

# CITY OF KELOWNA

## BYLAW NO. 11616

### Official Community Plan Amendment No. OCP18-0003 Amendments to Address the Agriculture Plan

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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 5 – Development Process** be amended by:
  - a) **Objective 5.3 Focus development to designated growth areas**, Policy .1 Permanent Growth Boundary be deleted that reads:

**"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."

And replace it with:

**"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."
  - b) **Objective 5.13 Increase local food production**, be amended by adding a new Policy .5 **Urban Agriculture**. with the economic and environmental sustainability icons that reads as follows:

"Policy. 5 **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."
  - c) **Objective 5.33 Protect and enhance agriculture**, be amended as follows:
    - i) Policy. 6 **Non-farm Uses** be deleted that reads:

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

      - are consistent with the Zoning Bylaw and OCP;
      - provide significant benefits to local agriculture;
      - can be accommodated using existing municipal infrastructure;

- minimize impacts on productive agricultural lands;
- will not preclude future use of the lands for agriculture;
- will not harm adjacent farm operations.”

And replace it with:

“**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:

- are consistent with the Zoning Bylaw and OCP;
- provide significant benefits to local agriculture;
- can be accommodated using existing municipal infrastructure;
- minimize impacts on productive agricultural lands;
- will not preclude future use of the lands for agriculture;
- will not harm adjacent farm operations.”

- ii) adding a new Policy .9 **Limit interface incompatibilities.** with the social sustainability icon that reads as follows:

“Policy .9 **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.”

- d) **Objective 5.34 Preserve productive agricultural land** be amended by adding a new Policy .5 **Agricultural land designation.** with the economic and environmental sustainability icons that reads as follows:

“Policy .5 **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. ”

2. AND THAT **Chapter 7 – Infrastructure,** Objective 7.22 be amended by adding a new Policy .2 **Restrict expansion of sewer into agricultural areas.** with the economic and environmental sustainability icons that reads as follows;

“Policy .2 **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.”

3. AND THAT **Chapter 15 – Farm Protection Development Permit Guidelines** be amended by:

- a) deleting Guideline 1.7 that reads:

“Require statutory covenants on non-agricultural land at subdivision to notify landowners that “normal farm practices” occur in close proximity.”

And replace with:

"Require statutory covenants on non-agricultural land through the development process. The covenant shall:

- 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."

b) adding new 1.9 and 1.10 Guidelines that read as follows:

"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 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.

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."

4. 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 28<sup>th</sup> day of May, 2018.

Considered at a Public Hearing on the 12<sup>th</sup> day of June, 2018.

Read a second and third time by the Municipal Council this 12<sup>th</sup> day of June, 2018.

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk