

CITY OF KELOWNA

BYLAW NO. 11618

Official Community Plan Amendment No. OCP18-0004 Amendments to Address the Agriculture Plan

A bylaw to amend the "*Kelowna 2030 – Official Community Plan* Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT **Chapter 15 – Farm Protection Development Permit Guidelines**, be amended by:

a) Deleting under **PROPERTIES AFFECTED**, the following:

- "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."

And replace it with:

- "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."

b) Deleting under **EXEMPTIONS**, the following:

"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"

And replace it with:

"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"

c) Adding under **EXEMPTIONS**, the following in its appropriate location that reads:

" Agricultural structures used exclusively for agriculture or intensive impact agriculture; or"

d) Deleting under GUIDELINES, the following:

- "1.3 On agricultural and non-agricultural lands, establish and maintain a landscape buffer along the agricultural and/or property boundary, except where development is for a permitted farm use that will not encourage public attendance and does not concern additional residences (including secondary suites), in accordance with the following criteria:
- 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;
 - 1.3.2 Incorporate landscaping that reinforces the character of agricultural lands. A majority of plant material selected should include low maintenance, indigenous vegetation;
 - 1.3.3 Preserve all healthy existing mature trees located within the buffer area;
 - 1.3.4 Integrate double rows of trees, including coniferous trees, and dense vegetation into the buffer;
 - 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;
 - 1.3.6 Utilize where appropriate, roads, topographic features, watercourses, ditching, no-build areas, vegetated and fenced barriers as buffers to preserve larger farm units and areas from the gradual encroachment of non-agricultural uses. Where appropriate use statutory covenants to ensure that buffers are established and maintained.'

And replace with:

- "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."

2. AND THAT **Chapter 17 – Definitions**, be amended by deleting the definition for Agricultural Lands that reads:

"Agricultural Lands

Lands considered "agriculture" shall include the following:

- 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)."

And replace with:

"Agricultural Lands

Lands considered "agriculture" shall include the following:

- 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)."

3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 28th day of May, 2018.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk