access is permitted from the lane as per bylaw.

4. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.



James Kay, P. Eng.
Development Engineering Manager

JA

Report to Council



Date: May 28, 2018
File: 1210-20
To: City Manager
From: Policy and Planning Department
Subject: Implementing Agriculture Plan Policy Recommendations: PACKAGE 1 Bylaw Amendments OCP18-0003 and TA18-0002

Recommendation:

THAT Official Community Plan Text Amendment Application No. OCP18-0003 to amend Kelowna 2030 – Official Community Plan Bylaw No. 1500 as outlined in Schedule B attached to the report from Policy and Planning dated May 28, 2018 be considered by Council;

AND THAT Zoning Bylaw Text Amendment Application No. TA18-0002 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule C in the Report from Policy and Planning dated May 28, 2018 be considered by Council;

AND THAT Council considers the public process outlined in the report from Policy and Planning dated May 28, 2018, to be appropriate consultation for the purpose of Section 475 (1) and (3) of the Local Government Act;

AND THAT the Official Community Plan Text Amending Bylaw and the Zoning Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Zoning Text Amending Bylaw be considered subsequent to the approval of the Ministry of Agriculture and Ministry of Transportation and Infrastructure.

Purpose:

To amend the Official Community Plan and Zoning Bylaw based on the recommended actions presented in the Agriculture Plan, endorsed August, 2017.

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 to advance the vision of agriculture for our community. This first package provides a series of proposed amendments to implement many of the Agriculture Plan policy recommendations that provided clear, concise direction (note: Schedule A provides a list of Agriculture Plan recommendations being implemented with this package). The second package (a separate file but proceeding concurrently with this package) addresses the Agriculture Plan policy recommendations that required further investigation and to ensure “compliance with provincial standards.”

The proposed amendments as outlined in Schedule B (OCP amendments) and Schedule C (Zoning Bylaw amendments) align with provincial standards and best practices from across the province. The proposed amendments seek to achieve:

Goal	Proposed Amendments	Proposed Policy/Section
Preserve agricultural land	<p><u>OCP Amendments:</u></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><u>OCP Farm Protection DP Amendments:</u></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 maximize agricultural potential. <p><u>Zoning Bylaw Amendments:</u></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. 	<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</p> <p>Section 11.1.5</p>

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.

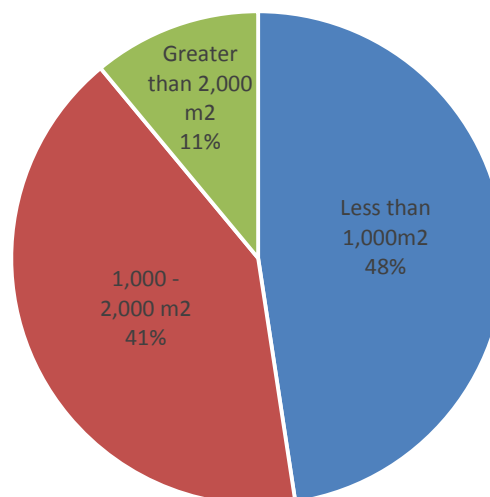
Goal	Proposed Amendments	Proposed Policy/Section
Preserve agriculture land cont'd	<u>Zoning Bylaw Amendments cont'd:</u> <ul style="list-style-type: none"> Establish a maximum farm residential footprint size of 2,000 m² 	Section 11.1.6
Reduce speculation and address challenge of increasing farmland value due to high cost capital inputs	<u>OCP Amendments:</u> <ul style="list-style-type: none"> Restrict the expansion of sewer into agricultural areas (except in occurrences where to do so would compromise public health or the environment). 	Policy 7.22.2
Limit conflicts with agriculture	<u>OCP Amendments:</u> <ul style="list-style-type: none"> Avoid uses of urban land adjacent to agricultural land by vulnerable populations (e.g. seniors, children) <u>OCP Farm Protection DP Amendments</u> <ul style="list-style-type: none"> Require statutory covenants on non-agricultural land through the development process 	Policy 5.33.9 Chapter 15 Guideline 1.7
Food system resiliency	<u>OCP Amendments</u> <ul style="list-style-type: none"> Expand urban agricultural opportunities 	Policy 5.13.5

It is important to balance the residential needs of the farm with preserving as much land as possible for agriculture. As such, several of the proposed amendments address the 'residential footprint' (the portion of a lot that includes all structures, landscaping, driveways and parking areas associated with the principal dwelling²). The expansion and location of residential footprints and corresponding removal of farmland, is an issue that many communities have been grappling with across the province. This is also consistent with an increasing estate use of farmland causing agriculture property prices to increase beyond the reach of farmers.

Based on Ministry of Agriculture guidelines, Kelowna's Agriculture Plan recommends adopting a maximum farm residential footprint of 2,000m², and is proposed in these amendments. **For context, the proposed residential footprint size is equivalent to more than 3.5 large urban residential lots (RU1).**³ Further, it is proposed that the residential footprint

Residential footprint size on Kelowna ALR properties

(source: Ministry of Agriculture, 2014 Kelowna Agriculture Land Use Inventory, custom data run)



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

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

size may be increased by up to 1,000m² for a mobile home for immediate family, where permitted. The Zoning Bylaw already allows for a separate footprint for temporary farm worker housing.

To put this into perspective, 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. 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 2,000m².⁴ However, with larger footprints, higher prices are also being noticed.

Property	Parcel Size	Existing Residential Footprint (<i>proposed 2,000 m²</i>)	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.

Of ten BC municipalities surveyed, six have adopted a 2,000m² maximum farm residential footprint, one community is more restrictive, one community is less restrictive, and two others are in discussions with Ministry of Agriculture on the topic. With this in mind, the City of Kelowna's approach is balanced and defensible based on what is existing today and the development allowances in comparison with urban lots.

Next Steps

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.

Summary

In summary, these policy amendments represent the high priority, short term implementation actions from the recently endorsed Agricultural Plan. Package I includes policies that were specifically defined in the Agricultural Plan and underwent public review through that process. The proposed regulations are comprehensive, thoughtful and align with provincial standards. Through their implementation, they further Kelowna on the path to achieving the Agricultural Plan's vision as well as the Council Priority to 'Preserve Agricultural Land'.

Legal/Statutory Authority:

Local Government Act Part 14, Division 4 – Official Community Plans

Local Government Act Part 14, Division 4 – Zoning Bylaws

⁴ Ministry of Agriculture, 2018. Kelowna Agriculture Land Use Inventory 2014 Custom Data Run.

Legal/Statutory Procedural Requirements:

Local Government Act Section 475 specifies that a local government must, during the development, repeal or amendment of an official community plan, provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. This consultation is required in addition to a required public hearing.

Local Government Act Section 552. As Kelowna is a regulated community under Section 552 of the *Local Government Act*, it must also receive approval by the Minister of Agriculture for any bylaw that has potential to impact agriculture. Furthermore, ministry staff have developed a number of Farm Bylaw Standards that address specific farming issues with which local governments are expected to comply.

Staff have reviewed the OCP amendments, and the package may move forward without affecting either the City's Financial Plan or Waste Management Plan.

Existing Policy:

- Agriculture Plan, endorsed August 2017
- Official Community Plan
 - Goal: Enable Healthy and Productive Agriculture. Promote healthy and productive agriculture through diverse strategies that protect farmlands and food production
 - Objectives:
 - 5.13 Increase local food production
 - 5.33 Protect and enhance local agriculture
 - 5.34 Preserve productive agricultural land

External Agency/Public Comments:

An engagement summary is provided in Schedule D.

Agricultural Advisory Committee: January 25, 2018.

Package 1 was presented for information to the Agricultural Advisory Committee on January 25, 2018. The resolution at that meeting was:

Moved by Dominic Rampone/Seconded by Yvonne Herbison

THAT the Agricultural Advisory Committee receives, for information, the Report from the Policy & Planning Department dated January 25, 2018 with respect to 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 Agriculture Plan endorsed by Council in August 2017.

Carried

ANEDOTAL COMMENTS:

The Agricultural Advisory Committee commented that the engagement for the Agricultural Plan was very good, specifically, that the AAC appreciated the iterative process of the plan, and that there was follow up through the stages that kept the AAC informed. The Committee is excited to see the Plan come into action and believes that the policy has been developed to reflect the agricultural significance of Kelowna.

Initial Discussion with BCFG, December 2017

An initial meeting was hosted with the General Manager of BCFGA to identify areas of concern in implementing the Agriculture Plan policy recommendations being addressed in this bylaw amendment package. Overall, from the General Managers perspective, most of the recommendations were supported in principle or there were no objections.

Package Amendment Referral – March 1 – April 6, 2018

The application files for the required OCP and Zoning amendments were referred to the following organizations for comment (note: Package 2 was also referred at the same time):

- Ministry of Agriculture
- Agriculture Land Commission
- Central Okanagan Food Policy Council
- BC Fruit Growers Association
- Interior Health
- UDI – Okanagan Chapter
- RDCO
- Lake Country
- SEKID
- BMID
- GEID
- SOMID

Letters of comment were received from the following agencies (see Schedule E: for copies of the letters)

Agency forwarding letter	Comment summary	How concerns were addressed
Ministry of Agriculture	<ul style="list-style-type: none"> • Provide clarity for septic systems in underground residential services being in residential footprint • Concerns of not meeting minimum height maximums for silos and grain storages • Farm residential footprint provisions to be located in Zoning Bylaw 	<ul style="list-style-type: none"> • No change to policy made. Ministry of Agriculture quoted contradictory policies. This is in the DP Guidelines which allows for some flexibility. • Further phone call discussion with Ministry of Agriculture decided this was unnecessary as Kelowna doesn't have these buildings. In addition, Zoning Bylaw Section 6.6.1 excludes farm silos for the purpose of determining height. • Maximum size for footprint is in zoning bylaw but location is in DP Guidelines to allow flexibility to ensure farm potential can be maximized
Agricultural Land Commission	<ul style="list-style-type: none"> • Mobile home for immediate family may require ALC approval depending on circumstances • Support the amendments but may want to investigate a larger ALR subdivision lot size in the future. 	<ul style="list-style-type: none"> • Regulation states "a second residential footprint may be registered on title up to 1,000 m² where permitted.
Regional District	<ul style="list-style-type: none"> • Support the amendments as they meet goals and policies of 	

Agency forwarding letter	Comment summary	How concerns were addressed
Central Okanagan and Central Okanagan Economic Development Commission	Regional Growth Strategy <ul style="list-style-type: none"> Limit sewer extension and impact on agri-tourism 	<ul style="list-style-type: none"> Agri-tourist accommodation removed as a use in 2016.
Central Okanagan Food Policy Council	<ul style="list-style-type: none"> Supports all proposed amendments 	
Interior Health	<ul style="list-style-type: none"> Support amendments as they support community's food security 	
UDI – Okanagan Chapter	<ul style="list-style-type: none"> Stipulation 'regardless of soil quality concern' Residential footprint within 60 meters of road to close Should support agri-tourism not remove "agri-tourist accommodation" 	<ul style="list-style-type: none"> Having this allows land to be protected for future using soil-less mediums This provision is in the DP guidelines to allow flexibility to locate structure to maximize farm potential. Agri-tourist accommodation removed in 2016 this amendment clarifies wording

The requirements for consultation under Section 475 of the *Local Government Act* have been addressed in the following way:

- Agriculture Plan engagement. As this package of amendments is based on clear, concise direction of the Agriculture Plan, extensive additional engagement was not completed, but rather the engagement that was done as part of the Plan was considered appropriate consultation to meet the requirements of *Local Government Act* Section 475. Agriculture Plan engagement included 3 open houses, 7 meetings with the AAC, 2 online surveys and 13 meetings with key stakeholders to develop the actions recommended in the Plan.
- January 25, 2018 application file was reviewed with the Agricultural Advisory Committee
- This package was circulated as part of standard referral process to stakeholders (see previous section for list) between March 1 and April 6, 2018.

Submitted by:

T. Guidi, Sustainability Coordinator

M. Steppuhn, Planner II

Approved for inclusion:



Danielle Noble-Brandt, Policy & Planning Dept. Manager

cc:

Divisional Director, Community Planning and Strategic Investments

Divisional Director, Corporate Strategic Services

Community Planning Department Manager

Development Engineering Manager

Utility Planning Manager

Building Inspections Supervisor

Community Planning Supervisor

Communications Advisor

Attachments:

Schedule A: Agriculture Plan Policy Recommendations Summary Table

Schedule B: OCP18-0003 Amendments to OCP Bylaw No. 10500 (Agriculture Plan Recommendations)

Schedule C: TA18-0002 Amendments to Zoning Bylaw No. 8000 (Agriculture Plan Recommendations)

Schedule D: Engagement summary for Agriculture Plan Policy Implementation Package 1

Schedule E: Comments and feedback from referral

Schedule 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 Agriculture Plan (2017) <i>Edge Planning White Paper</i> .

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.

OCP18 -0003 PACKAGE 1
Amendments to Bylaw No. 10500 based on Agriculture Plan Recommendations

No.	Section	Existing	Proposed	Explanation
1	Chapter 5 – Development Process Replace OCP Policy 5.3.1	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.	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.	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." 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.
2	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."
3	Chapter 5 – Development Process Objective 5.33 Protect and enhance agriculture Replace Policy .6	Non-farm Uses. Support non-farm use applications on agricultural lands only where approved by the ALC and where the proposed uses: <ul style="list-style-type: none"> are consistent with the Zoning Bylaw and OCP; provide significant benefits to local agriculture; 	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: <ul style="list-style-type: none"> are consistent with the Zoning Bylaw and OCP; provide significant benefits to local agriculture; 	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."

Schedule B

OCP18 -0003 PACKAGE 1 Amendments to Bylaw No. 10500 based on Agriculture Plan Recommendations

No.	Section	Existing	Proposed	Explanation
		<ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • 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. 	
4	<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>
5	<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 sustainability icons to the policy.</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>

Schedule B

OCP18 -0003 PACKAGE 1 Amendments to Bylaw No. 10500 based on Agriculture Plan Recommendations

No.	Section	Existing	Proposed	Explanation
6	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".
7	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 • restrict the planting of species that potentially host pests. 	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 Planning for Farmland Protection</i> ." Appendix F also recommends: <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.

Schedule B

OCP18 -0003 PACKAGE 1 Amendments to Bylaw No. 10500 based on Agriculture Plan Recommendations

No.	Section	Existing	Proposed	Explanation
8	Chapter 15: Farm Protection DP Guidelines Add a new guideline as 1.9		On agricultural lands, design the residential footprint such that: 1.9.1 The residential footprint is located within 60 meters of the road and/or located to maximize agricultural potential and limit negative impacts on the farm, whether or not the parcel is currently farmed; 1.9.2 All underground residential services are located within the residential footprint; 1.9.3 Only agricultural structures exclusively used for agriculture, including greenhouses, farm retail sales stands, and those structures associated with crop 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.	Agriculture Plan recommendations: <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, whether or not the parcel is currently farmed."
9	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."

Schedule C

TA18-0002 PACKAGE 1 Amendments to Zoning Bylaw No. 8000 (*Agriculture Plan Recommendations*)

No.	Section	Existing	Proposed	Explanation								
1	Section 1 – General Administration, 1.3 Zoning map Replace	<table><tr><th colspan="2">Section 11 – Agricultural Zones</th></tr><tr><td>A1/A1 c</td><td>Agriculture 1 / Agriculture 1 with Carriage House</td></tr></table>	Section 11 – Agricultural Zones		A1/A1 c	Agriculture 1 / Agriculture 1 with Carriage House	<table><tr><th colspan="2">Section 11 – Agricultural Zones</th></tr><tr><td>A1</td><td>Agriculture 1</td></tr></table>	Section 11 – Agricultural Zones		A1	Agriculture 1	Removal of carriage houses see amendment 3 for details. Agri-tourist accommodation for clarity, as it was removed in previous amendment package.
Section 11 – Agricultural Zones												
A1/A1 c	Agriculture 1 / Agriculture 1 with Carriage House											
Section 11 – Agricultural Zones												
A1	Agriculture 1											
2	Section 2.3.3 Interpretation Add definition for Immediate Family		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.	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.” Definition for immediate family added to achieve Agriculture Plan recommendation. Definition is consistent with ALC Regulation.								
3	Section 9.5b Carriage House Regulations Remove 9.5b.2 Development Regulations in Agricultural Zones	9.5b.2 Development Regulations in Agricultural Zones (a) The maximum site coverage is 90 m2, except it is 100 m² if a carriage house is limited to one storey . (b) The maximum net floor area is the lesser of 90 m² or 75% of the net floor area of the principal dwelling .	9.5b.2 [deleted]	Agriculture Plan recommendation 1.3d: “Remove “carriage house” as a permitted use within the A1 zone.” 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.								

Schedule C

TA18-0002 PACKAGE 1 Amendments to Zoning Bylaw No. 8000 (*Agriculture Plan Recommendations*)

No.	Section	Existing	Proposed	Explanation
		<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 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>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 on A1 land do not align with OCP policies of walkability, and complete communities etc.</p>
4	<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>	9.5b.3 (g) [deleted]	<p>Agriculture Plan recommendation 1.3d: "Remove "carriage house" as a permitted use within the A1 zone."</p> <p>Explanation provided in amendment 3 above.</p>
5	Remove from 11.1	A1c – Agriculture 1 with Carriage House		Remove the subzones titles from the A1 for A1c (per Agriculture Plan recommendation 1.3d: "Remove "carriage house" as a permitted use within the A1 zone.")
6	Remove in Section 11.1.3 Agricultural Zones – Secondary Uses	<p>The secondary uses in this zone are:</p> <p>(h) carriage house (A1c only)</p>	<p>11.1.10 Prohibited Uses</p> <p>The following uses are specifically prohibited in the A1 – Agriculture zone, in accordance with</p>	Agriculture Plan recommendation 1.3d: "Remove "carriage house" as

TA18-0002 PACKAGE 1
Amendments to Zoning Bylaw No. 8000 (Agriculture Plan Recommendations)

No.	Section	Existing	Proposed	Explanation								
	And replace with new Section 11.1.10 Prohibited Uses		the requirements of the ALC Regulations to prohibit explicitly: (a) agri-tourist accommodation, as defined by the ALC Regulation. (b) carriage house	a permitted use within the A1 zone.” Explanation provided in amendment 3 above.								
7	Replace in Section 11.1.3 Agricultural Zones – Secondary Uses Replace the site specific use of the food primary establishment for the Hillcrest Café to new Section 11.1.9	(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 changes or plans to expand the current footprint.	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: <table><tr><td></td><td><i>Legal Description</i></td><td><i>Civic Address</i></td><td><i>Regulation</i></td></tr><tr><td>1.</td><td>Lot A, Section 24, Township 26, ODYD, Plan EPP7145</td><td>700 Hwy 33 E</td><td>Food primary establishment. This existing cafe is subject to the Agricultural Land Commission (ALC) Resolution #101/2014 for application #53542 which approved this non farm use subject to the following condition: i) The Cafe facility is limited to current size being 25.3m²</td></tr></table>		<i>Legal Description</i>	<i>Civic Address</i>	<i>Regulation</i>	1.	Lot A, Section 24, Township 26, ODYD, Plan EPP7145	700 Hwy 33 E	Food primary establishment. This existing cafe is subject to the Agricultural Land Commission (ALC) Resolution #101/2014 for application #53542 which approved this non farm use subject to the following condition: i) The Cafe facility is limited to current size being 25.3m²	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.
	<i>Legal Description</i>	<i>Civic Address</i>	<i>Regulation</i>									
1.	Lot A, Section 24, Township 26, ODYD, Plan EPP7145	700 Hwy 33 E	Food primary establishment. This existing cafe is subject to the Agricultural Land Commission (ALC) Resolution #101/2014 for application #53542 which approved this non farm use subject to the following condition: i) The Cafe facility is limited to current size being 25.3m²									

Schedule C

TA18-0002 PACKAGE 1 Amendments to Zoning Bylaw No. 8000 (Agriculture Plan Recommendations)

No.	Section	Existing	Proposed				Explanation
						(272ft ²) indoor and 34.6m ² (372ft ²) 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.	
8	Replace 11.1.4 (b) Buildings and Structures permitted	(b) one mobile home ;	(b) one mobile home for immediate family				<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</p>

Schedule C

TA18-0002 PACKAGE 1 Amendments to Zoning Bylaw No. 8000 (*Agriculture Plan Recommendations*)

No.	Section	Existing	Proposed	Explanation
				recommendation. As well the requirements for the mobile home are in 11.1.7 "Other Regulations."
9	Delete in Section 11.1.4 Buildings and Structures Permitted (d) and (e)	(d) one carriage house (A1c only); (e) only one secondary dwelling unit is permitted (e.g. secondary suite or carriage house).		Agriculture Plan recommendation 1.3d: "Remove "carriage house" as a permitted use within the A1 zone." Explanation provided in amendment 3 above.
10	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.	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. The wording "That Lot B, Section 34, Township 29, ODYD, Plan KAP66973...." has been removed as the effective period passed nearly 13 agos.
11	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 wastewater and storm water management systems.	(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 residential footprint must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum residential footprint is 2,000 m ² . A second residential footprint may be registered on title	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 area of dwelling units. This includes establishing a

TA18-0002 PACKAGE 1
Amendments to Zoning Bylaw No. 8000 (Agriculture Plan Recommendations)

No.	Section	Existing	Proposed	Explanation
		<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>(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>up to 1,000 m² for a mobile home for immediate family where permitted.</p> <p>(c) The maximum site coverage is 35%. The maximum combined site coverage 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(e) to (g), 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>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)

TA18-0002 PACKAGE 1
Amendments to Zoning Bylaw No. 8000 (Agriculture Plan Recommendations)

No.	Section	Existing	Proposed	Explanation
		(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>zones which have a 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>
12	Section 11.1.7 Other Regulations Replace (a)	(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.	(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.	For (a) removed "notwithstanding subsection 11.1.4(b), as the reference is no longer applicable.
13	Section 11.1.7 Other Regulations Delete (e)	(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		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 "carriage house" as a permitted use within the A1 zone."

