

Agricultural Advisory Committee

AGENDA



Thursday, May 13, 2021
6:00 pm
Virtual Meeting - Teams

Pages

1. Call to Order

THE CHAIR WILL CALL THE MEETING TO ORDER:

(a) The purpose of this Meeting is to consider certain Development Applications as noted on this meeting Agenda.

(b) The Reports to Committee concerning the subject development applications are available on the City's website at www.kelowna.ca.

(c) All representations to the Agricultural Advisory Committee form part of the public record.

(d) As an Advisory Committee of Council, the Agricultural Advisory Committee will make a recommendation of support or non-support for each application as part of the public process. City Council will consider the application at a future date and, depending on the nature of the file, will make a decision or a recommendation to the Agricultural Land Commission.

(e) In accordance with the Order of the Provincial Health Officer on Gatherings and Events, the City is required to collect the first and last name and telephone number or email address of everyone attending a Council meeting, public hearing, or Council Committee meeting. this information will be kept by the City for 30 days in case there is a need for contact tracing on the part of the medical health officer. If the information is not required for that purpose it will be destroyed after 30 days.

We appreciate your cooperation in meeting this requirement.

2. Minutes

3 - 5

Approve Minutes of the Meeting of April 8, 2021.

3. Applications for Consideration

3.1. Latta Rd 1466, A21-0007 - Johnson Vandakathil & Lucy Varghese 6 - 21

To consider a non-adhering residential use permit for the conversion of an existing single-family dwelling into temporary farm worker housing.

3.2. Zoning Bylaw No. 8000 - Proposed Update – Agriculture and Rural Residential Zones 22 - 43

To consider amendments to the City of Kelowna’s proposed Zoning Bylaw No. 8000 update in relation to the Agriculture Zones and Rural Residential Zones.

4. ALC Decisions - Update

5. New Business

6. Next Meeting

June 10, 2021

7. Termination of Meeting

Agricultural Advisory Committee Minutes

Date: Thursday, April 8, 2021
Time: 6:00 pm
Location: Virtual Meeting - Teams

Members Attending Virtually John Janmaat (Chair), Yvonne Herbison (Vice Chair), Derek Brown (Alternate), Aura Rose, Domenic Rampone

Members Absent Jill Worboys, Keith Duhaime, Avi Gill, Peter Spencer (Alternate)

Staff Present Alex Kondor, Planner Specialist; Tyler Caswell, Planner; Wesley Miles, Planner Specialist; Tracy Guidi*, Sustainability Coordinator; Robert Miles*, OCP Project Planner; Danielle Noble Brandt*, Policy & Planning Department Manager; David James*, Planner Specialist; Clint McKenzie, Legislative Coordinator (Confidential)

* Denotes partial attendance

1. Call to Order

The Chair called the meeting to order at 6:09 p.m.

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

2. Minutes

Moved By Yvonne Herbison/Seconded Aura Rose

THAT the minutes of the March 11, 2021 Agricultural Advisory Committee meeting be adopted with the addition of the anecdotal comment to the application for Hwy. 97N 4690, A20-0008:

"The Committee would like to emphasize that support for the application was rejected based on the principle of not wanting to take a large track of land out of the ALR for a municipal infrastructure project."

Carried

3. Applications for Consideration

3.1 East Kelowna Road, 3652, A21-0003 - Gurmail Dhillon and Manjit Dhillon

Staff displayed a PowerPoint presentation outlining the application and responded to questions from the committee.

Staff confirmed area of the building and the adjacent parking lot.

Purveet Dhillon, Applicant's daughter:

- Spoke to the retail sales volume throughout the year.
- Provided an overview of the type of products that would be sold at the facility.
- Provided a background to the herbs and vegetables. being planted for future retail.

Jasdeep Dhillion, Applicant

- Spoke to how the excess fruit was sold in the past.
- Staff responded to questions from the committee.
- Spoke to the enforcement of required sale of farm products and limitations of offsite retail items.
- Staff to confirm if product outside of the Kelowna area would qualify as 51% of the required local sales.
- Farm unit us within City limits and if produce was coming from outside the city proper it would not qualify.

Anedotal Comments

- Concerned with setting a precedent as less than 50% of product for a period of each year would be from offsite sources.

Moved By Aura/Seconded By DerekBrown

THAT the AAC recommend Council not support the application for nonfarm use on the subject property.

Carried

3.2 Agriculture and Kelowna's Draft 2040 Official Community Plan (OCP)

Staff displayed a PowerPoint presentation outlining the development of the 2040 OCP with an emphasis on the following:

- details on how public engagement has occurred
- a general overview of the proposed 2040 OCP
- an overview of the growing sustainability section of the plan
- an overview of agriculture policy
- an overview of farm protection development permits
- a review of changes in future land use

Discussion ensued regarding water rates on agricultural properties and the importance of providing reasonable rates.

Anedotal Comments

- The committee strongly recommends language be included in the OCP 2040 review to highlight the importance of affordability of water for agriculture.
- The committee would like to see more alignment within the proposed OCP in regards to plans for increased densification but also then providing the ability to allow a second dwelling to an agriculturally zoned property.
- Staff reminded the committee that zoning bylaw updates will also be coming to the committee for review at the next AAC meeting.
- The committee emphasized that it does not support the changes in Appendix F related to future land use. They recommend bringing forward each individual change at the time of application for the committee to evaluate.

The Committee expressed appreciation to staff for the work completed in updating the OCP.

Moved By Yvonne Herbison/Seconded Domenic Rampone

THAT the Agriculture Advisory Committee supports the Urban-Ag Interface Policy as outlined in Attachment B in the proposed 2040 Official Community Plan as presented by City staff on April 8, 2021.

CarriedMoved By Yvonne Herbison/Seconded Domenic Rampone

THAT the Agriculture Advisory Committee supports the agriculture land policy as outlined in Attachment C in the proposed 2040 Official Community Plan as presented by City staff on April 8, 2021.

CarriedMoved By Yvonne Herbison/Seconded Aura Rose

THAT the Agriculture Advisory Committee supports the farm protection development permit guidelines as outlined in Attachment D in the proposed 2040 Official Community Plan as presented by City staff on April 8, 2021.

CarriedMoved By Yvonne Herbison/Seconded By Domenic Rampone

THAT the Agriculture Advisory Committee does not support the changes in future land use as outlined in Attachment F in the proposed 2040 Official Community Plan as presented by City staff on April 8, 2021.

Carried**4. ALC Decisions - Update**

The Longhill Road nonfarm use application for soil fabrication was recently considered by Council and received a decision of nonsupport.

5. New Business

Committee member advised City staff of a recent announcement by the Investment Agriculture Foundation regarding grant funding that is earmarked to assist in implementing community agricultural strategies . Funds up to \$40,000 are available for application.

6. Next Meeting

The next Committee meeting is scheduled for April 29, 2021.

7. Termination of Meeting

The Chair declared the meeting terminated at 8:25 p.m.

 John Janmaat ,Chair

COMMITTEE REPORT



Date: May 13th, 2021

RIM No. 1210-21

To: Agricultural Advisory Committee (AAC)

From: Development Planning Department

Application: A21-0007 **Owner:** Johnson Vandakathil Varghese & Lucy Varghese

Address: 1466 Latta Rd **Applicant:** Lynn Welder

Subject: Application to the ALC for Non-Adhering Residential Use Permit

Existing OCP Designation: REP – Resource Protection

Existing Zone: A1 – Agriculture 1

Agricultural Land Reserve: Yes

1.0 Purpose

To consider a non-adhering residential use permit for the conversion of an existing single-family dwelling into temporary farm worker housing.

2.0 Proposal

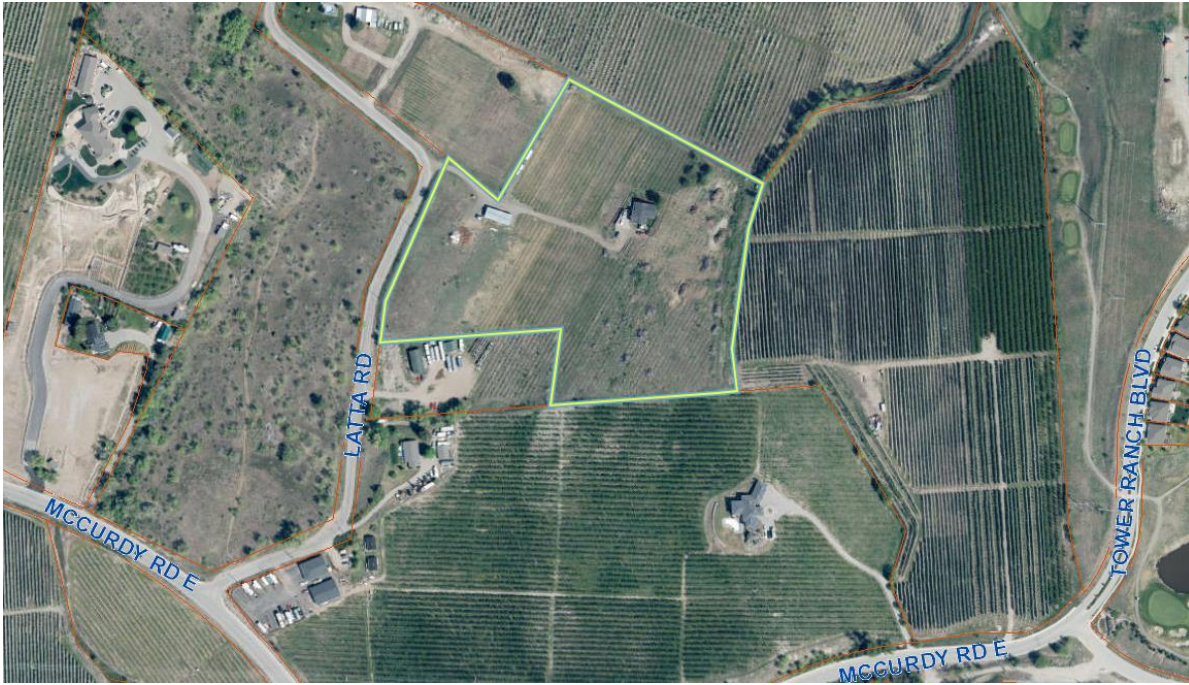
2.1 Background

The subject property is 11.22 acres (4.54 ha) in size, is located on Latta Road, near the intersection with McCurdy Road E, and is within the Rutland OCP Sector. The property is currently being used to farm 1.82ha of grapes, with another 1.62ha proposed for future planting of grapes. The subject property has the existing single-family home and an accessory building, which is currently being used for grape storage and a farm retail stand to sell the grapes.

