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*Note: This bulletin is for information only. Please consult the relevant City of Kelowna Bylaws.*

## **PURPOSE**

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The purpose of this bulletin is to provide information about the requirements and policies involved when a Farm Protection Development Permit is required for agricultural properties or for properties adjacent agricultural properties.

## **BACKGROUND**

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### Relevant Policies:

- Official Community Plan - Chapter 15 [Farm Protection DP Guidelines](#)
- Zoning Bylaw No. 8000 [Chapter 11 - Agriculture](#)
- *Farm Practices Protection* ([Right to Farm](#)) Act
- Zoning Bylaw [Chapter 7](#) - Landscaping and Screening

In accordance with the City of Kelowna Official Community Plan, Chapter 15 - Farm Protection Development Permit (DP) Guidelines, the objectives of a Farm Protection DP is to:

- Protect farm land and farm operations;
- Minimize the impact of urban encroachment and land use conflicts on agricultural land; and
- Minimize conflicts created by activities designated as farm use by the Agricultural Land Commission (ALC) regulation, and protected under the *Farm Practices Protection Act*, and non-farm uses within agricultural areas.

A Farm Protection DP is required prior to any development proceeding on agricultural properties, or those adjacent to agricultural properties including:

- Subdivision of land;
- A Building Permit involving an alteration to the building footprint\*, Soil Permit, or alteration of land associated with the following uses:
  - agri-tourism;
  - agri-tourist accommodation;
  - agricultural dwellings, additional;
  - carriage house;
  - utility services, minor impact;
  - wineries and cideries;
  - greenhouses and plant nurseries;
  - agricultural and garden stands; and
  - temporary farm worker housing

Note that some exemptions in accordance with Official Community Plan Farm Protection Development Permit Guidelines, Chapter 15, apply.

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### FARM PROTECTION GUIDELINES

In accordance with City of Kelowna Official Community Plan, Chapter 15, Farm Protection Guidelines:

- ☐ Design adjacent properties to minimize conflict between residential and agricultural uses
- ☐ Establish and maintain a landscape buffer on both agricultural and non-agricultural properties.
- ☐ Design structures within a contiguous 'homeplate'.
- ☐ Install landscape and fencing buffers in accordance with the Ministry of Agriculture '[Guide to Edge Planning](#)' and the '[Landscape Buffer Specifications](#)' or their replacements.
- ☐ Preserve all existing healthy and mature trees located within the buffer area.
- ☐ Integrate double rows of trees, including coniferous trees and dense vegetation into the buffer.
- ☐ Where appropriate, use roads, watercourses, gullies and topography to create buffers between agricultural and non-agricultural areas.
- ☐ Where appropriate, use statutory covenants to ensure that buffers are established and maintained.
- ☐ Design landscape buffers to protect agriculture from negative impacts related to on-site activities such as drainage, pathways or driveways.
- ☐ Design urban development to reduce density and intensity of use when adjacent agricultural land.
- ☐ Design subdivisions to minimize land use adjacency conflict (e.g avoid road endings or road frontage next to agricultural land).
- ☐ Require statutory covenants on non-agricultural land at sub-division to notify landowners that 'normal farm practices occur in close proximity'.
- ☐ All lands abutting the ALR require a Level 5 Landscape Buffer Treatment.

Once a Development Permit is issued, an application for a Building Permit may be made.

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