Schedule C

TA18-0002 PACKAGE 1 Amendments to Zoning Bylaw No. 8000 (*Agriculture Plan Recommendations*)

No.	Section	Existing	Proposed	Explanation
		shall be established by rezoning the subject property to the "c" version of parent zone .		
14	Section 11.1.7 Other Regulations Add new policy as (k)		(k) 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.	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)

Schedule D: Engagement summary for Agriculture Plan Policy Implementation Package 1

Date	Contact	Notes
Dec. 19, 2017	Glen Lucas / BCFGA	Meeting to discuss draft policies.
Dec. 20, 2017	Glen Lucas / BCFGA	Provided email comments to draft policies.
Jan. 22, 2018	Glen Lucas / BCFGA	Emailed Glen providing links and background information to the AAC report. Also, provided details on how his comments had been incorporated into the recommendations.
Feb. 28	Glen Lucas / BCFGA	Responded to request for meeting to discuss implementation of Agriculture Plan. Advised that online engagement will be open until March 31 and provided possible meeting dates.
March 1	File Referral of Package 1 (note Package 2 sent concurrently)	Sent package of proposed amendments with request for input by Friday, April 6. File referred to: <ul style="list-style-type: none"> • Ministry of Agriculture • Agriculture Land Commission • Central Okanagan Food Policy Council • BC Fruit Growers Association • Interior Health • Ministry of Transportation • UDI • RDCO • Lake Country • SEKID • BMID • GEID • SOMID
April 3, 2018	UDI – Okanagan Chapter	Letter outlining comments on referral Package 1 and Package 2.
April 6, 2018	Regional District of Central Okanagan and Central Okanagan Economic Development Commission	Email outlining comments on referral Package 1 and Package 2.
April 6, 2018	Central Okanagan Food Policy Council	Letter outlining comments on referral Package 1 and Package 2.
April 6, 2018	Ministry of Agriculture	Letter outlining comments on referral Package 1 and Package 2.
April 6, 2018	Interior Health	Letter outlining comments on referral Package 1 and Package 2.

Date	Contact	Notes
April 18, 2018	Glen Lucas, BCFGA	Reminder to provide input on the entire referral package and provided update on direction for proposed house size policy.
April 23, 2018	Glen Lucas, BCFGA	Follow up phone call on input on referral package and advise that staff would not proceed with house size amendments at this time, pending outcome of the ALR Revite process.
April 23, 2018	Glen Lucas, BCFGA	Email response stating will have input by the end of the week.
April 30, 2018	Glen Lucas, BCFGA	Follow up phone call regarding last chance for BCFGAs comments on entire referral package.

Schedule E: Comments and feedback from referral



Tracy Guidi, Sustainability Coordinator, and
Melanie Steppuhn, Planner
Policy and Planning
City of Kelowna
tguidi@kelowna.ca
msteppuhn@kelowna.ca

April 6, 2018

Dear Tracy Guidi and Melanie Steppuhn:

Re: Referral of proposed OCP18-003 and Zoning Bylaw TA18-0002 amendments

Thank you for the opportunity for the Ministry of Agriculture to provide comments on Kelowna's draft OCP18-003 and Zoning Bylaw TA18-0002 amendments (Package 1 and 2, March 1, 2018 Memos). We commend the City for exploring a set of bylaw amendments that pursue clarity on a number of important agricultural land use planning issues.

We would like to provide the following comments which could make these bylaw amendments even stronger:

Package 1:

- The proposed OCP s1.9.2 provision states that 'all underground residential services are located with the residential footprint', is unclear regarding septic fields. The Residential Uses in the Agricultural Land Reserve (ALR) (Size and Siting) 2011 Discussion Paper (p.22) states that farm residential footprints do not include septic fields. However, ALC Policy L-18, while for residential uses in ALR Zone 2, provides the term 'other residential structures as including septic fields. Consider providing greater clarity regarding septic fields in the residential footprint definition.
- The Minister's Bylaw Standard on height limitations (Ministry's Guide to Bylaw Development in Farming Areas (Bylaw Guide) p.19) states:
 - "Local government are encouraged to exclude farm buildings from restrictions on height.", and, "If a local government wishes to restrict height of farm structures then the maximum building heights should be no less than:
 - Grain bins (including delivery equipment) 46 metres
 - Silos 34 metres
 - Combination Silo and Grain Storages 41 metres
 - Principal livestock buildings 15 metres
 - All other agricultural buildings 15 metres"
 - Ministry staff acknowledge the proposed maximum height of 16m for 'agricultural structures'. However, as a 'Right to Farm regulated' community, Ministry staff also expect the City of Kelowna to amend its zoning bylaw for clarity to reference, and be consistent, with the remaining Bylaw Standard criteria.
- Ministry staff would typically anticipate farm residential footprint provisions to be located in a local government zoning bylaw not a Development Permit OCP amendment.

Package 2:

- Ministry staff encourage landscape buffers and minimum setbacks adjacent to the ALR to be consistent with the urban-side criteria of the Edge Planning Guide Bylaw Standard.
- The Edge Planning Guide is silent with regards to a farm-side landscape buffer around residential and non-farm uses within the ALR or farming area. Section 527 of the *Local Government Act* states that a local government may require, set standards for, and regulate the provision of screening for masking or separating uses and a 3m landscape buffer such as proposed would appear to be within the parameters of this provision. With that said, it is important for a local government to ensure they are not unduly impinging on a farmer's ability to farm a given property.
- Consider confirming with the ALC regarding the definitions of child care centres and minor group homes are non-farm uses allowed on the ALR. Given that they are described in the proposed bylaw amendments as secondary uses, are they considered a home occupation as defined by the ALR Use, Subdivision, and Procedures Regulation s3(1)(c)? Or are there pre-existing sites that the ALC has already approved? The proposed amendments imply that the zoning provisions will permit these types of non-farm uses without ALC approval. Providing further clarity is strongly suggested.
- It appears that the draft Appendix C Table 11.1 lists the minimum setback distances from 'Front Yard and Flanking Street', 'Side Yard', and 'Rear Yard' lot lines for a number of agricultural uses. Consider explicitly noting these are the minimum distance setbacks from lot lines.
- The Minister's Bylaw Standard list a number of maximum setback distances from front, exterior side, interior side and rear lot lines including distances for agricultural structures, greenhouse, direct farm marketing facilities, stables and winery and cider processing facilities. Maximum setback distances can significantly help reduce 'excessive setbacks that might present serious challenges to farming operations'. Ministry staff encourage Kelowna review and adopt these Bylaw Standard provisions as found in s2.4.8 of the Bylaw Guide (pp19-22).

If you have any questions about these comments, please feel free to get contact the Ministry.

Sincerely,



Gregory Bartle, Land Use Planner
BC Ministry of Agriculture
Gregory.Bartle@gov.bc.ca
(250) 387-9687

pc: Anne Skinner, Regional Agrologist, AGRI
Tony Pellett, Regional Planner, ALC

**Agricultural Land Commission**

201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

Melanie Steppuhn, BES, BCLA
Land Use Planner, Policy & Planning
City of Kelowna

ALC May 11, 2018

Re: ALC Response to Kelowna Agriculture Plan Implementation Packages

Package 1 Goal

With regard to the goal to preserve agricultural land, doubling the minimum subdivision lot size in the ALR from 2.0 ha to 4.0 ha should be regarded as only a good first step. Depending on the locale, many parts of Kelowna should be reviewed to determine whether a much larger lot size would be more appropriate, with a view to maintaining a suite of large farms..

Agriculture Plan and Zoning Bylaw amendments

The Agriculture Plan recommendation for a maximum farm residential footprint of 2,000 m² is appropriate. The proposal to increase the footprint to 3,000 m² where there is to be a mobile home for immediate family may require ALC approval depending on the circumstances. It is not immediately clear how the Agriculture Plan recommendation will mesh with the Zoning Bylaw amendment introducing a 500 m² maximum gross floor area (or 800 m² where there is to be a mobile home for immediate family).

Proposed buffer policy

The proposal to produce a table for adoption of landscape buffer policies into the zoning bylaw is highly appropriate.

Proposed secondary use changes

Proposed zoning amendments distinguishing secondary uses permitted in the ALR from those permitted outside the ALR appear very useful.

Miscellaneous

For clarity, any references to land “abutting the ALR” should be changed to “adjoining the ALR”, as the definition of “abutting” technically refers to “adjoining at the narrow end”.

In general the proposed OCP amendments appear fully consistent with ALC policies.

K.A. Pellett

Tony Pellett RPP, MCIP, Regional Planner
Provincial Agricultural Land Commission
201 - 4940 Canada Way
BURNABY BC V5G 4K6
604 660-7019 FAX 660-7033

web site: www.alc.gov.bc.ca

Tracy Guidi

From: Tracy Guidi
Sent: Thursday, May 10, 2018 12:44 PM
To: Tracy Guidi
Subject: FW: RDCO Circulation Response - City of Kelowna Agricultural Plan Implementation

From: Mimi Miller [<mailto:mimi.miller@cord.bc.ca>]
Sent: Friday, April 06, 2018 9:30 AM
To: Melanie Steppuhn
Subject: FW: MISC-18-14 - City of Kelowna Agricultural Plan Implementation

Good afternoon:

Thank you for the opportunity to comment on the above noted file. RDCO staff has reviewed the subject referral and notes the following:

- The implementation of the City of Kelowna's Agricultural Plan meets a number of goals and policies of the Regional Growth Strategy, including those found within the Our Land and Our Food Sections. Link to RGS: <https://www.regionaldistrict.com/media/125810/bylaw1336.pdf>
- In an effort to preserve agricultural land throughout the region, it may be beneficial to review Kelowna's proposed amendments during a Regional Planning Lab. Link to RGS Priority Projects Plan for more info on the Labs: https://www.regionaldistrict.com/media/229502/RDCO_RGS_Priority_Projects_Plan_FINAL.PDF
- Central Okanagan EDC

Thank you for enabling me to review the proposed documents/changes. While I am new to BC, having moved only in Sept., I continue to learn more and more about agriculture issues and regulations. However, given my tenure, I feel a bit challenged to provide meaningful feedback except to say that I like the direction and feel it aligns with what I have heard local producers talk about, particularly around home sizes on ALR land and urbanization close to ALR land.

I did wonder about the sewer construction limitations and if that will help or impede different types of agriculture - some of which require more water than others. For sure access to sewer is necessary if a producer is considering agri-tourism. But again, I don't know much about the local situation so trust the recommendation is something producers were asking for.

I have one very small recommendation for the benefit of all agriculture. In the opening letter, you write "healthy food". I think it's important to change our language to say "safe food". All food in Canada is required to meet certain standards of safety. Healthy is a matter of opinion. I may believe that only organic is healthy but that doesn't mean that non-organic isn't safe. This is a small suggestion that will benefit all food producers, because no matter how they produce, we are blessed with many safe food options.

If I can be of further help, feel free to reach back to me. And, I continue to be inspired to learn more about local agriculture and how the city can foster the belief that growing food is as sexy as high-tech and as necessary - or maybe, that growing food can be high-tech too.

Have a great day!
Warm regards,
Myrna
Agriculture Consultant, COEDC
306-536-5691

Kind regards,

Mimi Roth-Miller, Administrative Assistant
Planning Section, Community Services | planning@cord.bc.ca
Regional District of Central Okanagan | www.regionaldistrict.com | www.rdcogis.com
Ph.: 250-469-6227 | Fax: 250-762-7011

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Central Okanagan Food Policy Council

April 6, 2018

Melanie Stepphun
Planner
City of Kelowna

Tracy Guidi
Sustainability Coordinator
City of Kelowna

Dear Ms. Stepphun & Ms. Guidi,

Thank you for the opportunity to provide comments regarding the City Kelowna's proposed OCP and Zoning amendments as part of the Agriculture Plan implementation. It is our understanding that the intention of the amendments is to help achieve Council's priority in addition to promoting and celebrating the vital role of agriculture in Kelowna today, and for decades to come.

The Central Okanagan Food Policy Council (COFPC) applauds City of Kelowna Staff and Council for taking the initiative and allocating resource to the implementation of the agriculture plan.

Overall the proposed OCP and zoning amendments support the protection of agricultural land and also helps to reduce conflict and other negative impacts on agriculture land. The COFPC agrees with and supports all the proposed amendments.

We will provide comment in more detail on one of the proposed amendments, maximum home size on A1 Properties:

The COFPC has heard from farmers that they do not like the idea of regulating house size of farmland. While we do respect these the views of these farmers, the COFPC recognizes that many of those who are building estate size homes on farmland may not be farmers. There are some farmers that raise the question of why do they have to be regulated when it's mostly non farmers who are building estate size homes. Again, while the COFPC respects the views of farmers, we do support the proposed amendments to have a maximum house size on A1. Very large houses on farmland increases the value of the land and makes it almost impossible for new farmers to buy their own land. Farmland should be for farming, not for building mansions. Ultimately, while regulating house size may not been seen as a fair solution by some farmers, it will be best for agriculture in the long term.

In closing, the Central Okanagan Food Policy Council is pleased to have been given the opportunity to comment on the City of Kelowna's Agriculture Plan implementation OCP and Zoning amendments.

Regards,

Linda Trepanier
Chairperson
Central Okanagan Food Policy Council.
cofpcs@gmail.com



April 6, 2018

Melanie Stepphun
Planner
City of Kelowna

Tracy Guidi
Sustainability Coordinator
City of Kelowna

Dear Ms. Stepphun & Ms. Guidi,

RE: Agriculture Plan Implementation – Packages 1 and 2 – Amendments OCP18-0003 & TA18-0002

Thank you for the opportunity to provide comments for City of Kelowna Staff and Council consideration of Agriculture Plan Implementation Packages 1 and 2. This referral has been reviewed from Healthy Food Systems perspectives. The following information is provided for your consideration.

Healthy Food System

Interior Health has an interest in the preservation of farmland to support local agricultural capacity now and in the future. Agricultural capacity is a key aspect of local healthy food systems, contributing to our community's food security. Food systems determine how we choose food and what food we have access to. The food we eat is critical to our health. Land use decisions can influence use of agricultural land which can thereby impact the accessibility, quality and variety of food available to us. Having access to healthy and safe food helps to protect the population from chronic disease and infectious illnesses.

Overall the proposed OCP and Zoning amendments appear to support our community's food security by preserving agriculture land and reducing potential negative impacts on agriculture.

Food security has been recognized as a key public health issue by the BC Ministry of Health. Interior Health ensures the delivery of key government priorities to increase and advance food security.

Package 1:

Goal	Proposed Amendments	Proposed Policy/ Section	Health Evidence
Preserve agricultural land	<p>OCP Amendments:</p> <ul style="list-style-type: none">Restrict expansion of residential development and density outside the Permanent Growth BoundaryProtect 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>Policy 5.3.1</p> <p>Policy 5.33.6</p> <p>Chapter 15 Guideline 1.9</p> <p>Chapter 15 Guideline 1.10</p>	<p>Local policies that support the ALR help to protect and preserve agricultural land.</p> <p>Farmland preservation helps to maintain a level of food production that contributes to food self-sufficiency, and food self-sufficiency supports healthy eating.</p> <p>Food self-sufficiency in BC is increasingly important as extreme weather will affect production in California, which is currently where 40%–50% of BC's supply of fruits and vegetables comes from.</p> <p>Greater availability of locally produced fruits and vegetables may increase their consumption.</p>

	<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>Section 2.3.3 & Section 11.1.4</p> <p>Section 9.5.b & Section 11.1.3</p> <p>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 	Policy 7.22.2	
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</p> <p>Guideline 1.7</p>	<p>Agriculture can negatively affect air quality though contributions to particulate matter, odours, and volatile compounds.</p> <p>Pesticides are associated with both negative and positive health impacts.</p> <p>Buffers can benefit residents by reducing noise, dust, and odours, and buffers provide environmental benefits such as improving water quality.</p>
Food system resiliency	<p>OCP Amendments</p> <ul style="list-style-type: none"> Expand urban agricultural opportunities 	Policy 5.13.5	<p>Increased opportunity to access healthy food for all community members & improved health from eating locally grown produce.</p> <p>Heightened sense of community. Increased social opportunities in the form of community gardening, mentoring programs.</p> <p>Increased physical activity and recreational opportunities.</p> <p>Urban agriculture builds safe, healthy, and green environments in neighborhoods, schools, and abandoned areas.</p>

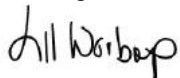
Package 2:

Goal	Proposed Amendments	Proposed Policy/Section	Health Evidence
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 Alcohol Production Facilities Update Greenhouses and Plant Nurseries accessory use size requirements (from 400 m2 maximum to 150 m2 maximum as required by ALR regulations) 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>	<p>Ensuring consistency between City of Kelowna zoning and provincial standards has the potential to support agriculture capacity long term. Agricultural capacity is a key aspect of local healthy food systems, contributing to our community's food security.</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 residential 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>	<p>During engagement for Kelowna's Agriculture Plan Stakeholders raised the following issues:</p> <ul style="list-style-type: none"> <i>- There are concerns regarding accessing farm land due to high cost, due to speculation and capital inputs.</i> <i>- Competing non-farm uses (including estate homes) are a challenge and prevalent.</i> <i>- Farmland tax relief for estate homes needs to be addressed.</i> <p>Also, City staff highlight that the value of farmland increases exponentially with the presence of estate homes.</p> <p>Actions that aim to address the above concerns (ie. regulating floor area) may support agriculture capacity. Agricultural capacity is a key aspect of local healthy</p>

			<p>food systems, contributing to our community's food security</p> <p>In addition, estate size houses and residential footprints use land that could support agriculture activities. Farmland preservation helps to maintain a level of food production that contributes to food self-sufficiency, and food self-sufficiency supports healthy eating.</p> <p>Food self-sufficiency in BC is increasingly important as extreme weather will affect production in California, which is currently where 40%–50% of BC's supply of fruits and vegetables comes from.</p>
Provide clarity on existing regulations			No comment
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>	<p>Agriculture can negatively affect surface and ground water quality through nutrient, sediment, bacteria, and pesticide contamination.</p> <p>Agriculture can negatively affect air quality through contributions to particulate matter, odours, and volatile compounds.</p> <p>Pesticides are associated with both negative and positive health impacts.</p> <p>Buffers can benefit residents by reducing noise, dust, and odours, and buffers provide environmental benefits such as improving water quality.</p>
Ensure consistency with proposed amendments in Package 1			No comment

On behalf of the Healthy Communities portfolio, I appreciate the opportunity to provide comment on the City of Kelowna's Agriculture Plan Implementation Packages 1 & 2.

