

Chapter 15:

Farm Protection DP Guidelines



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CATEGORY

Sec. 919.1(c) of the *Local Government Act* for the protection of farming.

PROPERTIES AFFECTED

Unless exempted (See Exemptions section below) a development permit addressing protection of farming guidelines (See Guidelines section below) must be approved for all properties:

- 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.

**“Unless exempted...
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2) Any development located adjacent Agricultural Lands before:

- a. A Building Permit adjacent to an urban/rural interface;
- b. Subdivision of land adjacent to an urban/rural interface.

JUSTIFICATION

Agriculture is a prominent land use in Kelowna and a vital component of the local economy. As growth continues in the City, the potential for land use conflicts within and adjacent to agricultural areas increases, necessitating the application of guidelines with respect to subdivision design, site layout, landscaping, and buffering.

OBJECTIVES

- Protect farm land and farm operations;
- Minimize the impact of urban encroachment and land use conflicts on agricultural land;
- Minimize conflicts created by activities designated as farm use by ALC regulation and non-farm uses within agricultural areas.

EXEMPTIONS

An Agricultural Development Permit will not be required for:

- Greenhouses and plant nurseries where all of the farm products offered for sale are produced on the farm on which the retail sales are taking place; or
- 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
- Wineries and cideries that do not provide ancillary uses or access to the public, such as retail sales, tours, food and beverage services, and/or other uses which have the potential to impact surrounding agriculture; or
- The subdivision of land that already provides the prescribed agricultural buffer (see Guidelines) for all impacted property lines; or
- Replacement, alteration or addition to a building such as new siding, roofing, doors, building trim, awnings, and/or windows where it does not adversely impact agriculture or potential agricultural use of land; or
- Replacement of a building that has been destroyed by natural causes, in cases where the replacement building is identical to the original in location, floor area and height; or
- Interior / exterior building alterations that do not expand the existing building foundation; or
- Construction, addition or alteration not exceeding 30 m² (323 ft²) where no variance(s) of the Zoning Bylaw is (are) required; or
- Farm activities considered normal farm practice.

“Agriculture is a prominent land use in Kelowna and a vital component of the local economy.”





“Locate and design buildings to reduce impact from the activities associated with a farm operation...”

GUIDELINES

- 1.1 On properties located adjacent to agricultural lands, design buildings to reduce impact from activities associated with farm operations. Design considerations include, but are not limited to maximizing the setback between agricultural land and buildings and structures, and reducing the number of doors, windows, and outdoor patios facing agricultural land;
- 1.2 On agricultural lands, where appropriate, locate all buildings and structures, including farm help housing and farm retail sales, within a contiguous area (i.e. homeplate). Exceptions may be permitted where the buildings or structures are for farm use only;
- 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.
- 1.4 On non-agricultural lands, design developments to protect the required landscape buffer from potential negative impacts related to on-site activities (i.e. drainage, recreational pathways, driveways);
- 1.5 Design any subdivision or urban development of land to reduce densities and the intensity of uses gradually towards the boundary of agricultural lands;
- 1.6 Incorporate subdivision design that minimizes potential negative impacts that may occur between farm and non-farm users (i.e., avoid road endings or road frontage next to agricultural land);
- 1.7 Require statutory covenants on non-agricultural land at subdivision to notify landowners that “normal farm practices” occur in close proximity.

“Install and maintain a continuous fence along the edge of agricultural land...”