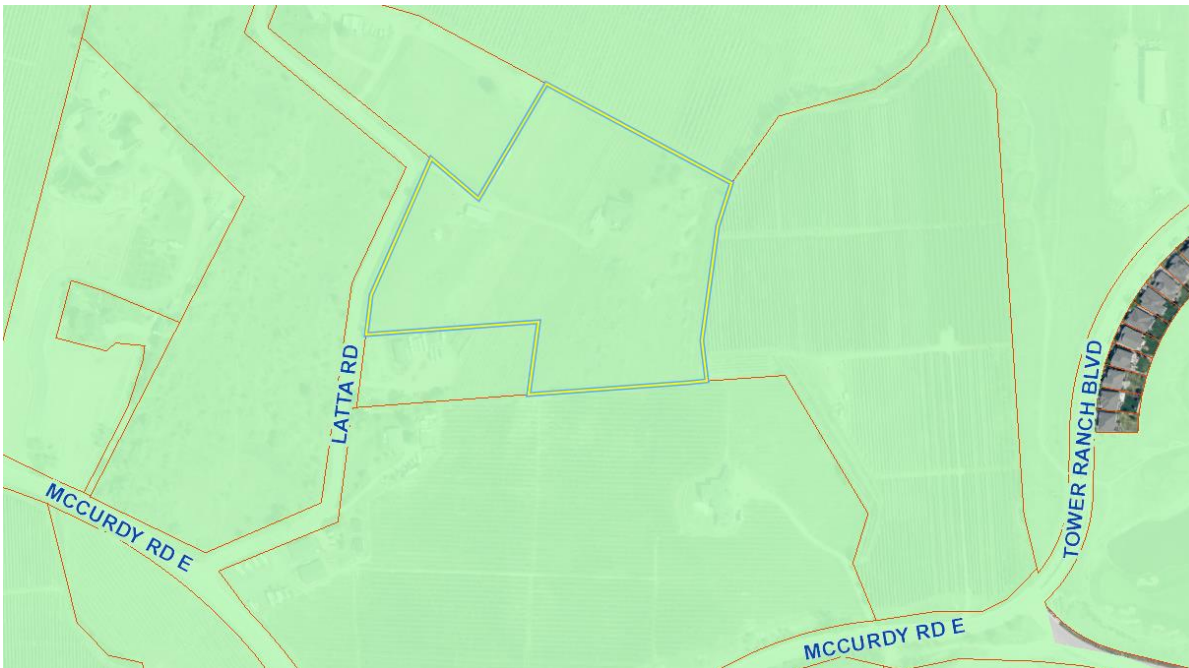
2.2 Project Description

The non-adhering residential use permit application is to convert the existing home into temporary farm worker housing. The owners are seeking seasonal agricultural workers to help with the maintenance of the existing agriculture and the planting of the proposed grapes. The home is 230m² in size and is one and half storeys in height. If successful, there will be a new single-family home constructed for the owners of the property. The property would require an additional septic field, minimal landscaping, and a small extension of the driveway if the application is successful.

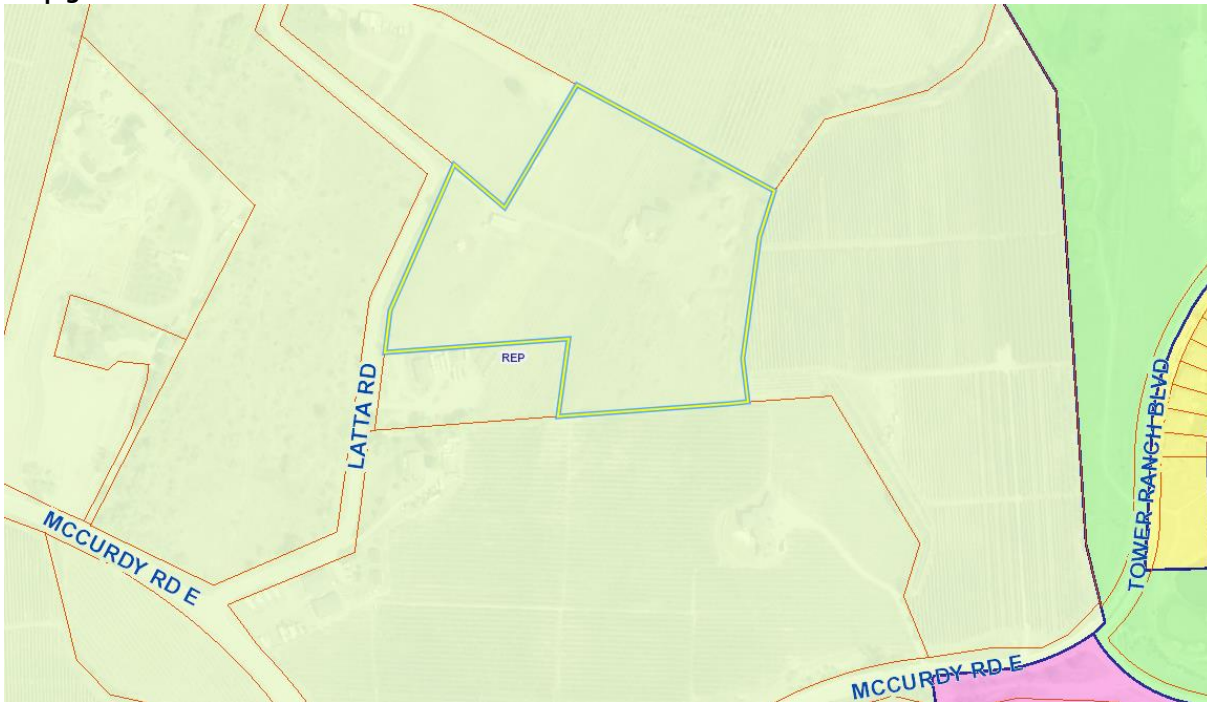
Map 1 - Neighbourhood



Map 2 – Agricultural Land Reserve



Map 3 – Future Land Use



2.3 Neighbourhood Context

The subject property lies within the Rutland OCP Sector. The surrounding area is predominately agricultural lands, within the Agricultural Land Reserve. There are a few rural residential properties in the vicinity and Tower Ranch Golf Course to the East.

Zoning and land uses adjacent to the property are as follows:

Table 1: Zoning and Land Use of Adjacent Property

Direction	Zoning	ALR	Land Use
North	A1 – Agriculture 1	Yes	Agriculture
South	A1 – Agriculture 1	Yes	Agriculture
East	A1 – Agriculture 1	Yes	Agriculture
West	RR2 – Rural Residential 2	Yes	Agriculture / Vacant

3.0 Development Planning

The City’s Agriculture Plan, the Official Community Plan and Zoning Bylaw support the conversion of existing dwellings into Temporary Farm Worker Housing if agriculture is the principal use and the owner demonstrates the need for farm employees. However, there are concerns with the introduction of a new permanent structure on site, which would be hard to revert back to farmable land if the seasonal workers were no longer required.

The City of Kelowna Official Community Plan (OCP) policy on Farm Help Housing states accommodation for farm help on the same agricultural parcel will be considered only where:

- Agriculture is the principal use on the parcel.
- The applicant demonstrates that the additional housing is necessary to accommodate farm employee(s) whose residence on the farm property is considered critical to the overall operation of the farm. The primary consideration is whether the scale of the farm operation is large enough that permanent help is deemed necessary; and,
- TFWH (e.g. bunkhouse accommodation on non-permanent foundations) is the preferred solution where the need for farm worker housing is justified.

The Farm Protection Development Permit Guidelines state to design TFWH such that:

- TFWH should use all existing dwellings within the farm unit, prior to building new temporary farm worker housing, unless the existing dwellings are used for a use consistent with the Agriculture Land Commission Act. Alternatively, the existing dwellings on the farm unit must be removed, decommissioned to an approved use, or demolished including decommissioning the existing septic system, prior to the authorization of a new temporary farm worker housing structure.
- TFWH footprint should be contiguous with the residential footprint (i.e. Homeplate) and / or within 50 metres of the road and/or located to maximize agricultural potential and limit negative impacts on the farm parcel.