Kind regards,



Jill Worboys, RD
Public Health Dietitian



URBAN DEVELOPMENT INSTITUTE- OKANAGAN CHAPTER

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udiokanagan@udi.org

www.udiokanagan.ca

April 3, 2018

City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4

Attention: Tracy Guidi, Melanie Steppuhn, Ryan Smith

Subject: Agriculture Plan Implementation

The Urban Development Institute (UDI) is a national association (with international affiliations) of the development industry and its related professions. The corporate members of the UDI - Okanagan Chapter represent hundreds of individuals involved in all facets of land development and planning, including: developers, property managers, financial lenders, lawyers, engineers, planners, architects, appraisers, real estate professionals, local governments and government agencies.

As a Partner in Community Building, the UDI Okanagan Chapter is committed to working with communities and governments to create and achieve the vision of balanced, well-planned, sustainable and affordable communities.

The UDI Okanagan applauds the City of Kelowna's efforts to create an Agricultural Plan. However, we have concerns with many of the items stated in this plan, as well as the short turnaround time expected for feedback and the lack of prior consultation. We believe that these are major policy changes, which may have unintended consequences and must be examined in the larger context of the Official Community Plan (OCP) Update.

We do not believe that the quick turnaround time is sufficient to provide adequate feedback on the significant changes proposed. For this reason, we are requesting that the City delay bringing this forward to Council until an adequate consultation process with the appropriate stakeholders can be undertaken.

Although we cannot fully elaborate at this time on all of the concerns we have with this plan, below is a short initial list of some of the key items that we would like to discuss further with the City before it moves forward to Council.

Some of the key concerns include:

- The current plan may harm agri-tourism and economic development, rather than help to support it. Pure agricultural businesses, as opposed to hybrid models, are virtually impossible to start in

today's fruit market, and accordingly these bylaws go a long way toward damaging and building challenges to agri-tourist business models.

- This plan would make it difficult for multi-generational families to operate as it would make it financially unfeasible in many cases. It could also be perceived as discriminatory as many multi-generational families that currently operate on farmland in Kelowna are from the Indo-Canadian community and have been farming lands in Kelowna over generations.
- The stipulation that says 'regardless of soil quality' is a major concern. Protecting A1 even if there is no agricultural suitability does not make sense and does not protect agriculture. This will effectively act as a secondary land freeze beyond the ALR, and to enact such a wide sweeping regulation should require massive public consultation, if not a full referendum. Such significant changes to property rights, done through a simple bylaw change, is not an appropriate method of regulation, as it does not sufficiently notify the many thousands of landowners it affects.
- Limiting greenhouses to 75 per cent of the land, before consideration of any buffers is prohibitive.
- The condition that the residential footprint must within 60 meters of the road is flawed and could lead to sites having no view, and less ability to attract customers to the agriculture as well as other concerns.
- If the goal is to protect agriculture, there should be more of a focus on the economic ability of a farmland. For example, if a winery owner can generate more income with their building deeper within his or her property, that should be encouraged rather than discouraged as it is now. These policies should enhance and improve the business viability of agricultural practices, however as presently formed, they reduce it.
- With land costs ranging from \$150,000-\$200,000 an acre and a long payback period, it is very difficult for new farmers to get started in this industry. In many cases, agri-tourism is the only way that new farmers have the ability to be economically viable. This can be demonstrated by the fact that the price per pound for different agricultural goods has been decreasing as the price per square foot for rental accommodations has been increasing. For this reason, the City of Kelowna should be supporting agri-tourism, and not discouraging it as this plan now does.
- It appears as though there has not been sufficient consultation locally and that much of these proposed changes could be influenced by what has been happening in the Lower Mainland. These changes make sense for the Lower Mainland but not for Kelowna. This needs to be examined from a local context because utilizing examples from other communities which have different challenges and different economic climates is not suitable.
- The City needs to develop the tools necessary to properly evaluate site specific situations. Currently, there does not appear to be this type of needed flexibility in the bylaw. If it is intended to have large scale agricultural developments reviewed on an individual basis, that should be prominently designed into these bylaws.
- There should be a Development Permit waive out allowance in order to exclude some properties. An agrologist report should be required outlining the soil classifications and 'farmable lands'. Lands not deemed farmable should then be able to be used and/or rezoned for non-agricultural purposes. Guidelines could identify best practices, which would provide the City with the tools needed to properly evaluate applications.

- UDI requests further clarification on how these new regulations will impact on potential investment opportunities in wineries, breweries, etc. The new regulations should help to promote these opportunities, not limit the experience.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, consisting of a stylized 'K' followed by a long horizontal stroke.

URBAN DEVELOPMENT INSTITUTE OKANAGAN CHAPTER

Per: Kevin Edgecombe, Chair of City of UDI Okanagan



Agriculture Plan Implementation – Policy Amendments **PACKAGE 1**

May 28, 2018

Agricultural Plan Implementation

- ▶ Package 1 (this package)
 - ▶ Amendments based on clear, concise direction from the Agriculture Plan

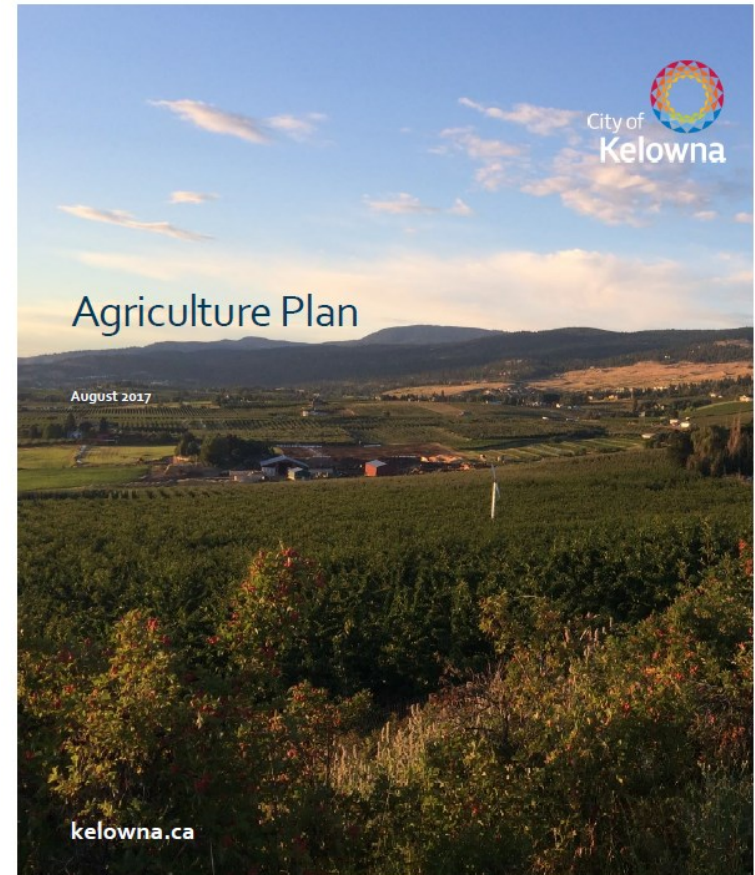
- ▶ Package 2
 - ▶ Amendments required “further investigation”
 - ▶ Clarification of current regulations
 - ▶ Further engagement required



Agriculture Plan Implementation

► Theme 1

- Strengthen local policies and regulations to protect agriculture
- 15 of 34 actions addressed
- Actions are clear, concise
- Short term / High priority

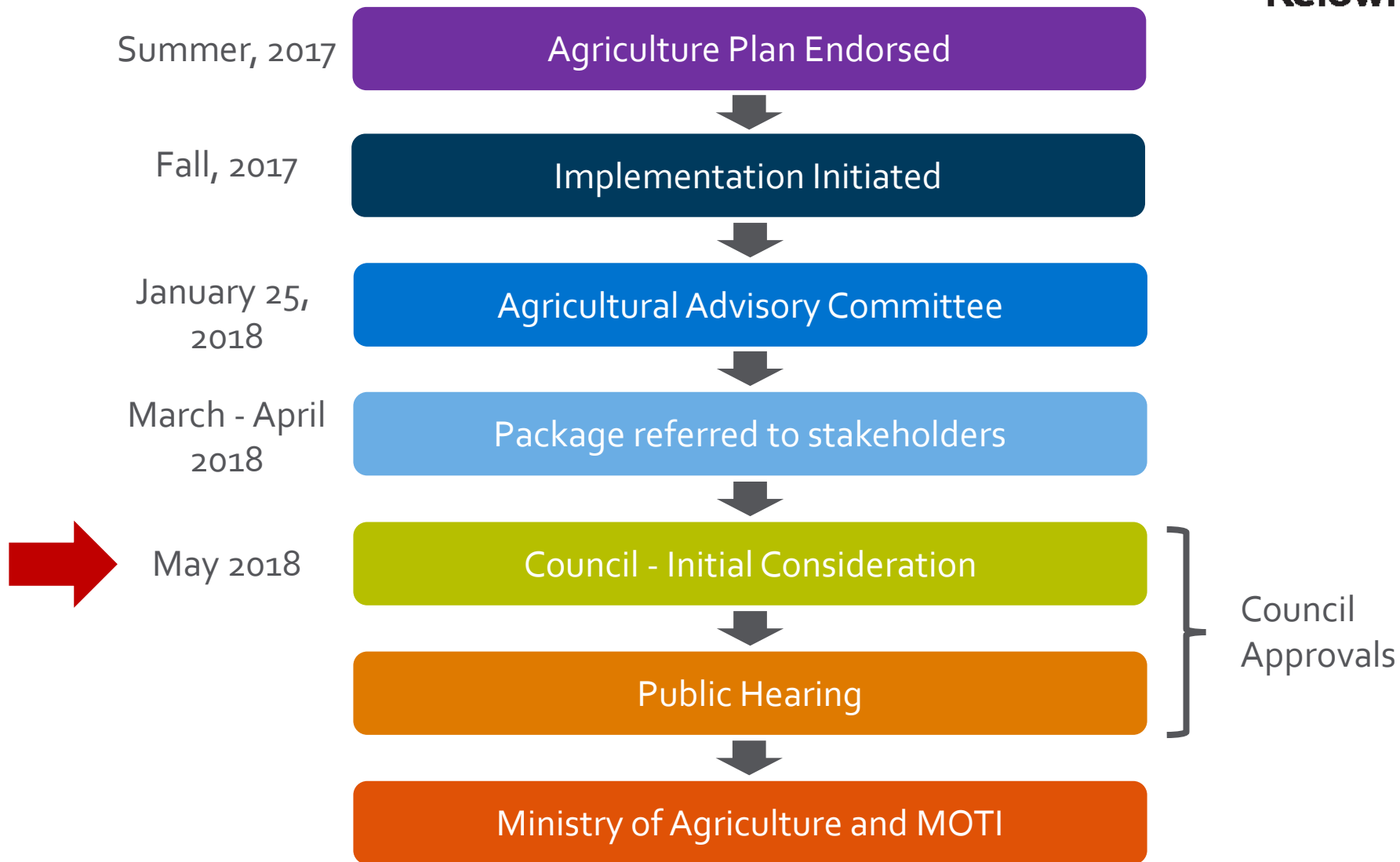


Goals

- ▶ Strengthen the preservation of farmland
- ▶ Reduce speculation
- ▶ Limit non-agricultural development
- ▶ Minimize conflicts for farming areas
- ▶ Improve food resiliency
- ▶ Reduced bylaw infractions



Process





Agriculture Plan Engagement



In June and November 2016 and again in July 2017, we gathered input from stakeholders, industry and the general public on the challenges and opportunities for agriculture in the community.



of survey respondents agree or strongly agree with the vision statement for the Agriculture Plan update:

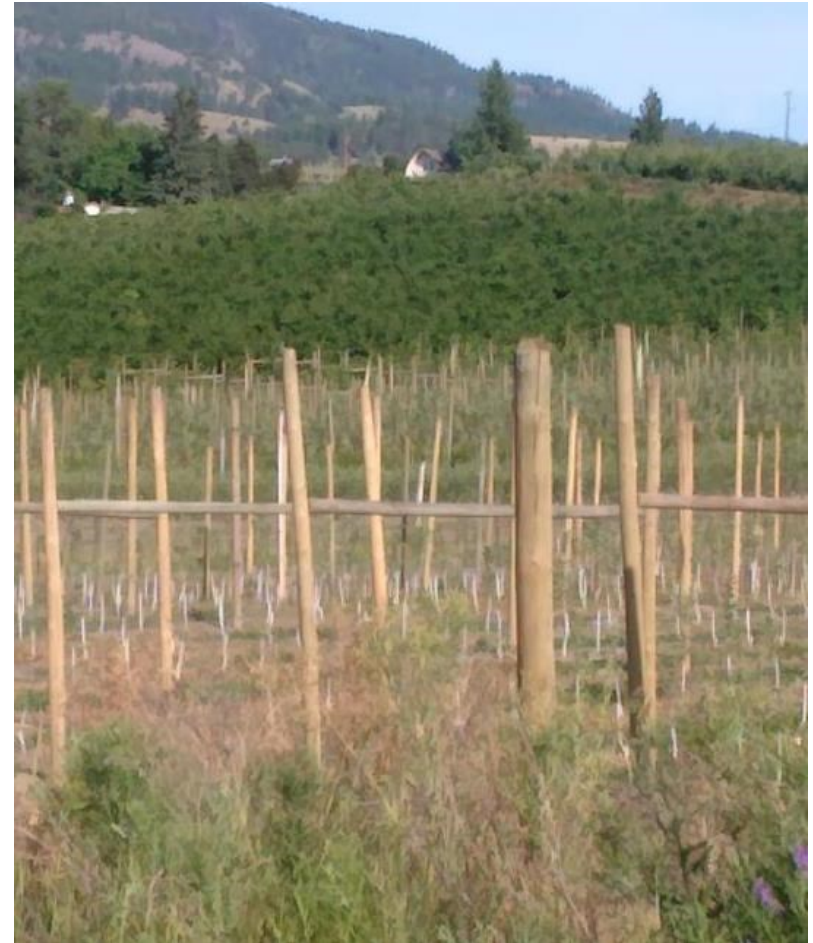
73%

"Kelowna is a resilient, diverse and innovative agricultural community that celebrates farming and values farmland as integral to our healthy food system, economy and culture."

OCP Amendments

OCP Amendments

- ▶ Strengthen policy direction as it relates to development outside the PGB;
- ▶ Protect farmland regardless of soil capabilities; and
- ▶ Restrict non –farm uses that do not directly benefit agriculture.



OCP Amendments

- ▶ Restrict the expansion of sewer in farm areas
- ▶ Limit interface incompatibilities by directing uses for vulnerable populations to lands not adjacent to agriculture
- ▶ Expand urban agricultural opportunities



Farm Protection DP Guidelines Amendments

Farm DP Amendments

- ▶ Require covenants on adjacent lands for normal farm practices and buffers;
- ▶ Locate residential footprint close to road or to maximize agricultural potential; and
- ▶ Locate agricultural structures related to public close to road entrance or to maximize agricultural potential.



Zoning Bylaw Amendments

Zoning Amendments

- ▶ Equalize subdivision min. lot size in A1 to 4.0 ha
- ▶ Mobile homes for immediate family on non-permanent foundations



Zoning Amendments – Residential Footprint

- ▶ Maximum farm residential footprint size of 2,000m² to:
 - ▶ Minimize the impacts of residential uses on farming potential
 - ▶ Minimize loss of farmland due to residential uses
 - ▶ Minimize the impact of on increasing costs of farmland



Zoning Amendments – Residential Footprint

Property	Parcel Size	Existing Footprint	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
Casorso Rd	3.7 ha (9.2 acres)	12,950 m ² (3.2 acres)	\$12,998,000
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

Zoning Amendments – Residential Footprint

- ▶ Ministry Standard
 - ▶ 2000m² (1/2 ac)
 - ▶ = 3.5 RU1 lots
- ▶ Example
 - ▶ 11.2 ac property
 - ▶ 5 ac orchard
 - ▶ 3+ ac residential footprint
- ▶ BC Assessment
 - ▶ \$3.45 million total
 - ▶ \$0.55 million farm land
 - ▶ \$2.9 million house



Zoning Amendments – Residential Footprint

- ▶ Four houses =
2000 m²



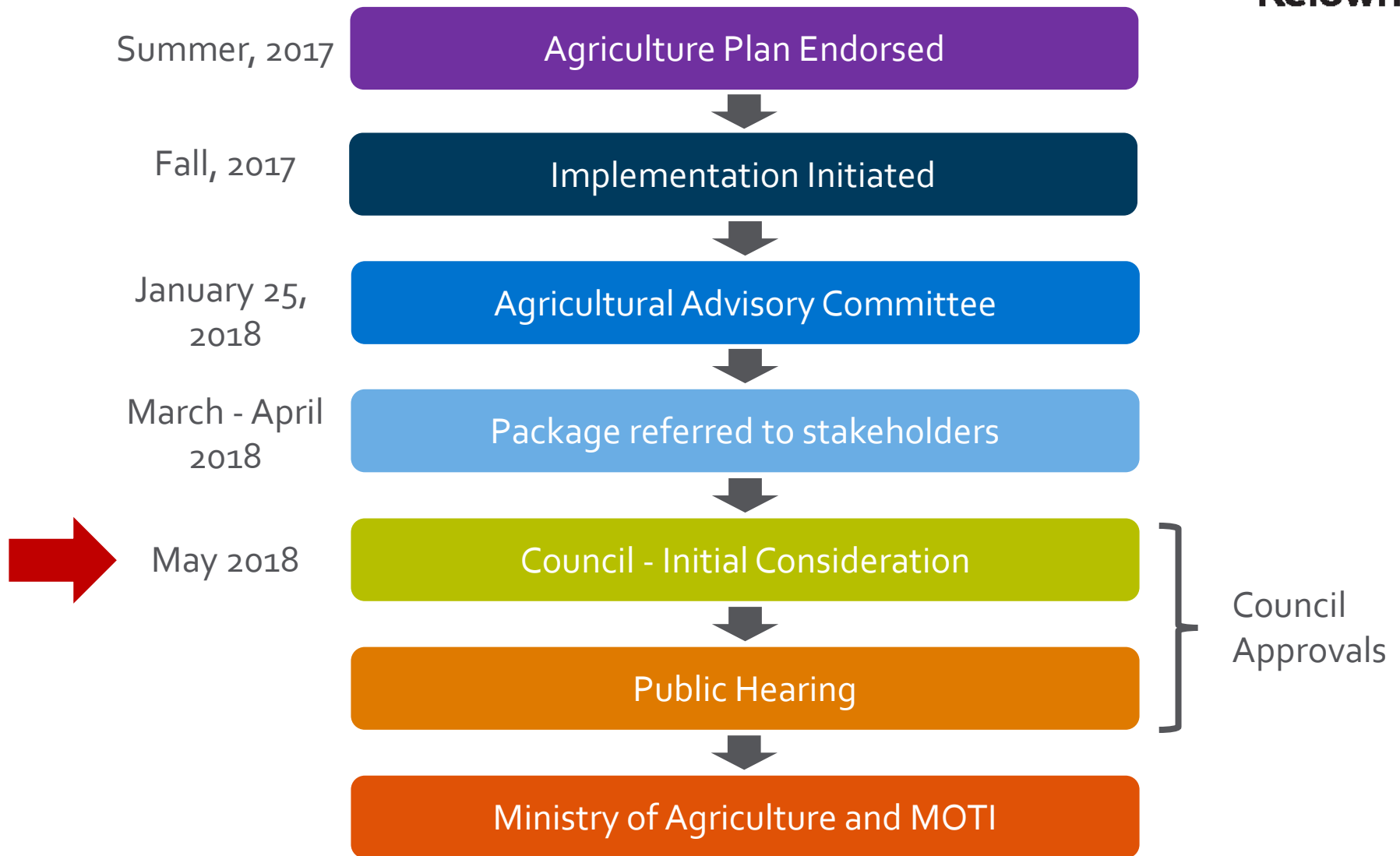
Zoning Amendments - Carriage Houses in A1

- ▶ Remove carriage house as a permitted use
 - ▶ Minimize land value appreciation
 - ▶ Manufactured homes in the ALR available
 - ▶ Secondary suite



Next Steps

Next Steps





Questions?



