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**SECTION 6 – AGRICULTURE ZONES**

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**Please note that the following section is subject to numerous and ongoing changes by the Agricultural Land Commission. Please check directly with the Agricultural Land Commission as to the land uses currently allowed in the Agricultural Land Reserve.**

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**SECTION 6.1 – AGR1 ZONE - AGRICULTURAL 1**

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**Intent**

- 6.1 The intent of this *zone* is to provide for agricultural development and to protect the agricultural integrity of land within the Agricultural Land Reserve.

**Permitted Uses**

- 6.2 In the AGR1 Zone the use of land, *buildings* and *structures* is subject to the *Agricultural Land Commission Act (ALCA)* and the Agricultural Land Reserve Use Subdivision and Procedure Regulation (Regulation), and restricted to:

- .1 On all Parcels:
- (a) *agriculture*, including *intensive agriculture*
  - (b) *aquaculture*
  - (c) forestry practices, including silviculture and harvesting, but not including processing or manufacturing
  - (d) *brewery, cidery, distillery, meadery, or winery* subject *Liquor Control and Licensing Act*
  - (e) *farm residence*, subject to Section 6.5
  - (f) *agritourism activities*, subject to Section 6.10
  - (g) *farm retail sales*, subject to Section 6.6
  - (h) *secondary suite*
  - (i) *agricultural home based business*, subject to Section 6.12
  - (j) *agricultural bed and breakfast*, subject to Section 6.11
  - (k) *farm employee residence*, subject to Section 6.5
  - (l) *temporary farm worker housing*, subject to Section 6.7
  - (m) *gathering for an event*, subject to Section 6.5 and 6.9
  - (n) construction and maintenance, for the purpose of drainage or irrigation or to combat the threat of flooding, of
    - i. dikes and related pumphouses, and
    - ii. ancillary works including access roads and facilities;
  - (o) *garden nursery*
  - (p) *accessory buildings* and *accessory uses*.
- .2 On *parcels* of 2 ha or greater, the additional permitted *uses* are:
- (a) Operation of a *portable sawmill* if at least 50% of the volume of the timber is harvested from the farm or *parcel* on which the *portable sawmill* is located.
- .3 On *parcels* of 60 ha or greater, the additional permitted *uses* are:
- (a) *cannabis production facility*.

**Non-Farm Uses**

6.3 All applications to permit non-farm uses not enabled by the regulations of the ALC, including for rezoning, Temporary Use Permits and variances must be accompanied by an Agricultural Impact Assessment prepared by a *licensed or accredited professional*, such as a professional Agrolgist that assesses if a proposed use enhances or impacts agriculture.

**Regulations**

6.4 On a *parcel* located in the AGR1 Zone, no use, building or structure shall be established, constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I Matter to be Regulated		COLUMN II Regulations
.1	Minimum <i>parcel area</i> for new subdivisions	16 ha
.2	Maximum number of <i>dwellings per parcel</i>	<ul style="list-style-type: none"> <li>• on <i>parcels</i> less than 4 ha: 1 <i>farm residence</i> in accordance with s. 6.5</li> <li>• on <i>parcels</i> 4 ha or greater, one <i>farm employee residence</i> may be permitted in accordance with s. 6.5 and subject to the following conditions:                             <ul style="list-style-type: none"> <li>(i) the property has farm class under the <i>BC Assessment Act</i>, and</li> <li>(ii) an application on the prescribed form has been submitted to, and approved by, the <i>SLRD</i>, in consultation with the Ministry of Agriculture and the Agricultural Land Commission, that provides evidence that there is a demonstrated need for a <i>farm employee residence</i> commensurate with the present level of <i>agriculture</i> occurring on the property.</li> </ul> </li> </ul>
.3	<i>Parcel Coverage</i>	<p>The <i>parcel coverage</i> of all <i>buildings</i> and <i>structures</i> shall not exceed 5 percent except:</p> <ul style="list-style-type: none"> <li>(i) where the <i>parcel</i> is one (1) hectare or less, the <i>parcel coverage</i> shall not exceed 15 percent.</li> <li>(ii) Subsection (i) does not apply where a <i>building</i> or <i>structure</i> is used in conjunction with a</li> </ul>