The City of Kelowna Agriculture Plan recommends to:

- Allow TFWH, as permitted by City of Kelowna Bylaw. TFWH, as permitted by the City of Kelowna, should be allowed. The TFWH footprint means the portion of a lot that includes all structures, driveways and parking areas associated with the temporary farm worker housing, including but not limited to structures.

In keeping with the Ministry of Agriculture's Guide to Bylaw Development in Farming Areas and the City's policy for Temporary Farm Worker Housing, Community Planning Staff recommend the registration of Section 219 Restrictive Covenants which state:

- The TFWH shall be used for temporary farm workers only;
- The owner will remove the TFWH if the farm operation changes such that it is no longer required;
- The dwellings will only be used for farm workers for a maximum of eight (8) months of the year;
- The maximum number of accommodations permitted on this farm unit within this City sector is 60 workers; and,
- The TFWH building footprint is a maximum of 0.3ha.

Zoning Bylaw recommends that the following requirements are met prior to issuance for a Temporary Farm Worker Housing (TFWH) structure:

- Farm Classification for the parcel, as determined by the BC Assessment Act.
- Minimum farm unit size is 3.8 ha.
- The need for temporary farm worker housing onsite to house temporary farm workers must be demonstrated through documentation such as a contract with the federal government through a

migrant worker program, such as the Seasonal Agricultural Worker Program, farm receipts and / or previous employment records, and/or a farm plan prepared by a professional agrologist.

- New TFWH structures shall include a communal kitchen.
- The TFWH shall be occupied only during the farm unit's growing, harvesting and pruning periods.
- A statutory declaration must be filed with the City of Kelowna annually, by January 31st, stating that the building will be used only for TFWH and specify the time(s) of year when the TFWH will be occupied. The specified period of time may be no greater than ten months of that calendar year.
- If the temporary farm worker housing is vacant for two consecutive growing seasons, the owner will remove, at their expense, any temporary structures for temporary farm worker housing, and remove or decommission any existing buildings that had been repurposed for temporary farm worker housing purposes, by December 31st of the second year of vacancy.

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Attachments:

Attachment A – ALC Non-Adhering Residential Use Application

Attachment B – Site Plan

Attachment C – Site Photographs

Attachment D – Development Engineering Memo

Attachment E – Ministry of Agriculture

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 61080

Application Status: Under LG Review

Applicant: Johnson Vandakathil Varghese , Lucy Varghese

Agent: Lynn Welder Consulting

Local Government: City of Kelowna

Local Government Date of Receipt: 03/23/2021

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Adhering Residential Use - Additional Residence for Farm Use

Proposal: To allow a new, secondary house on the property for the land owners to live in. The existing house will then be used for Temporary Farm Help.

Agent Information

Agent: Lynn Welder Consulting

Mailing Address:

1826 Edgehill Ave.

Kelowna, BC

V1V 1R7

Canada

Primary Phone: (250) 317-6983

Email: lynn_welder@telus.net

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 028-369-262

Legal Description: Lot 1, Plan KAP91486, Sec. 31 & 36, Twp. 26 & 27, ODYD

Parcel Area: 4.5 ha

Civic Address: 1466 Latta Road, Kelowna, B.C.

Date of Purchase: 04/22/2015

Farm Classification: Yes

Owners

1. **Name:** Johnson Vandakathil Varghese

Address:

13471 Waterford Place

Surrey, BC

V3W 6V2

Canada

Phone: (778) 836-2079

Email: lvarghese06@gmail.com

2. **Name:** Lucy Varghese

Address:

13471 Waterford Place

Surrey, BC
V3W 6V2
Canada
Phone: (778) 836-2079
Email: lvarghese06@gmail.com

ATTACHMENT A

This forms part of application
A21-0007

Planner Initials **TC**

City of **Kelowna**
DEVELOPMENT PLANNING



Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

1.82 ha are currently in grapes (primarily table grapes)

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

1.62 ha being prepped for future grapes

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

No non-agricultural activity

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity: Apple Orchards

East

Land Use Type: Agricultural/Farm

Specify Activity: Apple Orchards

South

Land Use Type: Agricultural/Farm

Specify Activity: Cherry Orchards

West

Land Use Type: Agricultural/Farm

Specify Activity: Fallow Land (Farm)

Proposal

1. What is the purpose of the proposal?

To allow a new, secondary house on the property for the land owners to live in. The existing house will then be used for Temporary Farm Help.

2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.

The owners wish to move to Kelowna and build a house for them to live in. With the additional grapes

being planted, they will require housing for temporary Farm Help and the existing house lends itself very well to this purpose. The owners will apply for Farm Workers Housing (TFWH) program within the City of Kelowna. This will further enhance and support the agricultural capability of the property.

3. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.

There is one house currently existing on the property. The house is approx. 230 square metres (one and a half stories in height). There are 3 people living in the house at the moment.

4. What is the total floor area of the proposed additional residence in square metres?

260 m²

5. Describe the rationale for the proposed location of the additional residence.

On behalf of the owners, I have met with the City of Kelowna and discussed the location for this additional house on the property. It was the City's suggestion that this was the best location for the house. As per the City, the existing home must within the allowable size (500m²) and then they will do a Farm Residential Footprint Covenant. This will be 2000m² and all residential uses will need to be in this area.

6. What is the total area of infrastructure necessary to support the additional residence?

The additional infrastructure would be the septic, minimal landscaping, and a small extension of the driveway. The total area would be approx. 350 square metres maximum, most likely less - however this is purely an estimate.

7. Do you need to import any fill to construct the additional residence or infrastructure?

No

Applicant Attachments

- Agent Agreement-Lynn Welder Consulting
- Site Photo-Variou photos of property
- Site Photo-Aerial Photograph
- Proposal Sketch-61080
- Other correspondence or file information-BC Assessment
- Certificate of Title-028-369-262

ALC Attachments

None.

Decisions

None.

ATTACHMENT <u> </u> A	
This forms part of application # A21-0007	
Planner Initials	TC
 City of Kelowna DEVELOPMENT PLANNING	



ATTACHMENT B

This forms part of application # A21-0007

Planner Initials **TC**





PHOTO #1



Looking East up the driveway. At the top of the photo on the left is the existing house which is proposed for Farm Help, and on the empty land on the right (across from the existing house) will be the location of the proposed New House.

PHOTO #2



Looking toward the Northern portion of the property. Existing rows of grapes.



PHOTO #3



South side of existing house which is proposed for Farm Help & faces the proposed New House location

PHOTO #4



Looking East where the proposed New House is to be located.

PHOTO #5



Southwest portion of the property. The area for future grapes is in the foreground and the existing grapes in the background.

PHOTO #6



The shed/grapes sales building. Located near the entry to the property.



CITY OF KELOWNA

MEMORANDUM

Date: April 13, 2021
File No.: A21-0007
To: Land Use Planning Manager (AK)
From: Development Engineering Manager (TC)
Subject: 1466 Latta Rd Additional Residence

The Development Engineering Branch has the following comments with regard to this application to allow a new, secondary house on the property for the land owners to live in. The Development Technician for this file will be Sarah Kelly.

1. General

- a) The following requirements are valid for two (2) years from the reference date of this memo, or until the application/PLR has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.

2. Domestic water and fire protection.

- a) The subject lot is within the Black Mountain Irrigation District (BMID) water service area. The developer is required to make satisfactory arrangements with BMID for all water and fire protection-related issues. All charges for service connection and upgrading costs, as well as any costs to decommission existing services, shall be the responsibility of the developer.
- b) Provide an adequately sized domestic water and fire protection system complete with an individual lot connection. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw No. 7900.

3. Sanitary Sewer Service

- a) This subject parcel is currently not within the City service area. Sanitary sewage is presently handled by an on-site sewage disposal system. The existing on-site system is not shown on the submitted sketch plan.
- b) The applicant's consulting engineer will determine the requirements of the on-site disposal system that will support the proposed use. The disposal system shall be reviewed by the Interior Health Authority and Building & Permitting.

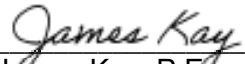
4. Storm Drainage

- a) Direct roof leaders onto splash pads.

5. Electric Power and Telecommunication Services

- a) 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

ATTACHMENT		D
This forms part of application		
# A21-0007		
Planner Initials	TC	 City of Kelowna DEVELOPMENT PLANNING



James Kay, P.Eng.
Development Engineering Manager

SK



April 21, 2021

File No: 0280-30

Local Government File No: A21-0007

City of Kelowna
1435 Water St
Kelowna BC V1Y 1J4
Via E-mail: planninginfo@kelowna.ca

Dear City of Kelowna planning staff:

Re: Non-adhering residential use application for 1466 Latta Road (PID: 028-369-262)

Thank you for providing the B.C. Ministry of Agriculture, Food and Fisheries (Ministry) staff the opportunity to comment on the proposed non-adhering residential use application in the Agricultural Land Reserve (ALR) for an additional residence. We note that the property is a 4.54 ha (8.15 acre) farm with 1.82 ha currently planted to grapes with a further 1.62 ha planned to be also planted to grapes. There is an existing 230 m² principal residence that is planned to be converted to a dwelling for farm help, and the applicants are requesting a 260 m² second dwelling for their own use.