Report to Council



Date: May 28, 2018
File: 1210-20
To: City Manager
From: Policy and Planning Department
Subject: Implementing Agriculture Plan Policy Recommendations: PACKAGE 2 Bylaw Amendments OCP18-0004 and TA18-0003

Recommendation:

THAT Official Community Plan Text Amendment Application No. OCP18-0004 to amend Kelowna 2030 – Official Community Plan Bylaw No. 15000 as outlined in Schedule A attached to the report from Policy and Planning dated May 28, 2018 be considered by Council;

AND THAT Zoning Bylaw Text Amendment Application No. TA18-0003 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule B in the Report from Policy and Planning dated May 28, 2018 be considered by Council;

AND THAT Council considers the public process outlined in the report from Policy and Planning dated May 28, 2018, to be appropriate consultation for the purpose of Section 475 (1) and (3) of the Local Government Act;

AND THAT the Official Community Plan Text Amending Bylaw and the Zoning Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Zoning Text Amending Bylaw be considered subsequent to the approval of the Ministry of Agriculture and Ministry of Transportation and Infrastructure.

Purpose:

To amend the Official Community Plan and Zoning Bylaw based on the Agriculture Plan recommendations to ensure compliance with provincial standards and to update buffer specifications along agricultural properties. Further, some amendments have been made to provide additional clarification on policies.

Background:

Endorsed in 2017, the Agriculture Plan provides a series of policy recommendations, that when implemented will help achieve Council's priority to "preserve agricultural land." 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. The first package, which is proceeding concurrently, provides a series of amendments to implement the Agriculture Plan policy recommendations that provided clear, concise direction. This package focuses on Agriculture Plan recommendations that required further investigation and include:

- amendments to buffer requirements adjacent to agricultural land;
- amendments to align policy with provincial standards; and
- clarification of existing regulations for ease of understanding and implementation.

This package of amendments required additional research and consultation beyond that of the Agriculture Plan (note consultation is summarized in Appendix C). Further, the package provided clarification to a number of regulations including separation of secondary uses for those properties zoned A1 that are within the ALR and outside of the ALR. These clarification updates will increase the ease of understanding for property owners and staff.

The proposed amendments as outlined in Schedule A (OCP amendments) and Schedule B (Zoning Bylaw amendments) align with provincial standards and best practices from across the province. The proposed amendments seek to achieve:

Goal	Proposed Amendments	Policy
Ensure compliance between the A1 zone and provincial standards	<u>Zoning Bylaw Amendments</u> <ul style="list-style-type: none">• New land use definitions to align with ALC terminology including: Farm Retail Sales Stands (replacing 'Agricultural and Garden Stands').• 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.• Update Greenhouses and Plant Nurseries accessory use size requirements (from 400 m² maximum to 150 m² maximum as established by ALR regulations)• Introduce a table of development regulations to provide clarity and to update requirements to align with provincial regulations.	Section 2.3.3 Section 2.3.3 Section 11.1.2 Section 11.1.3 Section 11.1.6 Section 11.1.6
Provide clarity on existing regulations	<u>OCP Farm Protection DP Guidelines</u> <ul style="list-style-type: none">• Provide clarity when a Farm Protection DP is required.	Chapter 15.1

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

Notably, two of the proposed amendments, landscape buffers and separation of secondary uses for ALR and non-ALR properties are more complex and provide a bigger deviation from today’s current policy. As such, additional consultation was done to gather input on these recommendations as outlined in Schedule C: Engagement Summary.

Landscape buffers for properties abutting or adjacent to the ALR

With urban side 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 Zoning Bylaw currently requires a Level 5 landscape buffer, equivalent to a 3.0-meter-wide buffer, for all land abutting ALR land where non-farm uses exist. This buffer area is in addition to the required setback for rural and urban residential zones. The Agriculture Plan recommended to “update the Zoning Bylaw to reflect the vegetative buffer specifications as outlined in the Edge Planning White Paper” for properties abutting or adjacent to the ALR. Taking guidance from the Ministry of Agriculture’s Guide to Edge Planning, the proposed amendments for properties adjacent to ALR land include wider buffers (except for existing residential lots) and larger setback areas. It should be noted that buffers for residential uses on agricultural land are also recommended in the Farm Protection DP Guidelines.

A1 Secondary uses

Approximately 70 per cent of A1 properties are in the Agriculture Land Reserve. The provincial ALR regulation specifies permitted uses in the ALR and outlines requirements for farming on these properties when a secondary use such as a winery, processing or farm retail sales takes place. The Agriculture Land Commission (ALC) can enforce these regulations, including crop and volume requirements, while it is difficult for a local government to do so.

These proposed amendments distinguish the secondary uses that are permitted in the ALR and those that are permitted outside of the ALR for parcels zoned for A1 (Agriculture) providing a clear understanding of permitted uses. It should be noted that principal uses for all A1 lots remain the same, regardless of whether the A1 lot is in the ALR or not.

Maximum House Size

The farm house is essential to supporting agriculture in Kelowna, however increasing pressure for non-farm residential uses (e.g. estate homes) can increase the per acre value of farmland, increasing costs for farmers. The Agriculture Plan recommended to “investigate adopting a maximum home floor area based on Ministry of Agriculture guidelines.” Staff investigated including an amendment for a maximum home size of 500 m² (5,382 ft²) as data from the 2014 provincial Agriculture Land Use Inventory demonstrated that home size is increasing on ALR properties.¹ Engagement feedback on the proposed maximum house size varied greatly with some feeling the size was too restrictive and others feeling it was not restrictive enough. However, one big concern from farmers was the proposed maximum home size was too restrictive, especially for farmers who have multi-generational homes.

As Kelowna is a Farm Bylaw community, there is an expectation from the Ministry of Agriculture that bylaw amendments align with the Ministry’s Guide for Bylaw Development in Farming Areas. Staff initiated a discussion with the Ministry to investigate a possible agricultural home size maximum that deviated from the Ministry’s guidelines that would be a “right-fit” for Kelowna. The Ministry informed staff that they were reluctant to do so at this time. Residential uses in the ALR was one of the top input themes during the provincial ALR Revitalization engagement process,² and it is anticipated that there may be recommendations to address house size as part of this Revitalization process. For this reason, staff have not included a maximum home size for A1 properties in the package of amendments and will revisit this policy pending the outcome of the ALR Revitalization process later this fall (2018).

Next Steps

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 the bylaw’s final adoption.

Summary

In summary, these policy amendments represent the high priority, short term implementation actions for two of the Agriculture Plan’s recommendations as well as providing clarity for staff and the public to several other agricultural policies. This package puts in motion the intent of the Agriculture Plan into practice, demonstrating a commitment to follow through on results. The policies in Package 2 underwent public review as outlined in Schedule C: Engagement Summary. Further, the policies

¹ Ministry of Agriculture, 2018. Kelowna Agricultural Land Use Inventory, 2014 Special Data Run. Data showed that up to 2014, 93% of residences on ALR parcels in Kelowna are within 500m² maximum guideline. The data, however, showed that 30% of homes built between 2007 and 2014 on farmland exceeded this size.

² BC Government News, 2018. British Columbians have their say in revitalizing the ALR.
<https://news.gov.bc.ca/releases/2018AGR10028-000836>

proposed respond to some of the concerns heard during the development of the Agriculture Plan including:

- “urban/farm conflicts can be an impediment to farming”;
- “buffers are required to reduce conflict”; and
- “farmers are uncertain of regulations”³.

Additionally, by updating the regulations to be more explicit and reader-friendly, it will increase the ease of understanding of allowable uses for property owners and prospective buyers. The proposed regulations are comprehensive, thoughtful and align with provincial standards. Through their implementation, they further Kelowna on the path to achieving the Agriculture Plan’s vision as well as Council’s priority to “preserve agricultural land”.

Legal/Statutory Authority:

Local Government Act Part 14, Division 4 – Official Community Plans

Local Government Act Part 14, Division 4 – Zoning Bylaws

Legal/Statutory Procedural Requirements:

Local Government Act Section 475 specifies that a local government must, during the development, repeal or amendment of an official community plan, provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. This consultation is required in addition to a required public hearing.

Local Government Act Section 552. As Kelowna is a regulated community under Section 552 of the *Local Government Act*, it must also receive approval by the Minister of Agriculture for any bylaw that has potential to impact agriculture. Furthermore, ministry staff have developed a number of Farm Bylaw Standards that address specific farming issues with which local governments are expected to comply.

Staff have reviewed the OCP amendments, and the package may move forward without affecting either the City’s Financial Plan or Waste Management Plan.

Existing Policy:

- Agriculture Plan, endorsed August 2017
- Official Community Plan
 - Goal: Enable Healthy and Productive Agriculture. Promote healthy and productive agriculture through diverse strategies that protect farmlands and food production
 - Objectives:
 - 5.13 Increase local food production
 - 5.33 Protect and enhance local agriculture
 - 5.34 Preserve productive agricultural land
- Zoning Bylaw No. 8000
 - Section 7 – Landscaping and Screening (7.6 Minimum Landscape Buffers)
 - Section 11 – Agricultural Zones

External Agency/Public Comments:

An engagement summary is provided in Schedule C.

³ City of Kelowna, 2017. Agriculture Plan Engagement Summary.

Agricultural Advisory Committee: January 25, 2018

Package 2 was presented to the Agricultural Advisory Committee to obtain their recommendation on the proposed amendments outlined in the Package on January 25, 2018. The resolutions at that meeting were:

Moved by Dominic Rampone/Seconded by Pete Spencer

THAT the Agricultural Advisory Committee recommends that Council amend Zoning Bylaw No. 8000 to include the proposed new definitions and revisions of existing definitions as presented to the Committee dated January 25, 2018.

Carried

Moved by Yvonne Herbison/Seconded by Ed Schiller

THAT the Agricultural Advisory Committee recommends that Council amend Zoning Bylaw No. 8000 by separating the secondary uses for those A1 lots within the Agricultural Land Reserve and those A1 lots not in the Agricultural Land Reserve.

Carried

Moved by Pete Spencer/Seconded by Dominic Rampone

THAT the Agricultural Advisory Committee recommends that Council amend Zoning Bylaw No. 8000 to introduce a maximum gross floor area for a home of 500m² based on Ministry of Agriculture Standards.

Carried

Moved by Dominic Rampone/Seconded by Jeff Ricketts

THAT the Agricultural Advisory Committee recommends that Council revise the existing Zoning Bylaw Development Regulations for certainty and clarity in order to align with the Ministry of Agriculture Standards;

AND THAT the Agricultural Advisory Committee recommends that Council direct staff to re-examine the proposed heights, setbacks and other specifications for consistency and equity.

Carried

Moved by Yvonne Herbison/Seconded by Ed Schiller

THAT the Agricultural Advisory Committee recommends that Council amend Zoning Bylaw No. 8000 in order to revise the urban side buffer requirements as presented, to better align with the Ministry of Agriculture Edge Planning Guidelines.

Carried

Initial Discussion with BCFGA, December 2017

An initial meeting was hosted with the General Manager of BCFGA to identify areas of concern in implementing the Agriculture Plan policy recommendations being addressed in this bylaw amendment package. Overall, from the General Manager's perspective, most of the recommendations were supported in principle or there were no objections. Suggestions were made for some of the actions as well as suggestions for engaging with BCFGA members.

Package Amendment Referral – March 1 – April 6, 2018

The application files for the required OCP and Zoning amendments were referred to the following organization for comment (note: Package 1 was also referred at the same time):

- Ministry of Agriculture
- Agriculture Land Commission
- Central Okanagan Food Policy Council
- BC Fruit Growers Association
- Interior Health
- UDI – Okanagan Chapter
- RDCO
- Lake Country
- SEKID
- BMID
- GEID
- SOMID

Letters of comment were received from the following agencies (see Schedule D for copies of the letters)

Agency forwarding letter	Comment summary	How concerns were addressed
Ministry of Agriculture	<ul style="list-style-type: none"> Encourage landscape buffers and minimum setbacks adjacent to ALR to be consistent with urban side criteria of Edge Planning Guide. Confirm child care is an approved ALC use Clarify that setback distances in table 11.1 are minimum Encourage to incorporate maximum setback distances 	<ul style="list-style-type: none"> Almost all of the setbacks and buffers align with Edge Planning. There is a reduction in requirements in setbacks for residential due to typical site constraints. <i>Note: as this is on the urban side these amendments do not require approval of the Ministry of Agriculture.</i> Followed up with the ALC and child care centre (minor) is allowed Table 11.1 updated to state minimum setback distances Not being incorporated as part of this amendment package.
Agricultural Land Commission	<ul style="list-style-type: none"> References to land “abutting the ALR” should be changed to “adjoining the ALR” as definition of “abutting” technically refers to “adjoining at the narrow end”. Buffer policy is highly appropriate Secondary uses permitted in the ALR from those outside the ALR appear very useful Proposed OCP amendments consistent with ALC policies 	<ul style="list-style-type: none"> Wording kept to “abutting the ALR” as the Zoning Bylaw defines abutting as “immediately contiguous to, or physically touching, and when used with respect to lots or sites means two that share a common property line.

Agency forwarding letter	Comment summary	How concerns were addressed
BC Fruit Growers Association	<ul style="list-style-type: none"> Clarification needed for on-farm processing definition to include storage In favour of proposed increase in vegetative buffer and in favour of secondary uses which enhance the agricultural product or contribute greater public understanding of agricultural operations. 	<ul style="list-style-type: none"> On-farm processing definition updated to reflect storage in association with processing
Regional District Central Okanagan and Central Okanagan Economic Development Commission	<ul style="list-style-type: none"> Support the amendments as they meet goals and policies of Regional Growth Strategy 	
Central Okanagan Food Policy Council	<ul style="list-style-type: none"> Supports all proposed amendments 	
Interior Health	<ul style="list-style-type: none"> Support amendments as they support community's food security 	
UDI – Okanagan Chapter	<ul style="list-style-type: none"> Limiting greenhouses to 75% of land before consideration of buffers is prohibitive Not sufficient consultation locally DP waive out allowance to exclude properties not deemed "farmable" 	<ul style="list-style-type: none"> 75% maximum site coverage was already established in current zoning bylaw See Appendix C for summary of engagement efforts Clarification of when a DP is required or exempted. <i>Note: Farm Protection DPs can be required on both agriculture and urban side properties.</i>

The requirements for consultation under Section 475 of the *Local Government Act* have been addressed in the following way:

- Agriculture Plan engagement. Agriculture Plan engagement included 3 open houses, 7 meetings with the AAC, 2 online surveys and 13 meetings with key stakeholders to develop the actions recommended in the Plan.
- January 25, 2018 application file was reviewed with the Agricultural Advisory Committee

- February 21, 2018 Input gathered on house size, buffers and splitting A1 secondary uses during the Agriculture Rate Design Open House
- February 28 – March 31, 2018 engaged public on house size, buffers, and splitting A1 secondary uses on getinvolved.kelowna.ca.
- March 1 to April 16, 2018. Package was circulated as part of standard referral process to stakeholders (see list above).
- March 15, 2018 Agriculture Industry Group breakfast meeting to review and gather feedback on house size, buffers and splitting A1 secondary uses.
- Additional meetings with stakeholder groups and/or concerned residents.

Submitted by:

T. Guidi, Sustainability Coordinator

M. Steppuhn, Planner II

Approved for inclusion:



Danielle Noble-Brandt, Policy & Planning Dept. Manager

cc:

Divisional Director, Community Planning and Strategic Investments

Divisional Director, Corporate Strategic Services

Community Planning Department Manager

Development Engineering Manager

Utility Planning Manager

Building Inspections Supervisor

Community Planning Supervisor

Communications Advisor

Attachments:

Schedule A: OCP18-0003 Amendments to OCP Bylaw No. 10500 (Agriculture Plan Recommendations)

Schedule B: TA18-0002 Amendments to Zoning Bylaw No. 8000 (Agriculture Plan Recommendations)

Schedule C: Engagement summary for Agriculture Plan Policy Implementation Package 1

Schedule D: Comments and feedback from referral

Schedule A

OCP18 -0004 DRAFT PACKAGE 2 Amendments to Bylaw No. 10500 Agricultural Recommendations

No.	Section	Existing	Proposed	Explanation
1	Chapter 15: Farm Protection DP Guidelines Under "Properties Affected" replace 1)	1) Any development located on Agricultural Lands before: a. Subdivision of land; b. A Building Permit, Soil Permit, or alteration of land associated with the following uses: i. agri-tourism; ii. agri-tourist accommodation; iii. agricultural dwellings, additional; iv. secondary suite (within an accessory building or structure); v. utility services, minor impact; vi. wineries and cideries; vii. greenhouses and plant nurseries; viii. agricultural and garden stands; ix. temporary farm worker housing.	1) Any development located on Agricultural Lands before: a. Subdivision of land; b. A Building Permit, Soil Permit, or alteration of land unless listed in exemptions below.	Clarification: The revised policy ensures all non farming related development is reviewed through a Farm DP.
2	Chapter 15: Farm Protection DP Guidelines Under "Exemptions" replace "Agricultural and garden stands" with "farm retail sales stands"	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	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	Consistency with the name change proposed in the zoning bylaw that aligns with Agriculture Land Commission regulation.
3	Chapter 15: Farm Protection DP Guidelines Under "Exemptions" add a bullet		Agricultural structures used exclusively for agriculture or intensive impact agriculture; or	Provides clarity to when a Farm DP is required.
4	Chapter 15 – Farm Protection Development Permit Guidelines Replace guideline 1.3	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	1.3 Establish landscape buffers around residential and non-farm uses within and adjacent to agricultural lands consistent with guidelines provided by Ministry of Agriculture "Guide to Edge Planning."	Agriculture Plan recommendation 1.3f: "Update the Zoning Bylaw to reflect the vegetative buffer specifications as outlined in Edge Planning White Paper."

OCP18 -0004 DRAFT PACKAGE 2
Amendments to Bylaw No. 10500 Agricultural Recommendations

No.	Section	Existing	Proposed	Explanation
		<p>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>1.3.5 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</p>		<p>The buffer guidelines are being removed from the Farm Protection Development Permit Guidelines so that they don't conflict with the policies established concurrently in the Zoning Bylaw.</p>

OCP18 -0004 DRAFT PACKAGE 2 Amendments to Bylaw No. 10500 Agricultural Recommendations

No.	Section	Existing	Proposed	Explanation
		use statutory covenants to ensure that buffers are established and maintained.		
5	Chapter 17 Definitions Replace Agricultural Lands definition	Agricultural Lands Lands considered "agriculture" shall include the following: <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; lands situated in the Agricultural Land Reserve (ALR). 	Agricultural Lands Lands considered "agriculture" shall include the following: <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 lands situated in the Agricultural Land Reserve (ALR). 	Providing clarification to the bulleted list to clarify when a Farm Protection DP is required.

