

RESPONSE SUMMARY

AMENDMENT BYLAW NO. 2728

- Approval Recommended for Reasons Outlined Below
- Interests Unaffected by Bylaw
- Approval Recommended Subject to Conditions Below
- Approval Not Recommended Due to Reasons Outlined Below

Signature: 

Signed By: Dean Strachen

Agency: District of Summerland

Title: Director of Dev Serv.

Date: May 26, 2017



Agricultural Land Commission
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June 1, 2017

Reply to the attention of Martin Collins
ALC File: 46581

Christopher Garrish MA, MSS, MCIP, RPP • Planning Supervisor
Regional District of Okanagan-Similkameen
101 Martin Street,
Penticton, BC
V2A 5J9

Re: Zoning Bylaw No. 2728

Thank you for forwarding a draft copy of Bylaw No. 2728 for the Agricultural Land Commission's (the ALC's) review and comment. The following comments are provided to help ensure that the Bylaw is consistent with the purposes of the *Agricultural Land Commission Act* and regulation, and decisions of the ALC.

The ALC remains concerned with the Table 10.4.5 *Maximum Number of Dwellings Permitted per Parcel* and repeated throughout the bylaw. The ALC remains unconvinced that parcels greater than 8 ha require additional homes beyond a single accessory dwelling for farm help even with the "farm" assessment classification. In particular there is concern that the relatively low farm income threshold required for "farm" assessment does not usually require an additional residence for farm help. As such it is recommended that in the ALR, the maximum number of accessory dwellings be limited to one (1) and only on parcels greater than 3.5 ha.

In addition, it is difficult to conceive that an additional permanent dwelling for farm help would be required on a parcel smaller than 3.5 ha. It is recommended that ALC non-farm use application should be submitted for additional dwellings for farm help for farm operations smaller than 3.5 ha. Retaining the proposed Table(s) that specify the number of permitted dwellings in the draft bylaw without the re-worded qualification (as noted below) will result in the proliferation of residences not necessary for farm help on ALR parcels. It is the ALC's experience that multiple residences on farm parcels erodes the parcel's productive capacity and increases subdivision pressure.

It is requested that the Regional District amend the draft bylaw to amend the exception below the table following b);

c) Despite Section 10.4.5(a) for parcels situated with the Agricultural Land Reserve only one principal dwelling, and one accessory dwelling for farm help are permitted on parcels larger than 3.5 ha. The accessory dwelling must be on a temporary foundation and used only for the accommodation of persons engaged in farming on parcels classified as "farm" under the Assessment Act. For parcels smaller than 3.5 ha an application for an accessory dwelling for farm help must be submitted to the ALC.

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The ALC notes that there are also portions of the bylaw which are not consistent with the advice provided in the Ministry of Agriculture's *Guide for Bylaw Development in Farming Area (the Guide)*. Specifically it is noted that site coverage for Greenhouses is less than is recommended by the *Guide* (75%), as well as the permitted site coverage for farm structures. In addition, restrictions on livestock density (as per Section 7.23 and others repeated throughout the bylaw) are not supported by the *Guide* or by s. 555 of the Local Government Act.

If you have any questions about the above comments, please contact the undersigned at 604-660-2554 or by e-mail (martin.collins@gov.bc.ca)

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Martin Collins, Director of Policy and Planning