Although additional dwellings in the ALR can result in an increase in farm practice complaints and increase speculative pressure on farmland by non-farmers, in this case, the second dwelling may not have as much of a detrimental impact for the following reasons:

- The existing residential floor area of the principal dwelling is relatively modest and the same is true for the proposed dwelling.
- The amount of residential floor area and scale of the housing requested appears to be commensurate with the size, intensity, and the type of operation.
- The proposed second residence will be located on a residential footprint contiguous with the principal residence, which reduces the potential for future subdivision requests.

Ministry staff have the following concerns regarding the proposal:

- Both residences would be on permanent foundations, which means that one will be less likely to be removed if no longer required.
- If one of the residences is used as a rental unit in the future, it will likely increase the potential for farm practice complaints in the area.

If you have any questions, please contact us directly by email or phone.

Sincerely,



Alison Fox, P.Ag.
Land Use Agrologist
BC Ministry of Agriculture, Food and
Fisheries
Alison.Fox@gov.bc.ca
(778) 666-0566



Chris Zabek, P.Ag.
Regional Agrologist
B.C. Ministry of Agriculture, Food and
Fisheries
Chris.Zabek@gov.bc.ca
(250) 861-7680

Email copy: Sara Huber, Regional Planner, ALC Sara.Huber@gov.bc.ca

ATTACHMENT		E
This forms part of application		
# A21-0007		
Planner Initials	TC	 City of Kelowna DEVELOPMENT PLANNING

COMMITTEE REPORT



Date: May 13, 2021

RIM No. 1210-21

To: Agricultural Advisory Committee (AAC)

From: Development Planning Department

Application: City of Kelowna Draft Zoning Bylaw Update **Applicant** City of Kelowna

Subject: City of Kelowna’s Draft Zoning Bylaw Update – Agriculture and Rural Residential Zones

1.0 Purpose

To obtain the Agricultural Advisory Committee’s input and to consider amendments to the City of Kelowna’s proposed Zoning Bylaw Update in relation to the Agriculture Zones and Rural Residential Zones as outlined in the report from the Development Planning Department, dated May 13, 2021.

2.0 Proposal

2.1 Background

As the Agricultural Advisory Committee (AAC) is aware, the City is in the process of updating its Official Community Plan (OCP) to 2040. As a zoning bylaw is a tool to implement land use planning visions expressed in OCPs and growth strategies¹, staff are concurrently working on a major update to Kelowna’s Zoning Bylaw, which is proposed to be adopted shortly after the OCP as a way to follow through on many of the OCP’s action items.

The proposed Zoning Bylaw is contemplating a more innovative approach with creative ideas that have been generated from various planning projects including the Healthy Housing Strategies, the Capri-Landmark Urban Centre Plan, the Transportation Master Plan, Imagine Kelowna, Kelowna’s Agriculture Plan, Kelowna’s Urban Centre Roadmap, and the OCP update. There are many new development trends that need to be incorporated into the Zoning Bylaw such as new parking regulations, social housing bonusing, inclusionary zoning, short-term rentals, car sharing, cannabis, etc. The intent is to update and to consolidate as many rules as possible to make it easier for each Kelowna citizen to understand the Zoning Bylaw and build a Zoning Base in which all the previous initiatives can be layered on.

¹ Province of BC, Zoning Bylaws. <https://www2.gov.bc.ca/gov/content/governments/local-governments/planning-land-use/land-use-regulation/zoning-bylaws>

3.0 Community Planning

3.1 Zoning Bylaw Update – Purpose and Objectives

The Bylaw Update is proposing to achieve six key objectives, as outlined in detail in Appendix A. The three key objectives that align with the Agriculture section consist of the following:

1. Consolidate Zones

- › Improve formatting and layout including the use of zoning tables.

2. Consolidate Land-Use Categories

- › Update old terminology and land use definitions.
- › Reduce overlap and redundancy between categories.

3. Provide a modernized Zoning Bylaw that will continue to be updated as new policies are adopted.

3.2 Agriculture and Rural Residential Zones

In addition to aligning with the new proposed 2040 OCP, the agriculture zones in the Agriculture and Rural Residential section were updated to implement the direction of the City's Agriculture Plan (2017) as well as were informed by the following documents:

- Ministry of Agriculture's Guide to Edge Planning;
- Local Government Bylaw Standards and Farm Bylaw
 - Minister's Bylaw Standards
 - Farm Bylaws, Farm Bylaw Standards and Regulated Communities
 - Guide for Bylaw Development in Farming Areas

The purpose of the AAC meeting is to gather feedback on the new agricultural content that is proposed to be included as part of the Zoning Bylaw Updates as outlined in Sections 3.2.1 to 3.2.3 of this report. It should be noted that no changes were made to the following sections, and therefore have not been included for discussion:

- Section 4.3 - RV Prohibition;
- Section 6.6 - Riparian Management Area (RMA) Setbacks – content remains the same, however *new illustrations have been included; and*
- Section 9.7 – Temporary Farm Worker Housing .

Proposed changes affecting agriculture can be broken into three key topics and are discussed further in this report.

1. Revised agricultural definitions (Schedule A);
2. Updated agriculture Zones (Schedule B); and,
3. Updated agriculture development regulations (Schedule C).

3.2.1 *Revise Agriculture related definitions*

In keeping with the Zoning Bylaw Update objectives, agriculture related interpretations and definitions were updated to reflect current land use objectives as well align with the key guiding documents, standards and regulations listed in Section 3.2 of this report.

Schedule A outlines the agriculture related definitions, many of which remain the same as the current Bylaw, and others have had minor updates. However, several definitions have had significant changes and/or new definitions have been introduced including:

- Agricultural animal unit (new definition) – introduced to align with and provide clarity for regulations around riparian areas.
- Agriculture (revised definition) – revised for greater clarity
- Alcohol production facilities (revised definition) – provides greater clarity and applicability across a variety of zones
- Cannabis cultivation (new definition) – introduced to align with what is permitted by the ALC, and to distinguish from other agricultural crops.
- On-farm cannabis processing (new definition) – introduced to distinguish between what is permitted for on-farm processing of cannabis versus a full cannabis production facility which is allowed in some industrial zones.

3.2.2 *Updates to the Agriculture and Rural Residential zones*

The major change to the agriculture zone in the Zoning Bylaw Update is splitting the current A₁ zone into two distinct zones however reducing the overall number of Rural Residential zones. These objectives were achieved in the Agriculture and Rural Residential section of the zoning bylaw as summarized in the following and detailed in Schedule B:

- *A₁ – Agriculture:* The purpose is to provide a zone for all Agriculture Land Reserve (ALR) parcels that permit agricultural uses and other complementary uses suitable in an agricultural setting. A benefit to rezoning these parcels is to allow for agriculture to be permitted use for all parcels that are located within the ALR.
- *A₂ – Agriculture and Rural Residential:* The purpose is to provide a zone that allows for rural residential and agricultural land uses outside the ALR. One benefit to this second agriculture zone is to avoid confusion for uses that are allowed in the ALR but not allowed on non-ALR agricultural properties. For example, as the *Agricultural Land Reserve Use Regulation* provides regulations ensuring farming occurs in conjunction with secondary uses such as on-farm processing and alcohol production facilities, these are allowed in the ALR. However, as no such regulations exist outside of the ALR, these types of uses are not permitted on A₂ properties.
- Existing Zoning Bylaw has three Rural Residential zones. New ZB propose to consolidate them into two:

- RR1 – Large Lot Rural Residential: The purpose is to provide a zone for country residential development on larger lots that permit more rural land uses, minor agricultural, and a holding zone where future development could occur subject to the direction of the OCP.
- RR2 – Small Lot Rural Residential: The purpose is to provide a zone for country residential development on smaller lots, and complementary uses, in areas of high natural amenity and limited urban services
- Update Zoning Mapping boundaries including every property within the ALR proposed to be zoned A1 – Agriculture.

This split into two distinct agriculture zones builds off the work completed in 2018 as part of the implementation of the Agriculture Plan actions, when the secondary uses in the A1 zone were divided to illustrate the differences for ALR and non-ALR properties. By introducing a second A2 zone for non-ALR properties provides a clear and concise understanding of how ALR properties are distinct and have different allowable uses compared to other agricultural properties.

3.2.3 Updates to Agriculture development regulations

Schedule C outlines the draft development regulations for the proposed A1 and A2 zones. Many of the regulations remain consistent with the current Zoning Bylaw, but have been incorporated into table format for ease of use. Some of the more significant changes include:

- **Urban Rural Interface Map Eliminated.** In Section 11 – Agricultural Zones in the current Zoning Bylaw, Schedule A, Urban Rural Interface Map, outlines where intensive agriculture is permitted. Over the years, this map has not been kept current as new urban developments have been introduced. In addition, the shading on the map has been the source of confusion for some time. The new draft Zoning Bylaw proposes to remove the map and instead replace it with a column in the development regulations table (table 10.5) that prescribes a setback from the ALR interface. This new setback from the ALR interface varies from zero to 100 meters (currently 300 meters for intensive agricultural uses) depending on the use. Taking this approach eliminates the need for future mapping updates and provides clearer direction to Zoning Bylaw users.
- **New agriculture facilities and setbacks introduced.** The number of agriculture facilities listed in table 10.5 have been expanded compared to the current zoning bylaw to reflect a wider range of agricultural facilities. In addition to on-property setbacks for some of the agricultural facilities have been adjusted based on recommendations from Ministry of Agriculture staff, Agriculture Land Commission staff and the Guide for Bylaw Development in Farming Areas to align with recommend best practices.
- **Farm Residential Footprint.** Increase the minimum size of the a property to require a Farm Residential Footpring from 4000 m² to 8000 m²

4.0 Next Steps

Once the Zoning Bylaw has been fully drafted, the engagement phase will begin. While Ministry of Agriculture and the ALC have already had an opportunity to provide initial comments, the engagement phase will allow for other agricultural stakeholders and the community to provide their input.