TA18-0003 PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Agricultural amendments*)

(Note: several of the proposed amendments assume TA18-0002 Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
1	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" in TA18-0002 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, site coverage would be consistent to other A1 properties less than 0.4ha</p>
2	Add to section 2.3.3		AGRI-TOURISM means any agri-tourism activity defined under the <i>Agricultural Land Commission Act</i> and related regulation or policy, as amended from time to time.	Introducing a definition for agri-tourism.
3	Remove in Section 2.3.3 Interpretation	AGRICULTURAL AND GARDEN STANDS means those accessory buildings and structures for retailing agricultural products on a farm.	FARM RETAIL SALES STANDS means those accessory buildings and structures for retailing agricultural products on a farm.	<p>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>Agricultural and Garden Stands is not a term used in ALR/ALC regulation. Propose to update term to Farm Retail</p>

TA18-0003 PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Agricultural amendments*)

(Note: several of the proposed amendments assume TA18-0002 Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
				Sales Stands Sales Stands to match the term used in the ALR Regulation.
4	Replace all instances in the Zoning Bylaw	Agricultural and Garden Stands	Farm Retail Sales Stands	<p>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>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.</p>
5	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 alcohol production facilities, home based business (rural), kennels or farm retail sales stands .	Providing clarification to what is included as an "agricultural structure" and excludes other specific definitions.
6	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>Clarification - 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. <p>Processing and retail sales marketing are proposed as permitted secondary uses specified in the A1 Zone</p>

TA18-0003 PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Agricultural amendments*)

(Note: several of the proposed amendments assume TA18-0002 Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
7	Add to section 2.3.3 Interpretation		ALCOHOL PRODUCTION FACILITIES , means facilities as defined by breweries and distilleries, wineries and cideries, or meaderies.	Agriculture Plan Recommendation 1.3a "Review and amend the A1 zone to ensure compliance with provincial standards and objectives of the Agriculture Plan Update." The ALR Regulation has been updated with the term Alcohol Production Facilities to cover multiple uses.
8	Replace in Section 2.3.3 Interpretation	GREENHOUSES AND PLANT NURSERIES means development used primarily for the raising, storage, and sale of produce, bedding, household, ornamental plants and related materials such as tools, soil, and fertilizers.	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.	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 m ² on the lot" from the definition and moved & updated the number to conform with the ALR regulation of 150 m ² and proposed to include as part of 11.1.7 other regulations.
9	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.		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.

TA18-0003 PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (*Agricultural amendments*)

(Note: several of the proposed amendments assume TA18-0002 Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
10	Addition to Section 2.3.3 Interpretation		KENNELS means a building used for the breeding, buying, selling or overnight boarding of animals including individual dogs, cats, or other domesticated animals excluding livestock and horses.	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.
11	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.	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 for 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)
12	Replace in Section 2.3.3 Interpretation	ON-FARM PROCESSING means the undertaking of processes, including grading, packing, mixing, drying, canning, size reduction, fermentation, heat treatments, cold treatments, chemical treatments, and biological treatments on a farm unit to: • Prepare value added products from farm products to sell, or • Prepare feed for livestock, poultry, farmed game, located on the farm	ON-FARM PROCESSING means the undertaking of processes, including grading, packing, mixing, drying, canning, size reduction, fermentation, heat treatments, cold treatments, chemical treatments, biological treatments, climate controlled storage, and storage in association with processing on a farm unit to: • Prepare value added products from farm products to sell, or	Clarification on definition to include types of storage allowed in association with on-farm processing.

TA18-0003 PACKAGE 2

Amendments to Zoning Bylaw No. 8000 (Agricultural amendments)

(Note: several of the proposed amendments assume TA18-0002 Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
		But excludes on-farm composting, on-farm soil preparation, and on-farm soilless medium production.	<ul style="list-style-type: none"> • Prepare feed for livestock, poultry, farmed game, located on the farm But excludes on-farm composting, on-farm soil preparation, and on-farm soilless medium production.	
13	Addition in Section 2.3.3. Interpretation		STABLES means a building with a maximum of 40 permanent stalls used for horse riding, training and boarding.	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' definition as two separate definitions as stables are a permitted farm use in the ALR Regulation, but kennels are a permitted non-farm use.
14	Replace in Section 2.3.3 Interpretation	WINERIES AND CIDERIES means a farm winery, an estate winery, or an estate cidery which is licensed under the <i>Liquor Control and Licensing Act</i> . This also includes a FOOD PRIMARY ESTABLISHMENT when licensed by the Liquor Control and Licensing Branch.	WINERIES AND CIDERIES means a winery, or a cidery which is licensed under the <i>Liquor Control and Licensing Act</i> . This also includes a FOOD PRIMARY ESTABLISHMENT when licensed by the Liquor Control and Licensing Branch.	Wineries and cideries in the A1 zone will fall under the Alcohol Production Facilities use, so the definition has been changed to remove the farm portion.
15	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	Level 5: A landscape buffer is required for all land abutting or adjacent to the 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 . (i) For Table 7.2, the minimum setback and buffer requirements	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

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Amendments to Zoning Bylaw No. 8000 (*Agricultural amendments*)

(Note: several of the proposed amendments assume TA18-0002 Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
		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.	<p>shall follow those regulations for the most stringent use, should multiple uses occur on the lot.</p> <p>(ii) For lots that are adjacent to the ALR and are separated from the ALR lot line by a street, the Table 7.2 Area B buffer may be reduced to 8 m. Where the lot is separated by an arterial or collector street, a level 3 landscape buffer is required and may not be reduced under Section 7.6.5.</p> <p>(iii) Where a lot has existing vegetation that is equivalent to a level 5 landscape buffer and is protected through a covenant or dedicated as public property, an additional landscape buffer is not required.</p> <p>(iv) The minimum distance between the landscape buffer and a structure is 2.0 m. Impermeable fencing is not permitted.</p> <p>(v) Fencing along the buffer to be minimum 1.8 m height and maximum 2.4 m (where permitted). Impermeable fencing is not permitted.</p> <p>(vi) The buffer must achieve a 50 per cent canopy porosity with a minimum 10 metre height at tree maturity, and planted according to Diagram 7.7.</p> <p>(vii) Required plantings in Table 7.2 are in addition to those required</p>	requirements for buffers adjacent to agricultural land.

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Amendments to Zoning Bylaw No. 8000 (*Agricultural amendments*)

(Note: several of the proposed amendments assume TA18-0002 Draft Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
			plantings for parking lots or other required landscaping according to the zone.	
16	Replace Table 7.1 Row 1	All properties abutting Agricultural Land Commission	All lots abutting or adjacent to the Agricultural Land Reserve excluding those zoned for agriculture.	<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 below for Section 7 and outlines the specific requirements for buffers abutting or adjacent to agricultural land.</p>
17	Delete in Table 1 Agricultural Zones A1, A1s	Agricultural Zones A1, A1s front 1 rear 1 side 1 Plaza No		To avoid discrepancy in requirements for buffer in the Farm Protection DP Guidelines.
18	Insert Table 7.2 following Diagram 7.5		Table 7.2 Minimum buffers for non- ALR lots abutting or adjacent to the ALR^a	<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>

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Amendments to Zoning Bylaw No. 8000 (Agricultural Amendments)
(Note: several of the proposed amendments assume TA18-0002 Draft Package 1 is approved)

Table 7.2

Minimum buffers for non-ALR lots abutting or adjacent to the ALR^a

	AREA A Minimum setback from abutting or adjacent lot line of the ALR lot to on-site structures	AREA B Minimum on-site landscape buffer
Existing Residential Lot <0.4ha	N/A	3m
Existing Residential Lot >0.4ha	20m	8m
New Residential Subdivision	20m	15m
Multi-Unit Residential	20m	15m
Commercial	15m	8m
Industrial	15m	8m
Institutional	90m	15m

a) Refer to Diagrams 7.6 and 7.7 Buffer Plans and Section 7.6.1(e)

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Amendments to Zoning Bylaw No. 8000 (Agricultural Amendments)*(Note: several of the proposed amendments assume TA18-0002 Package 1 is approved)*

No.	Section	Existing	Proposed	Explanation
19	Replace Diagram 7.6	Minimum Landscape Buffer Treatment – ALR – Level 5 Diagram 7.6	Replace with Diagram 7.6 and add 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>

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Amendments to Zoning Bylaw No. 8000 (Agricultural
Amendments)

(Note: several of the proposed amendments assume TA18-0002 Package 1 is approved)

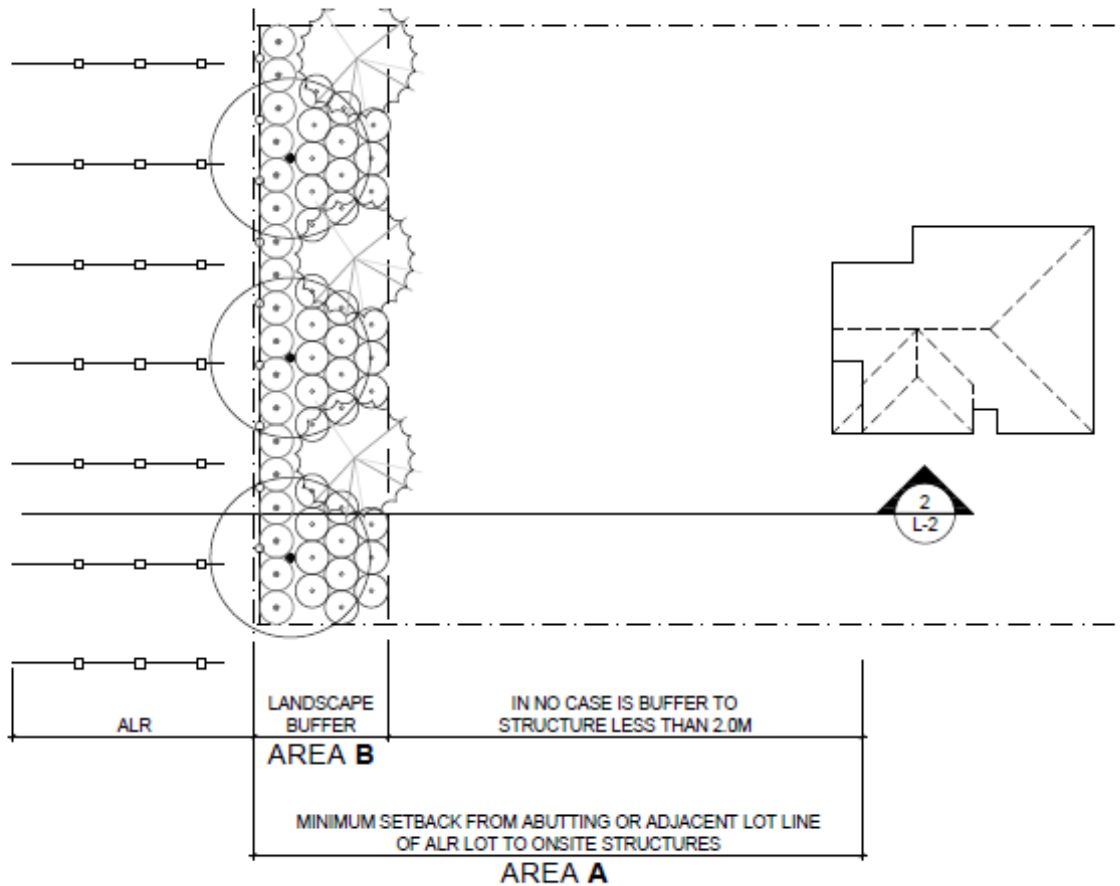


DIAGRAM 7.6 - BUFFER (ABUTTING OR ADJACENT TO THE ALR) - PLAN DETAIL

The diagram illustrates a 10.00m wide buffer strip between two property lines. It shows a grid of planting circles with specific dimensions and labels:

- PROPERTY LINE**: Indicated by dashed lines at the top and bottom of the buffer strip.
- 10.00**: Vertical dimension indicating the width of the buffer strip.
- 10.00**: Vertical dimension indicating the spacing between rows of trees.
- 2.00**: Horizontal dimension indicating the spacing between columns of trees.
- B (PER MINIMUM BUFFER TABLE 7.2)**: Label for the buffer width dimension.
- LARGE EVERGREEN TREES, PLANTED 10.0 METRES ON CENTRE (MINIMUM 10.0 METRES HEIGHT AT MATURITY)**: Points to the larger circles in the grid.
- LARGE DECIDUOUS TREES, PLANTED 10.0 METRES ON CENTRE (MINIMUM 10.0 METRES HEIGHT AT MATURITY)**: Points to the smaller circles in the grid.
- FENCE - MINIMUM HEIGHT 1.8 METRES MAXIMUM HEIGHT 2.4 METRES (WHERE PERMITTED)**: Points to a line within the buffer strip.
- BARRIER SHRUBS, PLANTED 1.2 - 2.0 METRES ON CENTRE (DEPENDING ON SPECIES)**: Points to the small circles along the property lines.
- * ACHIEVE 50% CANOPY POROSITY**: A note indicating the target canopy density.

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Amendments to Zoning Bylaw No. 8000 (*Agricultural Amendments*)

(Note: several of the proposed amendments assume TA18-0002 Package 1 is approved)

20	Section 11.1.2 Principal Uses Add stable as a principal use and renumber section.		11.1.2 Principal Uses (f) stables	Agriculture Plan Recommendation 1.3a "Review and amend the A1 zone to ensure compliance with Provincial standards and objectives of the Agriculture Plan update." Added Stables as a principal use as they are permitted farm use in the ALR Regulation.
21	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	(a) agriculture (b) aquaculture (c) greenhouses and plant nurseries (d) intensive agriculture (e) single dwelling housing (f) stables (g) utility services, minor impact	Agriculture Plan Recommendation 1.3a "Review and amend the A1 zone to ensure compliance with Provincial standards and objectives of the Agriculture Plan update." 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.
22	Replace Section 11.1.3 Agricultural Zones – 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) deleted (h) deleted (i) forestry (j) group homes, minor (k) home based businesses, major (l) home based businesses, minor (m) home based businesses, rural (n) kennels and stables (o) secondary suite (p) wineries and cideries	The secondary uses in this zone for lots within the Agriculture Land Reserve are: (a) agri-tourism (b) alcohol production facilities (c) bed and breakfast homes (d) child care centre, minor (e) farm retail sales stands (f) forestry (g) group homes, minor (h) home based businesses, major (i) home based businesses, minor (j) home based businesses, rural (k) kennels (l) mobile home for immediate family (m) on-farm processing (n) secondary suite	Agriculture Plan Recommendation 1.3a "Review and amend the A1 zone to ensure compliance with Provincial standards and objectives of the Agriculture Plan update.". Assumes the Agriculture Plan Recommendation 1.3d "remove carriage house as a permitted use in the A1 zone" in TA18-0002 is approved, and changes proposed build on that amendment. 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.

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(Note: several of the proposed amendments assume TA18-0002 Package 1 is approved)

			<p>(o) temporary farm worker housing</p> <p>The secondary uses in this zone for lots outside of the Agriculture Land Reserve are:</p> <p>(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</p>	<p>ALC has conditions for approval such as minimum growing on site for alcohol production facilities, farm retail sales stands, forestry and on-farm processing.</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) Secondary suite already was included. • 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 alcohol production facilities, on-farm processing, and farm retail sales stands, 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. • Moved "Hillcrest Market Café" to a site specific use at the end of Section 11. <p>For A1 lots outside of the ALR:</p>
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Amendments to Zoning Bylaw No. 8000 (*Agricultural Amendments*)

(Note: several of the proposed amendments assume TA18-0002 Package 1 is approved)

				<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 alcohol production facilities, on-farm processing, and farm retail sales stands to secondary uses for ALR properties as they are an approved use by the Agriculture Land Commission and City does not have the additional regulation that the ALC has for these uses. 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.
23	11.1.4 Buildings and Structures Permitted Replace Section 11.1.4 (b)	(b) one mobile home for immediate family ;	(b) one mobile home for immediate family , where the owner lives on the same lot ;	To conform to ALC policy direction.
24	11.1.6 Development Regulations	<p>(a) For lots less than 0.4 ha, the maximum site coverage is 30%, unless section 1.7.1 applies.</p> <p>(b) For lots 0.4 ha and greater, a residential footprint must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum residential footprint is 2,000 m². A second residential footprint up to 1,000 m² may be</p>	<p>(a) Development regulations are as per the regulations below and indicated in Table 11.1.</p> <p>(b) For lots less than 0.4 ha, the maximum site coverage is 30%, unless section 1.7.1 applies.</p> <p>(c) For lots 0.4 ha and greater, a residential footprint must be registered on title for any residential development triggered by a Farm Protection Development Permit. The</p>	<p>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>Amendment assumes that the Agriculture Plan Recommendation 1.2a "Adopt Residential Footprint policies of 2,000 m²" in TA18-0002 is approved, and changes proposed build on that amendment.</p>

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Amendments to Zoning Bylaw No. 8000 (Agricultural Amendments)

(Note: several of the proposed amendments assume TA18-0002 Package 1 is approved)

		<p>registered for a 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 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(e) to (g), 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</p>	<p>maximum residential footprint is 2,000 m². A second residential footprint up to 1,000 m² may be registered for a mobile home for immediate family where permitted.</p> <p>(d) The maximum site coverage is 35%. Site coverage may be increased to 75% for greenhouses and plant nurseries with closed wastewater and storm water management systems.</p> <p>(e) Kennels may not exceed building footprint of 250m².</p> <p>(f) 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 30.0 m from the lot line where the lot line borders a residential zone.</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 highlighted in grey.</p> <p>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.</p> <p>Regulations that have been added or updated to comply with the Ministry of Agriculture Guide for Bylaw Development in Farming Areas are:</p> <ul style="list-style-type: none"> • Addition of mobile Home for immediate family GFA of 300 m² • Replace Agricultural Structures setback from Front yard 6.0 m to 4.5 m. • Replace Farm Retail Sales Stands from 50 m² (outside the ALR) and for ALR parcel's 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
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Amendments to Zoning Bylaw No. 8000 (*Agricultural Amendments*)

(Note: several of the proposed amendments assume TA18-0002 Package 1 is approved)

		which case the area, building or stand shall not be located any closer than 30.0 m from the lot line ."		<ul style="list-style-type: none"> • 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. • 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 setback from a flanking street from 4.0 m to 6.0 m.
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Amendments to Zoning Bylaw No. 8000 (Agricultural Amendments)

(Note: several of the proposed amendments assume TA18-0002 Package 1 is approved)

Table 11.1 to accompany section 11.1.6 Development Regulations

Use	Gross Floor Area	Minimum setback distances			Height
		Front Yard and Flanking Street	Side Yard	Rear Yard	
Single detached housing on lots less than 0.4 ha, unless section 1.7.1 applies	see 11.1.6 (c)	6.0 m	3.0 m	10.0 m	Lesser of 9.5 m or 2 ½ storeys
Single detached housing on lots 0.4 ha or greater ^a	See 11.1.6 (b)	6.0 m	3.0 m	10.0 m	Lesser of 9.5 m or 2 ½ storeys
Accessory Buildings or Structures (including Garage / Carport)	130 m ²	6.0 m	3.0 m	3.0 m	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	4.8 m
Agricultural Structures	see 11.1.6 (d)	4.5 m	3.0 m	3.0 m	16.0 m
Greenhouses and Plant Nurseries, with closed wastewater and storm water management systems	see 11.1.6 (d)	6.0 m	3.0 m	3.0 m	16.0 m
Farm Retail Sales Stands	300 m ^{2 a}	6.0 m	3.0 m	3.0 m	6.0 m
Kennel	500 m ²	15.0 m	15.0 m	15.0 m	Lesser of 9.5 m or 2 ½ storeys
Stables	see 11.1.6 (d)	15.0 m	15.0 m	15.0 m	16.0 m
On Farm Processing	see 11.1.6 (d)	6.0 m	3.0 m	3.0 m	16.0 m
Alcohol production facilities processing facility	Per ALC Regulation	6.0 m	3.0 m	3.0 m	Lesser of 9.5 m or 2 ½ storeys
Alcohol production facilities tasting facility or lounge	Per ALC Regulation	6.0 m	6.0 m	10.0 m	Lesser of 9.5 m or 2 ½ storeys

^{a)} **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.

