

# MEMO



**Date:** November 30, 2015

**To:** Greg Bartle - Ministry of Agriculture

**From:** Community Planning (MS)

**Subject:** Comments on the Discussion Paper and Proposed Minister's Bylaw Standards Regulating Agri-tourism and Farm Retail Sales in the Agricultural Land Reserve

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This memo provides comments and recommendations for changes to the *Discussion Paper and Proposed Minister's Bylaw Standards Regulating Agri-tourism and Farm Retail Sales in the Agricultural Land Reserve (Sept. 14, 2015)* (the Discussion Paper).

City staff has reviewed the Discussion Paper and prepared comments and recommendations. The paper was distributed and presented to the City of Kelowna Agricultural Advisory Committee on October 8, 2015. The AAC had one month to review and prepare comments. These comments are summarized in this memo.

## 1.0 Community Planning

Generally, staff is in agreement with the proposed Bylaw Standards outlined in the Discussion Paper. Such standards will provide clarity for local governments and applicants alike with respect to proposals for agri-tourism and farm retail sales within the Agricultural Land Reserve (ALR). We have some specific comments and recommendations, outlined below.

### Agri-tourist Accommodation

1. **Recreation Vehicle Accommodation - Sewer and Water Hook-ups. *Ability to Prohibit*** direct hook-ups to sewer and water. The risk for this type of accommodation to become low rent housing is high when sewer and water are directly connected. Water and Sani-Dump should be available at a common facility. This will help ensure, by design, the temporary and seasonal nature of RV sites. Enforcement for the 'temporary' and 'seasonal' nature of these facilities is difficult and time consuming for local governments.
2. **'Villas' or 'Cabins' - No Kitchens - *Ability to Prohibit*** kitchens in 'villas' or 'cabins' 'sleeping units'. The risk of these to be repurposed for rental housing is very high, with bylaw enforcement difficult and time consuming. The ability to restrict kitchens in these units will help, by design, regulated these as temporary and seasonal.
3. **'Accessory Use'.** Where 'farm income' must exceed 'agri-tourist accommodation' income, ***require*** an annual Statutory Declaration each year upon renewal of Business License, stating that farm income is greater than agri-tourist accommodation income. Where agri-tourist accommodation income exceeds farm income, a Non-Farm Use Application can be made.

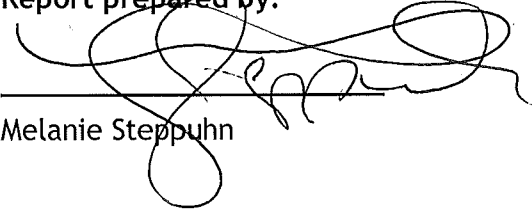
4. **Agri-tourist accommodation Footprint / Site Coverage.** Agri-tourist accommodation - include area in maximum site coverage for Farm Residential Footprint (0.2 ha maximum). Include all accessory uses, including bathroom facilities and parking in the maximum area.
5. **Business License.** Require a list of guests / license plates and dates of stay, prior to Business License renewal each year, to document the temporary and seasonal nature of the agri-tourism accommodation.

### **Weddings and Special Events, Bistros and Restaurants**

We agree with table outlining farm / permitted uses verses Non-Farm Uses. This is a helpful tool to determine when a Non-Farm Use Application is required.

1. **Weddings / Special Events.** Outline parameters of weddings / commercial assembly functions at wineries / cideries and distilleries.
2. **Restrict Additional Buildings.** Stipulate maximum areas for structures and facilities, (e.g. 125 m2 inside and 125m2 outside, and parking to accommodate this number plus staff only). This should include maximum size for kitchens, office space, washroom facilities as well as seating area.
3. **Shuttle Bus Service.** Require (or encourage) the venue to provide shuttle bus service, in lieu of providing more parking. This is important for specific events open to the public (e.g. craft fairs, music events).
4. **Site Coverage for Parking and Driveways.** Outline maximum areas or site coverage area for parking, bus turnarounds, and driveways. This should be able to accommodate the 125 m2 maximum inside and 125 m2 outside, and buses. Requests for parking over and above this amount should require a Non-Farm Use Application.
5. **Gravel for Parking / Driveways.** Require that parking, driveways and turnarounds for Farm Retail Sales, and wineries, cideries, distilleries and farm retail sales are gravel.
6. **Farm Sales Footprint.** Farm retail sales, wineries, cideries, and distilleries should have a maximum footprint size, similar to a farm residential footprint, and be close to the road.

Report prepared by:



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Reviewed by:



Todd Cashin, Suburban and Rural Manager

Attachments:

Agricultural Advisory Committee Meeting Minutes - November 9, 2015 (Comments included)

c. Martin Collins - ALC