Following, engagement, the draft will be refined and introduced to Council for consideration. It should be noted that once the Zoning Bylaw receives third reading (which would happen following a public hearing), the Minister of Agriculture must sign off on all new aspects of the bylaw that affect agriculture as Kelowna is a regulated farm bylaw community².

² A regulated farm bylaw community allows for local government to adopt Farm Bylaws and/or restrict or prohibit agriculture under Section 552 and/or 481(2) of the Local Government Act. Kelowna is one of four communities currently regulated in the province.

City of Kelowna's Draft Zoning Bylaw Update – Agriculture and Rural Residential Zones

Report prepared by: Barbara Crawford, Planner II
Report review by: Wesley Miles, Planner Specialist
Approved by: Dean Strachan, Community Planning & Development Manager

Attachments:

Schedule A - Agriculture and Rural Residential definitions
Schedule B - Agriculture and Rural Residential zones
Schedule C - Agriculture and Rural Residential development regulations
Appendix A - City of Kelowna Zoning Bylaw Update Objective

City of Kelowna

Zoning Bylaw Update Objectives

1 CONSOLIDATE ZONES

- › Consolidate zones to reduce the overall number of industrial, commercial, and multi-family zones.
- › Improve formatting and layout including the use of zoning tables.

2 CONSOLIDATE LAND USE CATEGORIES

- › Reduce the overall number of land use categories – for example, reducing commercial land use categories from 85 to 35.
- › Update old terminology and land use definitions.
- › Reduce overlap and redundancy between categories.

3 UPDATE BUILDING HEIGHT REGULATIONS

- › Current urban zones have four storey height limits, but the BC building code now allows up to six storeys, triggering unnecessary variances.
- › Include height provisions in mixed-use and multi-family zones – generally along key roadway corridors.
- › Create new mixed-use zones for each Urban Centre to respond to the unique context and character.

4 ALLOW TOWERS AND MID-RISE BUILDINGS IN THE CAPRI-LANDMARK URBAN CENTRE

- › Permit higher rise buildings (less than 20 storeys) as part of the City's Capri – Landmark Urban Centre Plan.
- › Coordinate Capri-Landmark Urban Centre Plan with the new specific zone for the area.

5 SIMPLIFY DENSITY BONUSING POLICY

- › Create fairer and more equitable bonusing provisions in mixed-use and multi-family zones – generally in urban centres and along key roadway corridors.

6 PROVIDE A MODERNIZED ZONING BYLAW THAT WILL CONTINUE TO BE UPDATED AS NEW POLICIES ARE ADOPTED

- › Transition away from form-based regulations and overly prescriptive rules in favour of promoting more performance-based objectives to leverage private-sector and industry innovation and context sensitive solutions.
- › Minimize common variances that are usually supported by the Planning Department and approved by Council.

Zoning Bylaw Update

Open House

DATE YEAR

Schedule A – Updated Agriculture and Rural Residential Interpretation and Definitions

Comparison Table:

Existing Zoning Bylaw (BL 8000)	Proposed Zoning Bylaw Update
<p>ACCESSORY BUILDING OR STRUCTURE means a separate building or structure that may be connected to the principal building by a breezeway, normally ancillary, incidental, subordinate, and located on the same lot as the main building or structure. Typical accessory structures include but are not limited to antennae, propane tanks, satellite dishes, flagpoles, garages, and garden sheds. Accessory buildings or structures may not contain a dwelling unit</p>	<p>ACCESSORY BUILDING OR STRUCTURE means a separate building or structure that may be connected to the principal building by a breezeway, normally ancillary, incidental, subordinate, and located on the same lot as the main building or structure. Typical accessory structures include but are not limited to antennae, propane tanks, satellite dishes, flagpoles, garages, and garden sheds. Accessory Buildings or Structures may not contain a dwelling unit. Satellite dishes, radio or television masts in residential zones are only permitted in the rear yard (i.e. not in the front or side yard) and is considered a structure for the purpose of maximum heights identified within each zone. This category of buildings and structures do not apply to Agricultural Structures or to Temporary Farm Worker Housing.</p> <p>Accessory buildings are permitted to have one half bathroom with a toilet and sink. The bathroom is permitted to a maximum area of 3 m². Bedrooms and / or full bathrooms are not permitted, except one full bathroom is permitted in an accessory building or structure used exclusively as a pool house.</p>
	<p>AGRICULTURAL ANIMAL UNIT is equivalent to a live farm animal weight corresponding to 455 kilograms (1000 pounds) for livestock, poultry, or any combination of them equaling 455 kilograms</p>
<p>AGRICULTURAL LAND COMMISSION (ALC) means the provincial governing body assigned to administer regulations and policies which relate to the preservation of agricultural land. The ALC was previously referred to as the Land Reserve Commission (LRC), and references as such in this Bylaw should be deemed to now refer to the Agricultural Land Commission (ALC), as applicable</p>	<p>AGRICULTURAL LAND COMMISSION (ALC) means the autonomous, administrative tribunal, independent of the provincial government, that is responsible for administering the <i>Agricultural Land Commission Act</i> and its regulations which relate to the preservation of agricultural land</p>

<p>AGRICULTURAL MACHINERY SERVICES means a minor service station in a rural area that only services agricultural machinery.</p>	Deleted
<p>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.</p>	<p>AGRICULTURAL STRUCTURES are those buildings or structures used for Agriculture or Agriculture, Intensive. Section 10.3 Permitted Land Uses for Agricultural and Rural Residential zones outlines different agricultural related land uses and Section 10.5 – A1 Agricultural and Development Regulations outlines various setbacks, heights, site coverage, and gross floor area limits for Agricultural Structures and various agricultural related structures</p>
<p>AGRICULTURAL WASTE means a by-product of agriculture and includes manure, used mushroom medium and agricultural vegetation waste.</p>	<p>AGRICULTURAL BY-PRODUCT means a by-product of agriculture and includes manure, used mushroom medium and agricultural vegetation waste. A full list of agricultural by-products is listed within the Environmental Management Act under the Code of Practice for Agricultural Environmental Management</p>
<p>AGRICULTURAL ZONES are any zones in Section 11 of this Bylaw or any CD zones in which the predominant use, as determined by its general purpose and list of permitted uses, is of an agricultural nature.</p>	Deleted
<p>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>	<p>AGRICULTURE means development or use of land for the growing of crops or the production of farm products. Parcels within the ALR shall be inclusive of any farm use as identified by the ALC</p>
<p>AGRICULTURE, INTENSIVE IMPACT means the use of land, buildings and structures by a commercial enterprise or an institution for: (a) the confinement of poultry, livestock or fur bearing animals, or (b) the growing of mushrooms, including significant composting</p>	<p>AGRICULTURE, INTENSIVE means the use of land, Buildings and structures by a commercial enterprise or an institution for: (a) the confinement of poultry, livestock (excluding horses), or fur bearing animals. (b) the growing of mushrooms, including significant composting.</p>
<p>AGRICULTURE, URBAN means the cultivation of a portion of a parcel for the production of food including fruits, vegetables, nuts and herbs for human consumption only. This use is limited to production activities which are not deemed to be noxious or offensive to adjacent properties or the general public. Activities that produce or emit hazards, odour,</p>	<p>AGRICULTURE, URBAN means the cultivation of a portion of a parcel for the production of food including fruits, vegetables, nuts and herbs for human consumption only. Activities that produce or emit hazards, odour, dust, smoke, noise, effluent, light pollution, glare, or other emission are prohibited. This definition does not include poultry and/or livestock. Community gardens are permitted wherever Agricultural,</p>