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Amendments to Zoning Bylaw No. 8000 (*Agricultural Amendments*)

(Note: several of the proposed amendments assume TA18-0002 Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
25	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>(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>(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) [deleted]</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 Agriculture Land Commission.</p> <p>(e) [deleted]</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) [deleted]</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>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..." in TA18-0002 is approved, and changes proposed build on that amendment</p> <p>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 the ALC Farm Retail Sales Policy No. L-02 (Feb. 2016)

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Amendments to Zoning Bylaw No. 8000 (*Agricultural Amendments*)

(Note: several of the proposed amendments assume TA18-0002 Package 1 is approved)

No.	Section	Existing	Proposed	Explanation
		<p>(e) [deleted]</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) [deleted]</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) [deleted]</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>(i) [deleted]</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>(k) Mobile home for immediate family, where permitted, must be located on a non-permanent foundation without basement excavation. When no longer occupied by immediate family, 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>(l) Greenhouses and Plant Nurseries may include the accessory sale of landscaping and gardening non-farm products provided that this accessory use is limited to 150 m² on the lot.</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 to Section 11.1.9

Schedule D: Engagement Summary

Agriculture Plan Policy Implementation Package 2

1. Summary of Engagement Points of Contact

Date	Contact	Notes
Dec. 19, 2017	Glen Lucas / BCFGA	Meeting to discuss draft policies
Dec. 20, 2017	Glen Lucas / BCFGA	Provided email comments to draft policies
Jan. 22, 2018	Glen Lucas / BCFGA	Emailed Glen providing links and background information to the AAC report. Also, provided details on how his comments had been incorporated into the recommendations.
Jan. 31, 2018	Glen Lucas / BCFGA	Phone call – left message requesting table at BCFGA conference
Jan. 31, 2018	Glen Lucas / BCFGA	Email – left message requesting table at BCFGA conference
Feb. 5, 2018	Glen Lucas / BCFGA	Voicemail – left on office phone
Feb. 21, 2018	Agriculture Rate Design Open House	Table at the open house to gather input on proposed changes
Feb. 22, 2018	Glen Lucas / BCFGA	Email, informing him of speaking to some members at Open House and online engagement coming in the next week.
Feb. 28 – March 31, 2018	getinvolved.kelowna.ca	Online engagement on house size, buffers and splitting A1 secondary uses. Note: sent out to 94 people / organizations from Agriculture Plan contact list
Feb. 28	Glen Lucas / BCFGA	Responded to request for meeting to discuss implementation of Agriculture Plan. Advised that online engagement will be open until March 31 and provided possible meeting dates.
March 1	File Referral of both package 1 and package 2	Sent package of proposed amendments with request for input by Friday, April 6. File referred to: <ul style="list-style-type: none"> • Ministry of Agriculture • Agriculture Land Commission • Central Okanagan Food Policy Council • BC Fruit Growers Association • Interior Health • Ministry of Transportation • UDI • RDCO • Lake Country • SEKID • BMID • GEID • SOMID
March 9, 2018	Myrna Stark Leader 306-536-5691 – email online engagement	Ag consultant at Invest Kelowna, the regional economic development commission.
March 15, 2018	Agriculture Industry Group Breakfast Meeting	Meeting to review House Size, Buffers (and SEKID Water Rate Design)
March 27, 2018	Trent Kitsch (Kitsch Corp.) and Andrew Gaucher (G Group)	Meeting to review package 2

April 3, 2018	BCFGA (Glen Lucas, Pinder Dhaliwal, Sukhdev Goraya)	Meeting to discuss house size, buffers and separation of secondary uses for ALR / non ALR land. (Letter received from BCFGA)
April 6, 2018	John Hopkins, City of Richmond Senior Planner	Meeting to hear City of Richmond's experience with house size policy on farm land.
April 6, 2018	Regional District of Central Okanagan and Central Okanagan Development Commission	Email outlining comments on referral Package 1 and Package 2.
April 6, 2018	Central Okanagan Food Policy Council	Letter outlining comments on referral Package 1 and Package 2
April 6, 2018	Ministry of Agriculture	Letter outlining comments on referral Package 1 and Package 2
April 6, 2018	Interior Health	Letter outlining comments on referral Package 1 and Package 2
April 16, 2018	Ministry of Agriculture	Call to discuss potential options for house size regulations in a farm bylaw community.
April 18, 2018	Glen Lucas, BCFGA	Reminder to provide input on the entire referral package.
April 23, 2018	Glen Lucas, BCFGA	Follow up phone call on input on referral package and advise that staff would not proceed with house size amendments at this time, pending outcome of the ALR Revite process
April 23, 2018	Glen Lucas, BCFGA	Email response stating will have input by the end of the week. Follow up with information on revisions to definition for "on-farm processing definition"
April 23, 2018	Ministry of Agriculture	Clarification regarding Ministry of Agriculture comments on "silos" and "grain bins"
April 25, 2018	Ministry of Agriculture	Direction from Ministry of Agriculture that they would support amendments using maximum height for agriculture structure and not introducing definitions and requirements for "silos" and "grain bins"
April 30, 2018	Glen Lucas, BCFGA	Follow up phone call regarding last chance for BCFGA comments on entire referral package.

2. Agriculture Rate Design Open House

On February 22, 218 participated in an Agriculture Water Rate Design Open House at Reid Hall at Benvoulin Heritage Church to gather input on proposed policy changes for urban side buffers adjacent to ALR lands, home size on ALR lands and separating secondary uses for ALR and non-ALR agricultural properties.

The event was advertised in the February 2 and 7 Kelowna Daily Courier as well as January 30 News Release and February 13 PSA Reminder. The open house was promoted through social media (Facebook (791 reach) and Twitter (596 impressions)). Further, information about the open house was direct mailed to approximately 500 SEKID agriculture customers, 16 City agriculture customers, 10 SOMID customers. Finally, e-subscribe channels promoted it through Engagement Opportunities (668 subscribers), News Releases (1,742 subscribers), Kelowna Integrated Water Phase 1 (819 subscribers).

In total 25 people attended the Open House. While some attendees engaged staff with questions on the proposed policy, several others had questions about other agricultural policies such as Temporary Farm Worker Housing and residential footprint size and siting. It was of interest to note that several of the attendees thought that the policy being proposed was already adopted, indicating the success of engagement during the Agriculture Plan's development.

Only five exit surveys were completed. Of these, 40 per cent either agreed or had no response on the proposed policy to limit house size on agricultural lands. 80 per cent of respondents agreed or had no response with the proposed policy to increase buffers for new urban developments to address conflicts between farmers and urban neighbours. 60 per cent of respondents either agreed or had no response about the proposal to distinguish secondary uses on ALR and non-ALR lots.

One general concern that was heard was increasing limitations for farmers by various levels of regulation (local and provincial).

3. Agriculture Industry Group Breakfast Meeting

On March 15, 2018 attended the Agriculture Industry Group Breakfast Meeting to gather their input on proposed farm home size policy, separation of secondary uses for ALR and non ALR lots, and buffers.

Six members of the group participated in the session representing the following organizations:

- Farmer
- BC Tree Fruits
- Okanagan Sterile Insect Release Program
- Federal Pesticide Program
- University of British Columbia

Discussion points from the session included:

- Clarification of group home minor and major as a secondary use
- Clarification on how a road between a residential property and ALR property impacts setbacks and buffers
- Clarification on whose responsibility it is for installing and maintaining buffer as well as how the buffer is planted.
- Inquiries on how buffers can be established for existing homes.
- Inquiries on noise complaints.

4. [Getinvolved.kelowna.ca](http://getinvolved.kelowna.ca)

From February 28 until March 31 the public could provide online input on agriculture house size, buffers and splitting A1 secondary uses through getinvolved.kelowna.ca. The online engagement was promoted through e-scribe and those who were already registered with getinvolved.kelowna.ca. Further, invitations to participate were sent to 94 organizations/people from a contact list established through the Agriculture Plan engagement.

In total 580 people visited the site of which 152 people were informed and 36 people were engaged. Most of the people engaged on the site provided feedback on proposed home size on agricultural land. This feedback is not included in this summary as maximum home size is not being included in this amendment package.

Proposed buffer policy feedback

While only a few comments were received on this topic, most agreed with the proposed buffer policy. Comments are summarized in the tables below:

Agree with proposed buffer policy

Agree with proposed buffer policy 6	Agree 4	Disagree 0
Shelter belts are a great idea.	1	0
Yes, I think the proposed policy will help with conflict while improving the ecosystem.	1	0
Vegetative buffers especially a shelter belt are an excellent start to mitigating city folk vs farm folk. A quick look into farming practises / wind drift will support this idea. More education to city folk moving into agricultural areas is necessary. Agricultural land is private, fences are not to be cut, climbed or gates opened. The fruit on the trees is not free for all to pick. Dogs are not to run free and kill chickens, calves or leave feces in fields where food is harvested. It sounds like common sense but as each house is resold the conflict is renewed.	2	0
I think that 20 m is more than enough vegetative buffer for new development such as multi family and new subdivisions. The previous requirement was 15 m. There should be no onerous restrictions such as trees that block the view be placed on new developments, it should be left to individual owners to decide whether to plant large trees or not.	0	0
Yes. Especially in the ALR land on the flats where we have MRM/MRL developments neighbouring agricultural lands. The ALR land in the urban fire is under immense pressure and will continue to be subject to tension between the farming/non-farming community. An extensive buffer can go a long way in alleviating tensions.	0	0
I think the buffer will help. However, people living in agricultural areas need to be more supportive toward those who supply their food.	0	0

Disagree with proposed buffer policy

Disagree proposed buffer policy should be less restrictive 2	Agree 0	Disagree 1
I believe you are correct in addressing this matter, and I believe that you should be even more aggressive that you are proposing - I would say that 15 meters should be the standard across the board for new development, and that you should not have a lower buffer for commercial and industrial.	0	1
The current problem is Kelowna is that land cost of risen greatly. In commercial and industrial lands, it is excessive to required an 8 meter buffer when you consider that no setback is required between industrial and commercial zoned lands. Agriculture is a commercial / industrial function from an economic perspective. I agree with the additional buffer for new residential subdivisions and institutional uses. For existing lots there is often a covenant that alerts the home owner to the fact that agricultural work is being conducted next door. It is a case of buyer beware.	0	0

Other buffer policy comments

Comment unclear on support of policy 1	Agree 0	Disagree 0
Does the neighbourwoods program have a role to play here to help offer trees for these buffer areas? https://www.kelowna.ca/parks-recreation/urban-trees-wildlife/neighbourwoods	0	0

Separate secondary uses for properties within the ALR and properties not in the ALR

Few comments were received on this topic, but all were in agreement with the proposed policy as shown in the table below:

Agree with proposed policy 4	Agree 3	Disagree 0
Yes	1	0
Yes, the policy is clear and easy to understand.	2	0
I agree with this change. Other municipalities clearly define the uses permitted in and out of the ALR in their Zoning Bylaws, so should Kelowna.	0	0
Yes, I agree. Uses are more clearly defined.	0	0

Schedule D: Comments and feedback from referral



Tracy Guidi, Sustainability Coordinator, and
Melanie Steppuhn, Planner
Policy and Planning
City of Kelowna
tguidi@kelowna.ca
msteppuhn@kelowna.ca

April 6, 2018

Dear Tracy Guidi and Melanie Steppuhn:

Re: Referral of proposed OCP18-003 and Zoning Bylaw TA18-0002 amendments

Thank you for the opportunity for the Ministry of Agriculture to provide comments on Kelowna's draft OCP18-003 and Zoning Bylaw TA18-0002 amendments (Package 1 and 2, March 1, 2018 Memos). We commend the City for exploring a set of bylaw amendments that pursue clarity on a number of important agricultural land use planning issues.

We would like to provide the following comments which could make these bylaw amendments even stronger:

Package 1:

- The proposed OCP s1.9.2 provision states that 'all underground residential services are located with the residential footprint', is unclear regarding septic fields. The Residential Uses in the Agricultural Land Reserve (ALR) (Size and Siting) 2011 Discussion Paper (p.22) states that farm residential footprints do not include septic fields. However, ALC Policy L-18, while for residential uses in ALR Zone 2, provides the term 'other residential structures as including septic fields. Consider providing greater clarity regarding septic fields in the residential footprint definition.
- The Minister's Bylaw Standard on height limitations (Ministry's Guide to Bylaw Development in Farming Areas (Bylaw Guide) p.19) states:
 - "Local government are encouraged to exclude farm buildings from restrictions on height.", and, "If a local government wishes to restrict height of farm structures then the maximum building heights should be no less than:
 - Grain bins (including delivery equipment) 46 metres
 - Silos 34 metres
 - Combination Silo and Grain Storages 41 metres
 - Principal livestock buildings 15 metres
 - All other agricultural buildings 15 metres"
 - Ministry staff acknowledge the proposed maximum height of 16m for 'agricultural structures'. However, as a 'Right to Farm regulated' community, Ministry staff also expect the City of Kelowna to amend its zoning bylaw for clarity to reference, and be consistent, with the remaining Bylaw Standard criteria.
- Ministry staff would typically anticipate farm residential footprint provisions to be located in a local government zoning bylaw not a Development Permit OCP amendment.

Package 2:

- Ministry staff encourage landscape buffers and minimum setbacks adjacent to the ALR to be consistent with the urban-side criteria of the Edge Planning Guide Bylaw Standard.
- The Edge Planning Guide is silent with regards to a farm-side landscape buffer around residential and non-farm uses within the ALR or farming area. Section 527 of the *Local Government Act* states that a local government may require, set standards for, and regulate the provision of screening for masking or separating uses and a 3m landscape buffer such as proposed would appear to be within the parameters of this provision. With that said, it is important for a local government to ensure they are not unduly impinging on a farmer's ability to farm a given property.
- Consider confirming with the ALC regarding the definitions of child care centres and minor group homes are non-farm uses allowed on the ALR. Given that they are described in the proposed bylaw amendments as secondary uses, are they considered a home occupation as defined by the ALR Use, Subdivision, and Procedures Regulation s3(1)(c)? Or are there pre-existing sites that the ALC has already approved? The proposed amendments imply that the zoning provisions will permit these types of non-farm uses without ALC approval. Providing further clarity is strongly suggested.
- It appears that the draft Appendix C Table 11.1 lists the minimum setback distances from 'Front Yard and Flanking Street', 'Side Yard', and 'Rear Yard' lot lines for a number of agricultural uses. Consider explicitly noting these are the minimum distance setbacks from lot lines.
- The Minister's Bylaw Standard list a number of maximum setback distances from front, exterior side, interior side and rear lot lines including distances for agricultural structures, greenhouse, direct farm marketing facilities, stables and winery and cider processing facilities. Maximum setback distances can significantly help reduce 'excessive setbacks that might present serious challenges to farming operations'. Ministry staff encourage Kelowna review and adopt these Bylaw Standard provisions as found in s2.4.8 of the Bylaw Guide (pp19-22).

If you have any questions about these comments, please feel free to get contact the Ministry.

Sincerely,



Gregory Bartle, Land Use Planner
BC Ministry of Agriculture
Gregory.Bartle@gov.bc.ca
(250) 387-9687

pc: Anne Skinner, Regional Agrologist, AGRI
Tony Pellett, Regional Planner, ALC

**Agricultural Land Commission**

201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

Melanie Steppuhn, BES, BCLA
Land Use Planner, Policy & Planning
City of Kelowna

ALC May 11, 2018

Re: ALC Response to Kelowna Agriculture Plan Implementation Packages

Package 1 Goal

With regard to the goal to preserve agricultural land, doubling the minimum subdivision lot size in the ALR from 2.0 ha to 4.0 ha should be regarded as only a good first step. Depending on the locale, many parts of Kelowna should be reviewed to determine whether a much larger lot size would be more appropriate, with a view to maintaining a suite of large farms..

Agriculture Plan and Zoning Bylaw amendments

The Agriculture Plan recommendation for a maximum farm residential footprint of 2,000 m² is appropriate. The proposal to increase the footprint to 3,000 m² where there is to be a mobile home for immediate family may require ALC approval depending on the circumstances. It is not immediately clear how the Agriculture Plan recommendation will mesh with the Zoning Bylaw amendment introducing a 500 m² maximum gross floor area (or 800 m² where there is to be a mobile home for immediate family).

Proposed buffer policy

The proposal to produce a table for adoption of landscape buffer policies into the zoning bylaw is highly appropriate.

Proposed secondary use changes

Proposed zoning amendments distinguishing secondary uses permitted in the ALR from those permitted outside the ALR appear very useful.

Miscellaneous

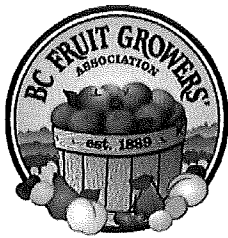
For clarity, any references to land “abutting the ALR” should be changed to “adjoining the ALR”, as the definition of “abutting” technically refers to “adjoining at the narrow end”.

In general the proposed OCP amendments appear fully consistent with ALC policies.

K.A. Pellett

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**The British Columbia
Fruit Growers' Association**

880 Vaughan Avenue, Kelowna, BC V1Y 7E4
Ph: (250) 762 – 5226 • Fax (250) 861 – 9089
e-mail • info@bcfga.com

City of Kelowna

Proposed Bylaws in support of the

City of Kelowna Agriculture Plan

Presented by

Pinder Dhaliwal, President

Sukhdev Goraya, Director

Glen Lucas, General Manager

April 2, 2018

Our Industry

British Columbia's commercial tree fruit sector is located primarily in the Okanagan Valley along with other neighbouring areas in the Similkameen, Creston and Shuswap valleys. The tip of the Great Basin Desert, the area provides ideal conditions for tree fruit production. With little precipitation and moderate temperatures, conditions are favourable to Ambrosia apple and late season cherry production - both specialty, premium-priced fruits.

Our US neighbour to the South is a behemoth, with Washington State apple production about 27 times larger than BC's. However, BC has found a way to compete and apple production has exhibited some growth (6% in acreage) between agricultural census periods. Cherry growth has been stronger, at 11%, fueled by export market access and late season cherries, developed at the Summerland Agricultural Research Centre.

Based on the most recent statistics available, the family-owned tree fruit farms in BC generate income of \$118.6 million per year, with a packed value of \$218.8 million, and \$776.6 million of economic activity annually. Primary products are apples and sweet cherries.

The family-owned apple farms in BC produce about 220 million pounds of apples per year, with most packed at Canada's largest agricultural co-operative, BC Tree Fruits Limited. Family-owned cherry orchards in BC produce 33 million pounds of cherries, but this figure is growing quickly as recent cherry plantings mature and volumes increase.

How does BC survive in an area dominated by Washington State production? The principles of our industry strategy are:

- A return to growth and job creation.
- Niche markets and quality production.
- Increasing exports.
- Renewal and Sustainability.

These principles appear to fit well with the City of Kelowna's supportive policy in the recently adopted Agriculture Plan.

The tree fruit industry recognizes the City of Kelowna's Agriculture Plan as supportive of the Agricultural Land Reserve and farming on that land base. The consultation leading to the Ag Plan was thorough and provided ample opportunity for input from all stakeholders. The Ag Plan is positive for commercial agriculture. The next steps are acting on the Agriculture Plan. The BCFGa is pleased that the City is continuing its consultative process in implementing the Agriculture Plan.

Bylaw Proposals

The City has invited growers' (and public) input on the following proposed policies:

1. Vegetative Buffers for urban properties adjacent to ALR lots
2. Secondary use changes for properties zoned A1
3. Maximum Home Size on A1 Properties

BCFGa generally favours one bylaw authority for ALR land - the Agricultural Land Commission

As a general principal, the BC Fruit Growers' Association is in favour of the Agricultural Land Commission determining bylaws for ALR lands and properties bordering the ALR. An exception to this general responsibility of the ALC is the servicing bylaws which are the responsibility and authority of the municipalities (i.e. water, sewer, solid waste control, traffic, and fire bylaws). Currently, when proposed bylaws undertaken by the municipalities, the BCFGa is forced to monitor and to reply to up to 13 municipal and 5 Regional Districts with regard to bylaws proposed by each of these jurisdictions.

1. Vegetative buffers

Currently the Zoning Bylaw does not differentiate between different uses and requires a 3-metre buffer combined with a standard setback for all types of development.

The proposed setbacks are as follows:

	Minimum setback (on and off-site from adjacent agriculture parcel to on-site structure)	Minimum on-site landscape buffer
Existing urban residential lot <0.4ha	Per existing zone	3 metres
Existing urban residential lot >0.4ha	20 metres	8 metres
New residential subdivision	20 metres	15 metres
Multi-unit residential	20 metres	15 meters
Commercial	15 metres	8 metres
Institutional	90 metres	15 metres
Industrial	15 metres	8 metres

The proposed bylaw will increase the vegetative buffer requirement. A greater vegetative buffer will reduce rural-urban conflicts. The BCFGA is in favour of the proposed increase in vegetative buffers..

2. Secondary Use Changes for Agriculture (A1) Zoned Properties

Agriculture lands within the ALR and those agriculture zoned lands outside fo the ALR will have primary use as agriculture and possible secondary uses permitted under the bylaw. However, the secondary uses sometimes further regulated by the ALC.

Secondary Uses – ALR Lots

- (a) Agri-tourism
- (b) Alcohol production facility
(brewery, cidery, distillery, meadery, winery) (note: this use is not permitted on ALR land)
- (c) Bed and breakfast homes
- (d) Child care centre, minor
- (e) Farm retail sales stands
- (f) Forestry
- (g) Group homes, minor
- (h) Home based businesses
- (i) Kennels
- (j) Mobile home for immediate family
- (k) On-farm processing/packing &
storage
- (l) Secondary suite
- (m) Temporary farm worker housing

Secondary Uses – non ALR lots

- (a) Agri-tourism
- (b) Animal clinics
- (c) Bed and breakfast homes
- (d) Child care centre, minor
- (e) Group home, minor
- (f) Home based businesses
- (g) Kennels
- (h) Secondary suite
- (i) Temporary farm worker housing

The BCFGFA favours secondary uses which enhance the agricultural product or contribute greater public understanding of agricultural operations. Item (k) needs to clarify that on-farm processing includes packing and storage of farm products. The listing of secondary uses appears to be suitable for ALR lands.

3. Maximum home size for Agriculture (A1) Zoned Properties

A bylaw to limit the size of house on an ALR property is proposed by the City of Kelowna to:

- Reduce speculation;
- Stabilize agricultural land values;
- Minimize the impacts of residential uses on farming potential; and
- Clarify development regulations for properties zoned A1.

However, the primary purpose of limiting house size should be to eliminate the change in use of land from an active farm to a country estate with a ‘mega-house’. The question arises, ‘at what size does a house become a mega-house?’ There is no definitive answer to this question.

Some of our members, active farm families, have expressed concern that the City of Kelowna will be regulating the size of their family home. It is already an issue tht the City dictates location of the farm

house on the property - the BCFGA recommends that site location of housing not be regulated by the City of Kelowna for bonafide farmers.

The BCFGA is not comfortable proposing or agreeing with any particular agricultural bylaw for the City of Kelowna - the bylaw should be provincial scope, implemented by the ALC, so that there is equity between areas of BC, and so that all agriculture commodity groups have input. However, the BCFGA also agrees that urgent attention is required to prevent erosion of the ALR through the construction of megahomes in the ALR.

The proposed bylaw states that a house should be no more than 5,382 square feet (500 square meters). The BCFGA notes that the maximum house size allowed by the bylaw for a single story house is 5,382 square feet. At the same time, under this bylaw a two story house would be limited to 2,691 square feet per floor. This seems illogical. The BCFGA recommends that a bylaw be the land area of covered by the house, and not include second or third story floor area.

BCFGA prefers that the Agricultural Land Commission have a common policy for all ALR land, rather than different bylaws in each municipality. A more appropriate way of controlling megahouse development is through the property taxation of class 9 farmland. This too would be within provincial authority, not local government, and standards would be uniform instead of varying by municipality as is now the case.

The BCFGA would like more information and time for its members to consider the proposed bylaw on farm house size. However, if the City of Kelowna feels it is urgent to have a bylaw in place to eliminate the construction of mega-houses on ALR land by non-farmers, then a temporary solution may be to limit the land area covered by a house for a limited time. For example, a bylaw with a two year sunset clause, at which time the bylaw would be removed, giving time for the province to change the property taxation and effectively and fairly control the construction of megahomes, without the need to regulate active farms. A two year limit to the housing bylaw will provide time to do a real world assessment, to evaluate the number of instances where family farms were impacted by the bylaw, as well as encourage the province to take a uniform approach to all farms.

Conclusion

The BCFGA represents 550 family-owned tree fruit farms in the Okanagan. Our aim is to grow the sector and ensure the market and financial success of individual growers, and to capitalize on our competitive advantage. The BCFGA supports the ALR and the preservation of agricultural land.

The bylaws proposed by the City of Kelowna are supported in principle by the BC Fruit Growers' Association. The restriction of housing size requires some clarification and the BCFGA supports a set land coverage size for the house regardless of the number of stories of the house, and that the bylaw be sunsetted after 2 years to allow for assessment of its impact on farm families wishing to build houses, with a provincial property tax on class 9 land that is not actively farmed to resolve the issue of megahouses.

The other two proposed bylaws, on vegetative buffers and secondary uses, are supported by the BCFGA.

We appreciate the opportunity for input into the bylaws in support of the City of Kelowna Agriculture Plan.

Tracy Guidi

From: Tracy Guidi
Sent: Thursday, May 10, 2018 12:44 PM
To: Tracy Guidi
Subject: FW: RDCO Circulation Response - City of Kelowna Agricultural Plan Implementation

From: Mimi Miller [<mailto:mimi.miller@cord.bc.ca>]
Sent: Friday, April 06, 2018 9:30 AM
To: Melanie Steppuhn
Subject: FW: MISC-18-14 - City of Kelowna Agricultural Plan Implementation

Good afternoon:

Thank you for the opportunity to comment on the above noted file. RDCO staff has reviewed the subject referral and notes the following:

- The implementation of the City of Kelowna's Agricultural Plan meets a number of goals and policies of the Regional Growth Strategy, including those found within the Our Land and Our Food Sections. Link to RGS: <https://www.regionaldistrict.com/media/125810/bylaw1336.pdf>
- In an effort to preserve agricultural land throughout the region, it may be beneficial to review Kelowna's proposed amendments during a Regional Planning Lab. Link to RGS Priority Projects Plan for more info on the Labs: https://www.regionaldistrict.com/media/229502/RDCO_RGS_Priority_Projects_Plan_FINAL.PDF
- Central Okanagan EDC

Thank you for enabling me to review the proposed documents/changes. While I am new to BC, having moved only in Sept., I continue to learn more and more about agriculture issues and regulations. However, given my tenure, I feel a bit challenged to provide meaningful feedback except to say that I like the direction and feel it aligns with what I have heard local producers talk about, particularly around home sizes on ALR land and urbanization close to ALR land.

I did wonder about the sewer construction limitations and if that will help or impede different types of agriculture - some of which require more water than others. For sure access to sewer is necessary if a producer is considering agri-tourism. But again, I don't know much about the local situation so trust the recommendation is something producers were asking for.

I have one very small recommendation for the benefit of all agriculture. In the opening letter, you write "healthy food". I think it's important to change our language to say "safe food". All food in Canada is required to meet certain standards of safety. Healthy is a matter of opinion. I may believe that only organic is healthy but that doesn't mean that non-organic isn't safe. This is a small suggestion that will benefit all food producers, because no matter how they produce, we are blessed with many safe food options.

If I can be of further help, feel free to reach back to me. And, I continue to be inspired to learn more about local agriculture and how the city can foster the belief that growing food is as sexy as high-tech and as necessary - or maybe, that growing food can be high-tech too.

Have a great day!
Warm regards,
Myrna
Agriculture Consultant, COEDC
306-536-5691

Kind regards,

Mimi Roth-Miller, Administrative Assistant
Planning Section, Community Services | planning@cord.bc.ca
Regional District of Central Okanagan | www.regionaldistrict.com | www.rdcogis.com
Ph.: 250-469-6227 | Fax: 250-762-7011

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Central Okanagan Food Policy Council

April 6, 2018

Melanie Stepphun
Planner
City of Kelowna

Tracy Guidi
Sustainability Coordinator
City of Kelowna

Dear Ms. Stepphun & Ms. Guidi,

Thank you for the opportunity to provide comments regarding the City Kelowna's proposed OCP and Zoning amendments as part of the Agriculture Plan implementation. It is our understanding that the intention of the amendments is to help achieve Council's priority in addition to promoting and celebrating the vital role of agriculture in Kelowna today, and for decades to come.

The Central Okanagan Food Policy Council (COFPC) applauds City of Kelowna Staff and Council for taking the initiative and allocating resource to the implementation of the agriculture plan.

Overall the proposed OCP and zoning amendments support the protection of agricultural land and also helps to reduce conflict and other negative impacts on agriculture land. The COFPC agrees with and supports all the proposed amendments.

We will provide comment in more detail on one of the proposed amendments, maximum home size on A1 Properties:

The COFPC has heard from farmers that they do not like the idea of regulating house size of farmland. While we do respect these the views of these farmers, the COFPC recognizes that many of those who are building estate size homes on farmland may not be farmers. There are some farmers that raise the question of why do they have to be regulated when it's mostly non farmers who are building estate size homes. Again, while the COFPC respects the views of farmers, we do support the proposed amendments to have a maximum house size on A1. Very large houses on farmland increases the value of the land and makes it almost impossible for new farmers to buy their own land. Farmland should be for farming, not for building mansions. Ultimately, while regulating house size may not been seen as a fair solution by some farmers, it will be best for agriculture in the long term.

In closing, the Central Okanagan Food Policy Council is pleased to have been given the opportunity to comment on the City of Kelowna's Agriculture Plan implementation OCP and Zoning amendments.

Regards,

Linda Trepanier
Chairperson
Central Okanagan Food Policy Council.
cofpcs@gmail.com



April 6, 2018

Melanie Stepphun
Planner
City of Kelowna

Tracy Guidi
Sustainability Coordinator
City of Kelowna

Dear Ms. Stepphun & Ms. Guidi,

RE: Agriculture Plan Implementation – Packages 1 and 2 – Amendments OCP18-0003 & TA18-0002

Thank you for the opportunity to provide comments for City of Kelowna Staff and Council consideration of Agriculture Plan Implementation Packages 1 and 2. This referral has been reviewed from Healthy Food Systems perspectives. The following information is provided for your consideration.

Healthy Food System

Interior Health has an interest in the preservation of farmland to support local agricultural capacity now and in the future. Agricultural capacity is a key aspect of local healthy food systems, contributing to our community's food security. Food systems determine how we choose food and what food we have access to. The food we eat is critical to our health. Land use decisions can influence use of agricultural land which can thereby impact the accessibility, quality and variety of food available to us. Having access to healthy and safe food helps to protect the population from chronic disease and infectious illnesses.

Overall the proposed OCP and Zoning amendments appear to support our community's food security by preserving agriculture land and reducing potential negative impacts on agriculture.

Food security has been recognized as a key public health issue by the BC Ministry of Health. Interior Health ensures the delivery of key government priorities to increase and advance food security.

Package 1:

Goal	Proposed Amendments	Proposed Policy/ Section	Health Evidence
Preserve agricultural land	<p>OCP Amendments:</p> <ul style="list-style-type: none">Restrict expansion of residential development and density outside the Permanent Growth BoundaryProtect 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>Policy 5.3.1</p> <p>Policy 5.33.6</p> <p>Chapter 15 Guideline 1.9</p> <p>Chapter 15 Guideline 1.10</p>	<p>Local policies that support the ALR help to protect and preserve agricultural land.</p> <p>Farmland preservation helps to maintain a level of food production that contributes to food self-sufficiency, and food self-sufficiency supports healthy eating.</p> <p>Food self-sufficiency in BC is increasingly important as extreme weather will affect production in California, which is currently where 40%–50% of BC's supply of fruits and vegetables comes from.</p> <p>Greater availability of locally produced fruits and vegetables may increase their consumption.</p>

	<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>Section 2.3.3 & Section 11.1.4</p> <p>Section 9.5.b & Section 11.1.3</p> <p>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 	Policy 7.22.2	
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</p> <p>Guideline 1.7</p>	<p>Agriculture can negatively affect air quality though contributions to particulate matter, odours, and volatile compounds.</p> <p>Pesticides are associated with both negative and positive health impacts.</p> <p>Buffers can benefit residents by reducing noise, dust, and odours, and buffers provide environmental benefits such as improving water quality.</p>
Food system resiliency	<p>OCP Amendments</p> <ul style="list-style-type: none"> Expand urban agricultural opportunities 	Policy 5.13.5	<p>Increased opportunity to access healthy food for all community members & improved health from eating locally grown produce.</p> <p>Heightened sense of community. Increased social opportunities in the form of community gardening, mentoring programs.</p> <p>Increased physical activity and recreational opportunities.</p> <p>Urban agriculture builds safe, healthy, and green environments in neighborhoods, schools, and abandoned areas.</p>

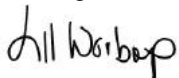
Package 2:

Goal	Proposed Amendments	Proposed Policy/Section	Health Evidence
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 Alcohol Production Facilities Update Greenhouses and Plant Nurseries accessory use size requirements (from 400 m2 maximum to 150 m2 maximum as required by ALR regulations) 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>	<p>Ensuring consistency between City of Kelowna zoning and provincial standards has the potential to support agriculture capacity long term. Agricultural capacity is a key aspect of local healthy food systems, contributing to our community's food security.</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 residential 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>	<p>During engagement for Kelowna's Agriculture Plan Stakeholders raised the following issues:</p> <ul style="list-style-type: none"> <i>- There are concerns regarding accessing farm land due to high cost, due to speculation and capital inputs.</i> <i>- Competing non-farm uses (including estate homes) are a challenge and prevalent.</i> <i>- Farmland tax relief for estate homes needs to be addressed.</i> <p>Also, City staff highlight that the value of farmland increases exponentially with the presence of estate homes.</p> <p>Actions that aim to address the above concerns (ie. regulating floor area) may support agriculture capacity. Agricultural capacity is a key aspect of local healthy</p>

			<p>food systems, contributing to our community's food security</p> <p>In addition, estate size houses and residential footprints use land that could support agriculture activities. Farmland preservation helps to maintain a level of food production that contributes to food self-sufficiency, and food self-sufficiency supports healthy eating.</p> <p>Food self-sufficiency in BC is increasingly important as extreme weather will affect production in California, which is currently where 40%–50% of BC's supply of fruits and vegetables comes from.</p>
Provide clarity on existing regulations			No comment
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>	<p>Agriculture can negatively affect surface and ground water quality through nutrient, sediment, bacteria, and pesticide contamination.</p> <p>Agriculture can negatively affect air quality through contributions to particulate matter, odours, and volatile compounds.</p> <p>Pesticides are associated with both negative and positive health impacts.</p> <p>Buffers can benefit residents by reducing noise, dust, and odours, and buffers provide environmental benefits such as improving water quality.</p>
Ensure consistency with proposed amendments in Package 1			No comment

On behalf of the Healthy Communities portfolio, I appreciate the opportunity to provide comment on the City of Kelowna's Agriculture Plan Implementation Packages 1 & 2.

Kind regards,



Jill Worboys, RD
Public Health Dietitian



URBAN DEVELOPMENT INSTITUTE- OKANAGAN CHAPTER

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April 3, 2018

City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4

Attention: Tracy Guidi, Melanie Steppuhn, Ryan Smith

Subject: Agriculture Plan Implementation

The Urban Development Institute (UDI) is a national association (with international affiliations) of the development industry and its related professions. The corporate members of the UDI - Okanagan Chapter represent hundreds of individuals involved in all facets of land development and planning, including: developers, property managers, financial lenders, lawyers, engineers, planners, architects, appraisers, real estate professionals, local governments and government agencies.

As a Partner in Community Building, the UDI Okanagan Chapter is committed to working with communities and governments to create and achieve the vision of balanced, well-planned, sustainable and affordable communities.

The UDI Okanagan applauds the City of Kelowna's efforts to create an Agricultural Plan. However, we have concerns with many of the items stated in this plan, as well as the short turnaround time expected for feedback and the lack of prior consultation. We believe that these are major policy changes, which may have unintended consequences and must be examined in the larger context of the Official Community Plan (OCP) Update.

We do not believe that the quick turnaround time is sufficient to provide adequate feedback on the significant changes proposed. For this reason, we are requesting that the City delay bringing this forward to Council until an adequate consultation process with the appropriate stakeholders can be undertaken.

Although we cannot fully elaborate at this time on all of the concerns we have with this plan, below is a short initial list of some of the key items that we would like to discuss further with the City before it moves forward to Council.

Some of the key concerns include:

- The current plan may harm agri-tourism and economic development, rather than help to support it. Pure agricultural businesses, as opposed to hybrid models, are virtually impossible to start in

today's fruit market, and accordingly these bylaws go a long way toward damaging and building challenges to agri-tourist business models.

- This plan would make it difficult for multi-generational families to operate as it would make it financially unfeasible in many cases. It could also be perceived as discriminatory as many multi-generational families that currently operate on farmland in Kelowna are from the Indo-Canadian community and have been farming lands in Kelowna over generations.
- The stipulation that says 'regardless of soil quality' is a major concern. Protecting A1 even if there is no agricultural suitability does not make sense and does not protect agriculture. This will effectively act as a secondary land freeze beyond the ALR, and to enact such a wide sweeping regulation should require massive public consultation, if not a full referendum. Such significant changes to property rights, done through a simple bylaw change, is not an appropriate method of regulation, as it does not sufficiently notify the many thousands of landowners it affects.
- Limiting greenhouses to 75 per cent of the land, before consideration of any buffers is prohibitive.
- The condition that the residential footprint must within 60 meters of the road is flawed and could lead to sites having no view, and less ability to attract customers to the agriculture as well as other concerns.
- If the goal is to protect agriculture, there should be more of a focus on the economic ability of a farmland. For example, if a winery owner can generate more income with their building deeper within his or her property, that should be encouraged rather than discouraged as it is now. These policies should enhance and improve the business viability of agricultural practices, however as presently formed, they reduce it.
- With land costs ranging from \$150,000-\$200,000 an acre and a long payback period, it is very difficult for new farmers to get started in this industry. In many cases, agri-tourism is the only way that new farmers have the ability to be economically viable. This can be demonstrated by the fact that the price per pound for different agricultural goods has been decreasing as the price per square foot for rental accommodations has been increasing. For this reason, the City of Kelowna should be supporting agri-tourism, and not discouraging it as this plan now does.
- It appears as though there has not been sufficient consultation locally and that much of these proposed changes could be influenced by what has been happening in the Lower Mainland. These changes make sense for the Lower Mainland but not for Kelowna. This needs to be examined from a local context because utilizing examples from other communities which have different challenges and different economic climates is not suitable.
- The City needs to develop the tools necessary to properly evaluate site specific situations. Currently, there does not appear to be this type of needed flexibility in the bylaw. If it is intended to have large scale agricultural developments reviewed on an individual basis, that should be prominently designed into these bylaws.
- There should be a Development Permit waive out allowance in order to exclude some properties. An agrologist report should be required outlining the soil classifications and 'farmable lands'. Lands not deemed farmable should then be able to be used and/or rezoned for non-agricultural purposes. Guidelines could identify best practices, which would provide the City with the tools needed to properly evaluate applications.

- UDI requests further clarification on how these new regulations will impact on potential investment opportunities in wineries, breweries, etc. The new regulations should help to promote these opportunities, not limit the experience.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, consisting of a stylized 'K' followed by a long horizontal stroke.