dust, smoke, noise, effluent, light pollution, glare, or other emission are prohibited. This definition does not include poultry and/or livestock.	Urban is permitted but must follow the specific regulations identified in Section 9.6.
AGRI-TOURISM means any agri-tourism activity defined under the Agricultural Land Commission Act and related regulation or policy, as amended from time to time.	AGRI-TOURISM means the use of land for any agri-tourism activity defined under the Agricultural Land Commission Act and related regulation or policy, as amended from time to time. This land use excludes agri-tourist accommodations.
ALCOHOL PRODUCTION FACILITIES, means facilities as defined by breweries and distilleries, wineries and cideries, or meaderies	ALCOHOL PRODUCTION FACILITIES, means the production of alcoholic beverages or alcohol products with alcoholic content exceeding 1% by volume. The public tasting and Retail sale of alcoholic product is limited to that which is produced on-site. This public tasting and Retail sale limit can be expanded for properties within the ALR as permitted by ALC’s regulations and polices.
	CANNABIS CULTIVATION means a land use involving the growing of Cannabis: <ul style="list-style-type: none"> • Outdoors in a field; or • Inside a structure that has base consisting entirely of soil (e.g. Greenhouses); or • In a structure approved by the ALC. This land use does not include On-Farm Processing of Cannabis.
COMMUNITY GARDEN means the recreational growing of plants, on a publically or privately owned parcel, and does not include the growing and subsequent sale of produce for commercial purposes. This use is limited to production activities which are not deemed to be noxious or offensive to adjacent properties or the general public. This definition does not include the keeping of poultry and/or livestock	COMMUNITY GARDEN means the recreational growing of plants on a parcel and does not include the growing and subsequent sale of produce for commercial purposes. Activities that produce or emit hazards, odour, dust, smoke, noise, effluent, light pollution, glare, or other emission are prohibited. This definition does not include the keeping of poultry and/or livestock. See Section 9.6 Agriculture, Urban for specific regulations.
CONFINED LIVESTOCK AREA means an outdoor, non-grazing area where livestock, poultry or farmed game is confined by fences, other structures or topography, and includes Section 2 – Interpretation Revised November 25, 2019 2-11 feedlots, paddocks, corrals, exercise yards, and holding areas, but does not include a seasonal feeding area.	CONFINED LIVESTOCK AREA means an outdoor area, other than a grazing area, seasonal feeding area or temporary holding area, where livestock or poultry are confined by structures or topography.
CONSTRUCTED DITCH means man-made drainage channels that carry drainage water	CONSTRUCTED DITCH means man-made drainage channels that carry drainage water

<p>from one property only but do not carry water from headwaters or significant sources of groundwater. Flows in agricultural constructed ditches may be year-round and are not regulated. Constructed ditches may also deliver water for irrigation purposes. A constructed ditch that temporarily diverts water for irrigation purposes, but is dry during the non-irrigation season, should be screened to prevent fish access</p>	<p>from one property only but do not carry water from headwaters or significant sources of groundwater. Flows in agricultural constructed ditches may be year-round and are not regulated. Constructed ditches may also deliver water for irrigation purposes.</p>
<p>FARM RETAIL SALES STANDS means those accessory buildings and structures for retailing agricultural products on a farm. This use does not include the retail sale or dispensing of cannabis</p>	<p>FARM RETAIL SALES STANDS means those accessory buildings and structures for retailing agricultural products on a farm.</p>
<p>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.</p>	<p>GREENHOUSES AND PLANT NURSERIES means development used primarily for the cultivation and storage of produce, bedding, household and ornamental plants, trees, bushes, sod and related materials. This use does not include landscaping, excavating or soil processing businesses or operations.</p>
<p>HOME BASED BUSINESS, MAJOR means development consisting of the use of a dwelling unit or accessory building for a business by a resident who resides for more than 240 days of a year at that dwelling unit. The business must be secondary to the residential use of the building and shall not change the residential character of the dwelling or accessory building.</p> <p>HOME BASED BUSINESS, MINOR means development consisting of the use of a dwelling unit for a business by a resident who resides for more than 240 days of a year at that dwelling unit. The business must be secondary to the residential use of the building and no aspects of business operations shall be detectable from outside the property.</p> <p>HOME BASED BUSINESS, RURAL means development consisting of the use of a dwelling unit or accessory building for a business by a resident who resides for more than</p>	<p>HOME-BASED BUSINESS means development consisting of the use of a dwelling unit or accessory building for a business by a resident. The business must be secondary to the residential use of the building and shall not change the residential character of the dwelling or accessory building.</p> <p>This use does not include Automotive & Equipment. This use also does not include the retail sales of products not produced on site, with the exception of mail order sales, website sales, telephone sales, or goods where the customer does not enter the premises to inspect or pick up the goods or products incidental to the service provided.</p> <p>Home Based Businesses are divided into four categories: Minor, Major, Rural, and Ground Floor Urban Centre.</p> <ul style="list-style-type: none"> • Minor Home-Based Businesses are intended to operate within a dwelling unit only (not an accessory building) and have no aspects of

<p>240 days of a year at that dwelling unit. The business must be secondary to the residential use of the building and shall not change the residential character of the dwelling or accessory building. This use does not include care centres.</p>	<p>business operations detectable from outside the property.</p> <ul style="list-style-type: none"> • Major Home-Based Businesses are intended to operate within a dwelling unit or within an accessory building). • Rural Home-Based Businesses are intended to operate within a dwelling unit or within an accessory building) and can be more intensive than Major Home-Based Businesses. Rural Home-Based Businesses are the only Home-Based Businesses that permit any type of cutting and wrapping of wild game or any other meat. • Ground Floor Urban Centre Home-Based Businesses are intended to be located within an Urban Centre zone and within a ground-oriented dwelling unit with direct access to the sidewalk
<p>LIVESTOCK means cattle, horses, sheep, goats, swine, rabbits, fish, farmed game and exotic animals as prescribed by the Minister responsible for the administration of the Farm Practices Protection (Right to Farm) Act</p>	<p>LIVESTOCK means cattle, horses, sheep, goats, swine, rabbits, fish, farmed game and exotic animals as prescribed by the Specialty Farm Operations Regulation under the Farm Practices Protection (Right to Farm) Act.</p>
<p>NUISANCE means anything that is obnoxious, offensive or interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses. This could include that which creates or is liable to create a nuisance through emission of noise, smoke, dust, odour, heat, fumes, fire or explosive hazard; results in the unsightly or unsafe storage of goods, salvage, junk, waste or other materials; poses a hazard to health and safety; or adversely affects the amenities of the neighbourhood or interferes with the rights of neighbours to the normal enjoyment of any land or building.</p>	<p>Deleted definition, added interpretation to “GENERAL INDUSTRIAL USE”.</p> <p>General Industrial Uses are not permitted to have outdoor storage of toxic, noxious, explosive, odourous, or radio-active materials. General Industrial Uses are not permitted to carry out their operations such that there would be a nuisance factor from noise, odour, earthborne vibrations, heat, high brightness light sources, or dust created or apparent outside an enclosed building except for I3 zoned properties. However, I3 zoned properties are not permitted to carry out their operations such that there would be a significant nuisance factor created beyond the boundary of the I3 zone.</p>
	<p>ON-FARM CANNABIS PROCESSING means an accessory use to Cannabis Production on a farm unit and includes the drying, sorting, trimming, chopping, testing, packaging, storage or wholesale distribution of cannabis, but does not include secondary processing of cannabis including but not limited to the production of oils, creams, health products, and food and beverage products.</p>
<p>ON-FARM COMPOSTING means the composting of agricultural waste or raw materials, which may include manure, straw,</p>	<p>ON-FARM COMPOSTING means the composting of Agricultural By-Product or raw materials, which may include manure, straw,</p>

<p>vegetative waste, woodwaste, ground paper, other sources of carbon and nitrogen and bulking agents</p>	<p>vegetative waste, wood residue, mortalities, processing waste, ground paper, other sources of carbon and nitrogen and bulking agents or a combination of any of these.</p>
<p>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:</p> <ul style="list-style-type: none"> • Prepare value added products from farm products to sell, or • Prepare feed for livestock, poultry, farmed game, located on the farm <p>But excludes on-farm composting, on-farm soil preparation, and on-farm soilless medium production.</p>	<p>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:</p> <ul style="list-style-type: none"> • Prepare value added products from farm products to sell, • Prepare feed for livestock, poultry, farmed game, located on the farm, or • Process and slaughter animals. <p>But excludes On-Farm Cannabis Processing, on-farm composting, on-farm soil preparation, and on-farm soilless medium production</p>
<p>RESIDENTIAL FOOTPRINT means the portion of a lot that includes all structures, landscaping, driveways and parking areas associated with the principal dwelling, including but not limited to the principal dwelling, mobile home for family, home based business (minor, major and rural), accessory structures including garage and storage, recreation areas (including pools and sport courts), and outdoor living areas. Structures not included in the residential footprint are agricultural structures, including greenhouses, farm retail sales stands and those structures associated with the temporary farm worker housing footprint.</p>	<p>RESIDENTIAL FOOTPRINT means the portion of a lot that includes all structures, landscaping, driveways and parking areas associated with the principal dwelling, including but not limited to the principal dwelling, mobile home for family, home based business (minor, major and rural), accessory structures including garage and storage, recreation areas (including pools and sport courts), septic fields, and outdoor living areas. Structures not included in the residential footprint are agricultural structures, including greenhouses, Farm Retail Sales Stands, and those structures associated with the temporary farm worker housing footprint.</p>
<p>SEASONAL FEEDING AREA means an area:</p> <p>(a) used for forage or other crop production, and</p> <p>(b) used seasonally for feeding livestock or poultry.</p>	<p>SEASONAL FEEDING AREA means an area:</p> <p>(a) used for forage or other crop production, and</p> <p>(b) used seasonally for feeding livestock or poultry or farmed game that is primarily sustained by supplemental feed but does not include a confined livestock area or grazing area.</p>
<p>STABLES means a building with a maximum of 40 permanent stalls used for horse riding, training and boarding.</p>	<p>STABLES means a building with a maximum of 40 permanent horse housing units used for horse riding, training and boarding.</p>
<p>Temporary Farm Worker Housing</p>	<p>Temporary Farm Worker Housing</p>

Schedule B – Update Agriculture and Rural Residential Zones

Section 10.1 - Zone Purposes	
Zones	Purpose
A1 - Agriculture	The purpose is to provide a zone for Agricultural Land Reserve parcels that permit agricultural uses and other complementary uses suitable in an agricultural setting.
A2 – Agriculture / Rural Residential	The purpose is to provide a zone that allows for rural residential and agricultural land uses outside the Agricultural Land Reserve .
RR1 – Large Lot Rural Residential	The purpose is to provide a zone for country residential development on larger lots that permit more rural land uses, minor agricultural, and a holding zone where future development could occur subject to the direction of the Official Community Plan.
RR2 – Small Lot Rural Residential	The purpose is to provide a zone for country residential development on smaller lots , and complementary uses , in areas of high natural amenity and limited urban services .

Section 10.2 – Sub-Zones		
Zones	Sub - Zones	Purpose
A1 - Agriculture	n/a	n/a
A2 – Agriculture / Rural Residential	A2c – Agriculture / Rural Residential with Carriage House	The purpose is to provide a sub-zone for A2 lots to allow Carriage Houses on a case by case basis where supported by OCP policy.
RR1 – Large Lot Rural Residential	RR1c – Large Lot Rural Residential with Carriage House	The purpose is to provide a sub-zone for RR1 lots to allow Carriage Houses on a case by case basis where supported by OCP policy.
	RR1cc – Large Lot Rural Residential with Child Care Centre, Major	The purpose is to provide a sub-zone for RR1 lots to allow Child Care Centre, Major on a case by case basis where supported by OCP policy.
RR2 – Small Lot Rural Residential	RR2c – Small Lot Rural Residential with Carriage House	The purpose is to provide a sub-zone for RR1 lots to allow Carriage Houses on a case by case basis where supported by OCP policy.
	RR2cc – Small Lot Rural Residential with Child Care Centre, Major	The purpose is to provide a sub-zone for RR1 lots to allow Child Care Centre, Major on a case by case basis where supported by OCP policy.

Section 10.3 - Permitted Land Uses				
Uses	Zones			
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	A1	A2	RR1	RR2
Accessory buildings or structures	S	S	S	S
Agriculture	P	P	-	-
Agriculture, Urban	P	P	P	P
Agriculture, Intensive ¹¹	P	-	-	-
Agri-Tourism ¹¹	S	S	-	-
Alcohol Production Facility ¹¹	S	-	-	-
Animal Clinics, Major	-	S ⁵	S ⁵	-
Animal Clinics, Minor	-	S	S	-
Aquaculture	P	P	-	-
Bed and breakfast homes	S ²	S ²	S ²	S ²
Cannabis Cultivation ¹¹	P	-	-	-
Child Care Centre, Major	-	-	S ¹	S ¹
Child Care Centre, Minor	S	S	S	S
Carriage House	-	S ^{2,3,8}	S ^{2,3,8}	S ^{2,3,8}
Farm Retail Sales Stands ¹¹	S	-	-	-
Forestry	P	-	-	-
Greenhouses and Plant Nurseries	P ⁴	P ⁴	P ⁴	-
Group homes, minor	-	S ²	S ²	S ²
Home-Based Business, Major	S	S	S	S
Home-Based Business, Minor	S	S	S	S
Home-Based Business, Rural	S ⁹	S ⁹	S ⁹	-
Kennels	P ⁵	P ⁵	P ⁵	-
Mobile Home	P ⁶	-	-	-
Second Dwelling for immediate family only	S ¹⁰	-	-	-
On-Farm Processing of Cannabis ¹¹	S	-	-	-

Section 10.3 - Permitted Land Uses

Uses	Zones			
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	A1	A2	RR1	RR2
On-Farm Processing ¹¹	S	-	-	-
Secondary Suite	S ^{2,3}	S ^{2,3}	S ^{2,3}	S ^{2,3}
Single Detached Housing	P ⁶	P	P	P
Stables	P	P ⁵	-	-
Temporary Farm Worker Housing (TFWH) ¹¹	S ⁷	S ⁷	-	-

FOOTNOTES:

- ¹ The Lot must have a Child Care sub-zone 'cc' on the property for a **Child Care Centre, Major** to be permitted.
- ² Only one of these secondary uses shall be permitted at any one time: **Bed & Breakfast, Secondary Suite, Carriage House,** or **Group Home, Minor.**
- ³ **Secondary Suites** and **Carriage Houses** must be on a Lot serviced with sanitary sewer and water. A Lot without sanitary sewer services can allow a **Secondary Suite** or a **Carriage House** but the Lot area must be 10,000 m².
- ⁴ **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.
- ⁵ Minimum Lot Area for **Animal Clinics, Major, Kennels,** and **Stables** (in the A2 zone) is 20,000 m².
- ⁶ Maximum one **Single Detached Housing** or **Mobile Home** per lot, unless another residence is permitted within the Agriculture Land Reserve as described in the Agriculture Land Commission Act (and related regulation and policy, as amended from time to time).
- ⁷ Existing **structure** with a **building permit** that was approved at least 2 years prior to **TFWH** application, can be converted into **TFWH**, on the parcel within the farm unit. New **TFWH** must be in temporary **structures** on non-permanent foundations, such that it is designed to be removed by a truck or vehicle. Concrete pads or foundations are not permitted.
- ⁸ The Lot must have a **Carriage House** sub-zone 'c' on the property for a **Carriage House** to be permitted.
- ⁹ 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 3,300 m².
- ¹⁰ A second dwelling is only permitted if the owner has their principal residence on the lot and the second dwelling must be located on a non-permanent foundation without **basement** excavation. When no longer occupied by immediate family, the second dwelling must be removed from the lot within 90 days and the site must be restored to a condition suitable for agricultural use.
- ¹¹ Other legislation like the Agriculture Land Commission Act applies and may limit the land use potential.

Schedule C – Agriculture and Rural Residential development regulations

Section 10.4 - Subdivision Regulations					
Criteria		Zones			
		A1	A2	RR1	RR2
Lot Width		40.0 m	40.0 m	36.0 m	18.0 m except it is 20.0 m for a corner lot
Lot Depth		n/a	n/a	30.0 m	30.0 m
Lot Area	No Sewer	40,000 m ²	300,000 m ²	40,000 m ²	10,000 m ²
	Sewer	40,000 m ²	40,000 m ²	8,000 m ²	1,600 m ²

Section 10.5 – A1 Agricultural and Development Regulations							
<u>Agriculture Facilities, Building, & Structures</u>	<u>Max Site Coverage</u>	<u>Max Gross Floor Area</u>	<u>Min Front & Flanking Side Yard Setback</u>	<u>Min Side Yard Setback</u>	<u>Min Rear Yard Setback</u>	<u>Min ALR Interface Setback</u> ⁴	<u>Max Height</u> ⁸
Non-Agricultural Accessory buildings or structures (including detached Garages / Carports)	Overall Max Site Coverage of all Buildings, structures, and Impermeable Surfaces is lot size dependent. For lots less than 8,000 m ² the Max percentage is 30% For lots 8,000 m ² or greater the Max percentage is 35% ⁶	130 m ² ¹	6.0 m	3.0 m	3.0 m	n/a	6.0 m ⁸
Apiculture: Bee hive; honey house		n/a	7.5 m	7.5 m	7.5 m	n/a	n/a
Agricultural Liquid or Solid Waste Storage (field storage) ⁹		n/a	30.0 m	30.0 m	30.0 m	100.0 m	n/a
Agricultural Structures		n/a	4.5 m	3.0 m	3.0 m	n/a	16.0 m ⁸
Alcohol Production Facility including Tasting Rooms and Lounges		n/a ⁵	6.0 m	6.0 m ¹¹	10.0 m ¹¹	n/a	9.5 m ⁸
Compost Storage, on-farm composting, and Composting materials (non-manure storage)		n/a	15.0 m	15.0 m	15.0 m	100.0 m	16.0 m ⁸

Section 10.5 – A1 Agricultural and Development Regulations

<u>Agriculture Facilities, Building, & Structures</u>	<u>Max Site Coverage</u>	<u>Max Gross Floor Area</u>	<u>Min Front & Flanking Side Yard Setback</u>	<u>Min Side Yard Setback</u>	<u>Min Rear Yard Setback</u>	<u>Min ALR Interface Setback</u> <small>4</small>	<u>Max Height</u> <small>8</small>
Chemical Storage		n/a	7.5 m	7.5 m	7.5 m	n/a	16.0 m ⁸
Confined livestock areas		n/a	15.0 m or 30.0m ³	15.0 m or 30.0m ³	15.0 m or 30.0m ³	100.0 m ⁷	16.0 m ⁸
Crop Storage (output storage for the farm)		n/a	6.0 m	3.0 m	3.0 m	15.0 m	16.0 m ⁸
Farm Retail Sales Stands		300 m ² ²	7.5 m	4.5 m	4.5 m	n/a	6.0 m ⁸
Feed Mill, Feed Storage, silage storage (i.e. Input storage for the farm)		n/a	6.0 m	3.0 m	3.0 m	60.0 m	16.0 m ⁸
Greenhouses and Plant Nurseries ¹²		n/a	6.0 m	3.0 m	3.0 m	15.0 m	16.0 m ⁸
Incinerators		n/a	30.0 m	30.0 m	30.0 m	100.0 m	n/a
Kennels		500 m ² ¹⁰	15.0 m	15.0 m	15.0 m	n/a	9.5 m ⁸
Livestock and Poultry Housing		n/a	15.0 m or 30.0m ³	15.0 m or 30.0m ³	15.0 m or 30.0m ³	100.0 m	16.0 m ⁸
Mobile Home		300 m ² ¹	6.0 m	3.0 m	10.0 m	n/a	4.8 m ⁸
Mushroom Barns and / or Mushroom Processing Facility		n/a	15.0 m	7.5 m	7.5 m	30.0 m	16.0 m ⁸
On-Farm Processing		n/a	6.0 m	3.0 m	3.0 m	n/a	16.0 m ⁸
On-Farm Processing of Cannabis		n/a	6.0 m	3.0 m	3.0 m	100 m	16.0 m ⁸
Riparian Management Area	See setback requirements for all farming structures and farming uses from watercourses and riparian areas in Table 6.1						
Secondary Suite		90 m ²	n/a	n/a	n/a	n/a	n/a
Single detached housing on lots less than 8,000 m ²		n/a ⁵	6.0 m	3.0 m	10.0 m	n/a	9.5 m ⁸
Single detached housing on lots		n/a ^{1,5}	6.0 m	3.0 m	10.0 m	n/a	9.5 m ⁸

Section 10.5 – A1 Agricultural and Development Regulations

<u>Agriculture Facilities, Building, & Structures</u>	<u>Max Site Coverage</u>	<u>Max Gross Floor Area</u>	<u>Min Front & Flanking Side Yard Setback</u>	<u>Min Side Yard Setback</u>	<u>Min Rear Yard Setback</u>	<u>Min ALR Interface Setback</u> ⁴	<u>Max Height</u> ⁸
8,000 m ² or greater							
Stables		n/a	15.0 m	15.0 m	15.0 m	n/a	16.0 m ⁸

FOOTNOTES:

- ¹ For lots 8,000 m² or 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 registered for a mobile home for immediate family where permitted.
- ² **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 300 m² and at least 50 per cent of the that retail sales area must be for the sale of farm products produced on the farm.
- ³ The 30 metre setback only applies to properties **abutting** a rural residential or urban residential zone.
- ⁴ ALR interface is the perimeter border of the ALR including all satellite areas. The ALR interface is measured from the property line on the farm side of the subject property.
- ⁵ Other legislation like the Agriculture Land Commission Act (and related regulation and policy, as amended from time to time) regulate **Gross Floor Area** and **Site Coverage**.
- ⁶ For **Greenhouses and Plant Nurseries** designed with a closed wastewater and storm water management systems then the site coverage may be increased to 75%.
- ⁷ Except horse paddocks, which can be setback 15 metres.
- ⁸ Height shall be measured from **Finished Grade**.
- ⁹ Field storage for more than two (2) weeks.
- ¹⁰ The maximum footprint for Kennels is 250 m².
- ¹¹ Outdoor crush pads must be setback fifteen (15) metres from property line.
- ¹² These setbacks apply to **Cannabis Cultivation** if grown in a Greenhouse.

Section 10.6 - Development Regulations			
Criteria	Zones		
	A2	RR1	RR2
↓ Regulations that apply to all Building, Structures, and Uses ↓			
Max. Site Coverage of all Buildings, structures, and Impermeable Surfaces on lots less than 8,000 m ²	30%	30%	30%
Max. Site Coverage of all Buildings, structures, and Impermeable Surfaces on lots 8,000 m ² or greater	35% ^{7,8}	20% except it is 50% for greenhouses & plant nurseries ⁷	30%
↓ Regulations that apply to Principal Buildings and Structures ↓			
Max. Height ⁵ for lots sloping upwards front to back	9.5 m measured from Finished Grade	9.5 m measured from Finished Grade	9.5 m measured from Finished Grade
Max. Height for flat lots and for lots sloping downwards front to back	9.5 m measured from Finished Grade and Curb Level	9.5 m measured from Finished Grade and Curb Level	9.5 m measured from Finished Grade and Curb Level
Max. Height ⁵ for Buildings with Walkout Basements ⁶	Facing Front or Flanking Side Yard	8.6 m measured from Finished Grade and Curb Level	8.6 m measured from Finished Grade and Curb Level
	Rear Building Elevation	12.5 m measured from Finished Grade ⁶	12.5 m measured from Finished Grade ⁶
Max. Height for agricultural structures	16.0 m	16.0 m	n/a
Max. Floor Area of a third (3 rd) storey relative to the second (2 nd) storey (this does not apply to homes with Walkout Basements)	70%	70%	70%
Min. Front Yard Setback for Principal Dwellings ⁴	6.0 m ⁴	6.0 m ⁴	6.0 m ⁴
Min. Flanking Yard Setback for Principal Dwellings	4.5 m	4.5 m	4.5 m
Min. Side Yard Setback for Principal Dwellings	3.0 m	3.0 m	2.1 m ¹
Min. Rear Yard Setback for Principal Dwelling	10.0m	9.0 m	7.5 m or 4.5 m on Wide Lots ¹
Min. Setbacks & Max. Gross Floor Area for any Agriculture Facility, Building, or Structure	All Setbacks for any Agriculture Facility, Building, or Structure shall follow the Minimum Setbacks and Maximum Gross Floor Area listed in Section 10.5 (except from the ALR interface)		
↓ Regulations that apply to Carriage Houses, Accessory Buildings or Structures, & Secondary Suites ↓			
Max. Height for Carriage Houses	5.4 m measured from Finished Grade ²	5.4 m measured from Finished Grade ²	5.4 m measured from Finished Grade ²

Section 10.6 - Development Regulations			
Criteria	Zones		
	A2	RR1	RR2
Max. Height for accessory buildings or structures	4.8 m measured from Finished Grade	4.8 m measured from Finished Grade	4.8 m measured from Finished Grade
Min. Front Yard Setback for accessory buildings or structures and Carriage Houses	12.0 m	12.0 m	12.0 m
Min. Flanking Yard Setback for accessory buildings or structures and Carriage Houses	6.0 m	6.0 m	6.0 m
Min. Side Yard Setback for Carriage Houses and accessory buildings or structures	1.5 m	1.5 m	1.5 m
Min. Rear Yard Setback for Carriage Houses and accessory buildings or structures	3.0 m	3.0 m	1.5 m ³
Max. Net Floor Area for 1 storey Carriage Houses	100 m ²	100 m ²	100 m ²
Max. Net Floor Area for 2 storey Carriage Houses	90 m ²	90 m ²	90 m ²
Max. building footprint for 1 storey Carriage Houses	100 m ²	100 m ²	100 m ²
Max. building footprint for 2 storey Carriage Houses	90 m ²	90 m ²	90 m ²
Max. Upper Storey Floor Area for 2 storey carriage houses	70% of the Carriage House footprint area	70% of the Carriage House footprint area	70% of the Carriage House footprint area
Max. Floor Area for a secondary suite	90 m ²	90 m ²	90 m ²
Max. Floor Area for a secondary suite relative to the total floor area of the principal building	40%	40%	40%
Min. Private Open Space for Carriage Houses and Secondary Suites	25 m ² per dwelling unit	25 m ² per dwelling unit	25 m ² per dwelling unit
Max. building footprint for accessory buildings or structures	n/a	90 m ²	90 m ²

Section 10.6 - Development Regulations			
Criteria	Zones		
	A2	RR1	RR2
<p>FOOTNOTES:</p> <p>¹ Where the lot width exceeds the Lot Depth, the minimum rear yard is 4.5 m provided that one side yard shall have a minimum width of 4.5 m.</p> <p>² The maximum height of carriage houses for properties in the hillside area or outside the Core Area is 3.0 metres or 1 storey whichever is less.</p> <p>³ When the Rear Yard is abutting a lane, the minimum Rear Yard setback is 0.9 m.</p> <p>⁴ In Hillside Areas, where access is required through, and is limited to, a lane, the yard abutting the lane may be considered the front yard.</p> <p>⁵ Height will be measured from the grade at the base of the deck, post, or column to the highest point of the deck, exclusive of railings. In Hillside Areas, the maximum Height for all Decks supporting posts or columns (measurements include the Height of any support structure or retaining wall) is 4.5 m and 1 storey.</p> <p>⁶ The height for the lowest floor or Walkout Basements at the rear elevation cannot exceed 3.6m measured from approved building grade to the top of the finished floor above the slab.</p> <p>⁷ For Greenhouses and Plant Nurseries designed with a closed wastewater and storm water management systems then the site coverage may be increased to 75%.</p> <p>⁸ For lots 8,000 m² or 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.</p>			

Section 10.7 - Site Specific Regulations			
Uses and regulations apply to the A1 – Agriculture 1 zone on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
1.	Lot A, Section 24, Township 26, ODYD, Plan EPP714	700 Hwy 33 E	<p>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:</p> <p>i) The Cafe facility is limited to current size being 25.3m² (272ft²) indoor and 34.6m² (372ft²) outdoor and that there be submission of notification or an application to the ALC should there be plans in the future for any significant changes or plans to expand the current footprint.</p>