URBAN DEVELOPMENT INSTITUTE OKANAGAN CHAPTER

Per: Kevin Edgecombe, Chair of City of UDI Okanagan



Agriculture Plan Implementation – Policy Amendments **PACKAGE 2**

June 4, 2018

Agricultural Plan Implementation

- ▶ Package 2 (this package)
 - ▶ Amendments required “further investigation”
 - ▶ Addresses 2 Agriculture Plan actions
 - ▶ Clarification of current regulations
 - ▶ Further engagement required

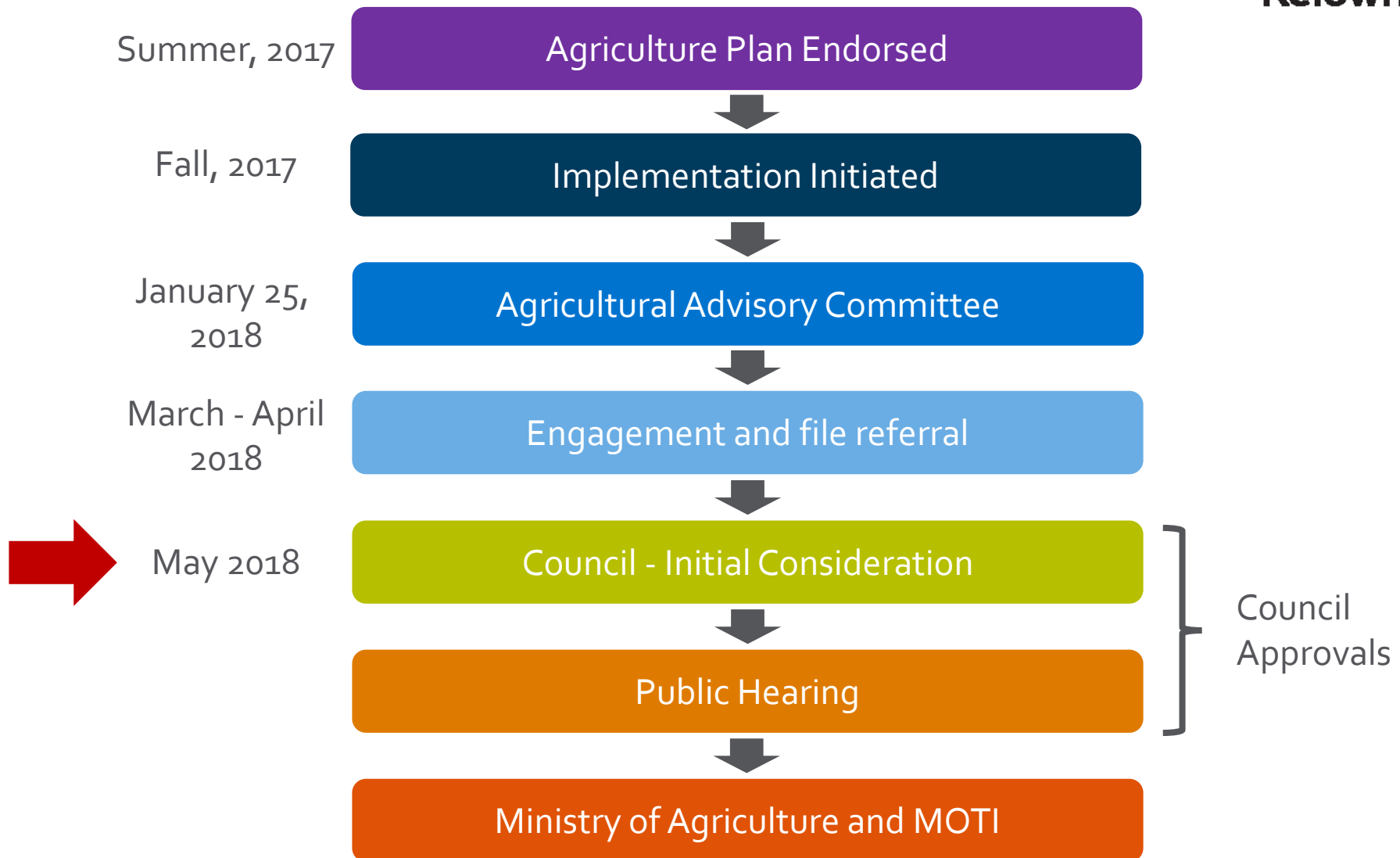


Goals

- ▶ Ensure compliance between A1 zone and provincial standards
- ▶ Provide clarity on existing regulations
- ▶ Limit conflicts with agriculture
- ▶ Ensure consistency
- ▶ Reduced bylaw infractions



Process



- [illegible]

Farm Protection DP Guidelines Amendments

Farm DP Amendments

- ▶ Clarification on:
 - ▶ When a Farm DP is required
 - ▶ Buffers to align with Zoning Bylaw



Zoning Bylaw Amendments

- ▶ Definitions
- ▶ Secondary Uses
- ▶ Urban Side Buffers
- ▶ Development Regulations
- ▶ Home size

Zoning Bylaw Amendments

DEFINITIONS

Zoning Amendments – New Definitions

- ▶ Agri-tourism
- ▶ Alcohol production facilities
- ▶ Farm retail sales Stands
 - ▶ replaces Agricultural and Garden Stands
- ▶ Immediate family
- ▶ Meaderies



Zoning Amendments – Revised Definitions

- ▶ Agriculture
- ▶ Agricultural structures
- ▶ Greenhouses and Plant Nurseries
- ▶ Kennels
- ▶ On-farm processing
- ▶ Stables
- ▶ Wineries and cideries



Zoning Bylaw Amendments

SECONDARY USES

Zoning Amendments - Secondary Uses

- ▶ Separated into two:
 - ▶ Secondary uses on ALR lots
 - ▶ Secondary uses on non ALR lots
- ▶ Uses on ALR lots have additional ALC supporting legislation



Zoning Amendments - Secondary Uses

The secondary uses for lots **within the ALR** are:

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

Zoning Amendments - Secondary Uses

The secondary uses for **non ALR lots** are:

- a) agri-tourism
- ~~b) alcohol production facilities~~
- c) animal clinics, major
- d) animal clinics, minor
- e) bed and breakfast homes
- f) child care centre, minor
- ~~g) farm retail sales stands~~
- ~~h) Forestry~~
- i) group homes, minor
- j) home based businesses, major
- j) home based businesses, minor
- k) home based businesses, rural
- l) kennels
- ~~m) mobile home for immediate family~~
- ~~n) on-farm processing~~
- o) secondary suite
- p) temporary farm worker housing

Zoning Bylaw Amendments

URBAN SIDE BUFFERS

Zoning Amendments – Urban Side Buffers

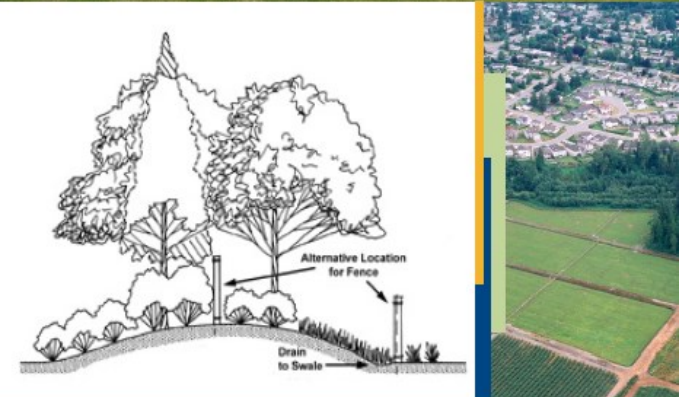
A landscape buffer can:

1. Minimize the effects of normal farm practices on urban activities
2. Visual and noise protection for urban lots
3. Protects from sprays & dust
4. Provide a transition
5. Protects farming from nuisance



Zoning Amendments - Urban Side Buffers

- ▶ Current regulations require a Level 5 landscape buffer (3.0 m) abutting the ALR
- ▶ Based on Ministry revised to:
 - ▶ Wider buffers
 - ▶ Minimum setback distance to structure



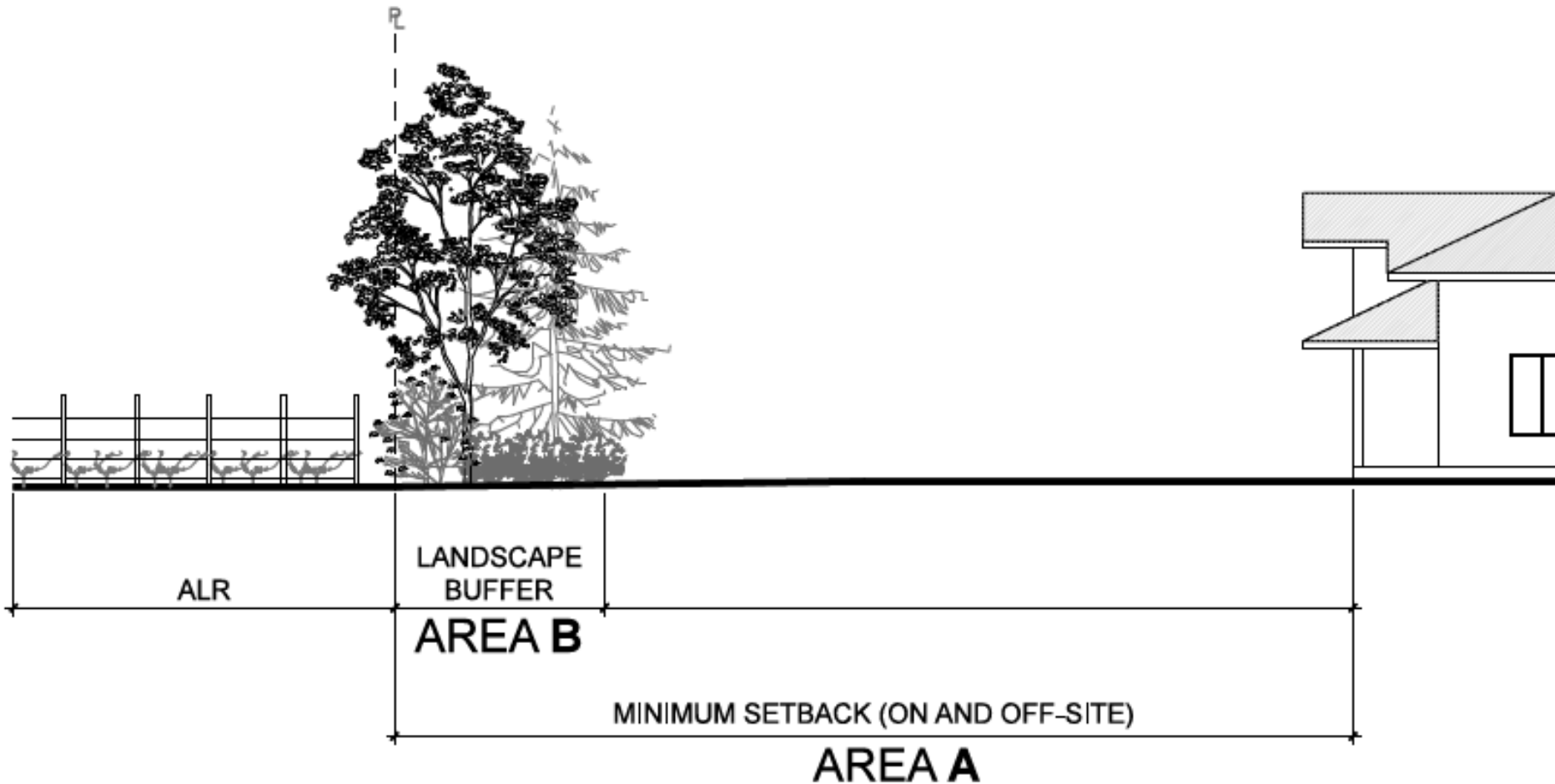
*Promoting Compatibility Along
Agricultural - Urban Edges*



Zoning Amendment – Urban Side Buffers

	AREA A Minimum setback from adjacent agricultural parcel to on-site structures	AREA B Minimum on- site landscape buffer
Existing Urban Residential < 0.4ha	N/A	3m
Existing urban residential >0.4 ha	20 m	8m
New Residential Subdivision	20m	15m
Multi-Unit Residential	20m	15m
Commercial	15m	8m
Institutional	90m	15m
Industrial	15m	8m

Zoning Amendments – Urban Side Buffers



Zoning Bylaw Amendments

DEVELOPMENT REGULATIONS

Zoning Amendments Development Regulations

- ▶ Introduced a table for clarity and ease of use
- ▶ Update development regulations to align with Ministry requirements, reducing conflict



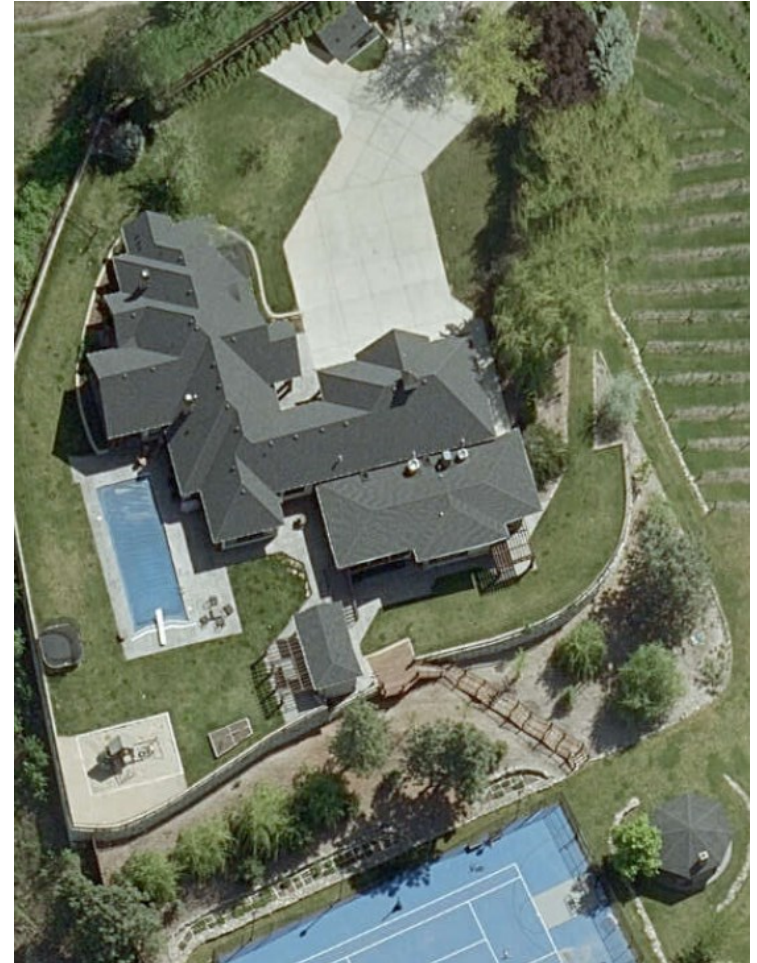
Use	Gross Floor Area	Front Yard / Flanking	Side Yard	Rear Yard	Height
Single detached housing lots <0.4 ha	11.1.6 (c)	6.0 m	3.0 m	10.0 m	9.5 m or 2.5 storeys
Single detached housing lots >0.4 ha	11.1.6 (b)	6.0 m	3.0 m	10.0 m	9.5 m or 2.5 storeys
Accessory Buildings or Structures	130 m²	6.0 m	3.0 m	3.0 m	6.0 m
Mobile Home for Immediate Family	300 m²	6.0 m	3.0 m	10.0 m	4.8 m
Agricultural Structures	11.1.6 (d)	4.5 m	3.0 m	3.0 m	16.0 m
Greenhouses and Plant Nurseries	11.1.6 (d)	6.0 m	3.0 m	3.0 m	16.0 m
Farm Retail Sales Stands	300 m²	6.0 m	3.0 m	3.0 m	
Kennels	500 m²	15.0 m	15.0 m	15.0 m	9.5 m or 2.5 storeys
Stables	See 11.1.6	15.0 m	15.0 m	15.0 m	16.0 m
On Farm Processing	See 11.1.6	6.0 m	3.0 m	3.0 m	16.0 m
Alcohol Production Facilities (processing)	Per ALC	6.0 m	3.0 m	3.0 m	9.5m or 2.5 storeys
Alcohol Production Facilities (tasting facility / lounge)	Per ALC	6.0 m	6.0 m	10.0 m	9.5 m or 2.5 storeys

Deferred Amendment

HOME SIZE

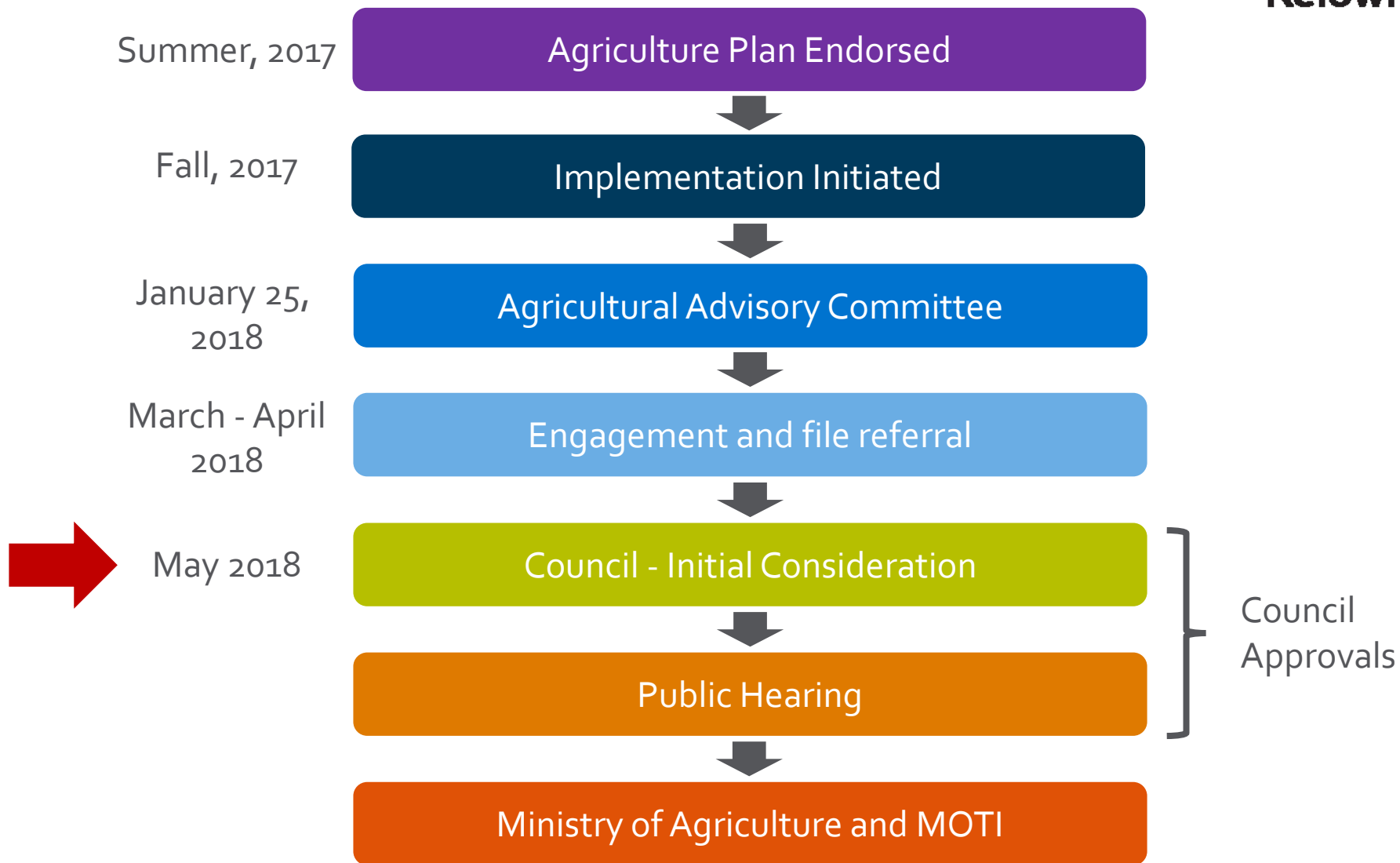
Deferred Amendment – Maximum Home Size

- ▶ Trend shows more homes built to “estate” size
- ▶ “investigate maximum home floor area policy based on Ministry Guidelines”
- ▶ Engagement showed mixed reception for proposed policy
- ▶ Postpone pending outcome of ALR Revitalization Process



Next Steps

Process





Questions?