COLUMN I Matter to be Regulated		COLUMN II Regulations
		<i>bona fide agricultural operation</i> as long as that operation is in compliance with the ALCA and Regulation.
.4	Maximum number of <i>secondary suites</i> per <i>farm residence</i>	1
.5	Maximum <i>gross floor area</i> for the <i>farm residence</i>	350 m <sup>2</sup>
.6	Maximum <i>gross floor area</i> for <i>farm employee residence</i> , if authorized under Section 6.5	180 m <sup>2</sup>
.7	Minimum <i>setback</i> <ul style="list-style-type: none"> <li>• from the <i>front parcel line</i></li> <li>• from all other <i>parcel lines</i></li> </ul>	4.5 m 7.5 m
.8	Maximum <i>setback</i> for <i>farm residence</i> , and <i>farm employee residence</i> , where permitted, from the <i>parcel line</i> to the rear of the <i>farm residence</i> , and the rear of the <i>farm employee residence</i>	75 m
.9	Maximum <i>setback</i> for the <i>farm residential footprint</i> from the <i>parcel line</i> to the rear of the <i>farm residential footprint</i>	85 m
.10	Maximum <i>height</i> of <ul style="list-style-type: none"> <li>• <i>farm building</i></li> <li>• <i>farm residence</i></li> <li>• <i>farm employee residence</i>, if authorized under Section 6.5</li> <li>• <i>temporary farm worker housing</i>, if authorized under Section 6.7</li> <li>• <i>accessory building</i></li> </ul>	15 m 8 m 8 m 8 m 6 m
.11	Minimum <i>setback</i> for <i>cannabis production facility</i> (from all <i>parcel lines</i> )	25 m
.12	Maximum <i>height</i> for a <i>cannabis production facility</i>	15 m
.13	Maximum <i>gross floor area</i> for a <i>cannabis production facility</i>	2,500 m <sup>2</sup>
.14	Minimum <i>setback</i> for <i>cannabis production facility</i> from any <i>watercourse</i>	30 m
.15	<i>Farm residential footprint</i>	See Section 6.5
.16	Maximum <i>gross floor area</i> for <i>temporary farm worker housing</i> <ul style="list-style-type: none"> <li>• on parcels less than 4 ha</li> <li>• on parcels 4 ha or larger</li> <li>• per temporary farm worker</li> </ul>	100 m <sup>2</sup> 280 m <sup>2</sup> 10 m <sup>2</sup>
.17	Maximum <i>setback</i> for a <i>farm employee residence</i> or <i>temporary farm worker housing</i> from a <i>farm residence</i>	15 m

COLUMN I Matter to be Regulated		COLUMN II Regulations
.18	Maximum <i>gross floor area</i> of a <i>brewery, cidery, distillery, meadery or winery</i> provided that the size of the facility is commensurate with the agricultural operation supporting it and in accordance with the <i>ALCA</i> and Regulation.	600 m <sup>2</sup>
.19	Maximum <i>gross floor area</i> of food and beverage lounge associated with a <i>brewery, cidery, distillery, meadery, or winery</i> <ul style="list-style-type: none"> <li>• Indoor <i>gross floor area</i></li> <li>• Outdoor <i>gross floor area</i></li> </ul>	60 m <sup>2</sup> 60 m <sup>2</sup>
.20	Maximum <i>gross floor area</i> of a tasting room associated with a <i>brewery, cidery, distillery, meadery or winery</i>	60 m <sup>2</sup>
.21	Additional regulations pertaining to a <i>brewery, cidery, distillery, meadery or winery</i>	See Section 6.8
.22	Maximum <i>setback</i> for the <i>non-farm use footprint</i> from the <i>front parcel line</i> to the rear of the <i>non-farm use footprint</i>	40 m

- .23 The *setback* and *height* regulations elsewhere in Section 6.5 shall not apply to an existing *building* that is re-purposed for a *cannabis production facility*, so long as that *building* has been issued a valid building permit.
- .24 Any *cannabis production facility* that is 3,700 m<sup>2</sup> or larger requires a Ministry of Agriculture-approved rainwater management plan and agricultural liquid waste management plan.

**Farm Residential Footprint, Farm Residence and Farm Employee Residence**

- 6.5 The following *farm residential footprint, farm residence and farm employee residence* requirements shall apply to all *lots* within an Agriculture Zone and any other zone within the ALR and are subject to the provisions of the *Agricultural Land Commission Act* and Regulation.

General Requirements

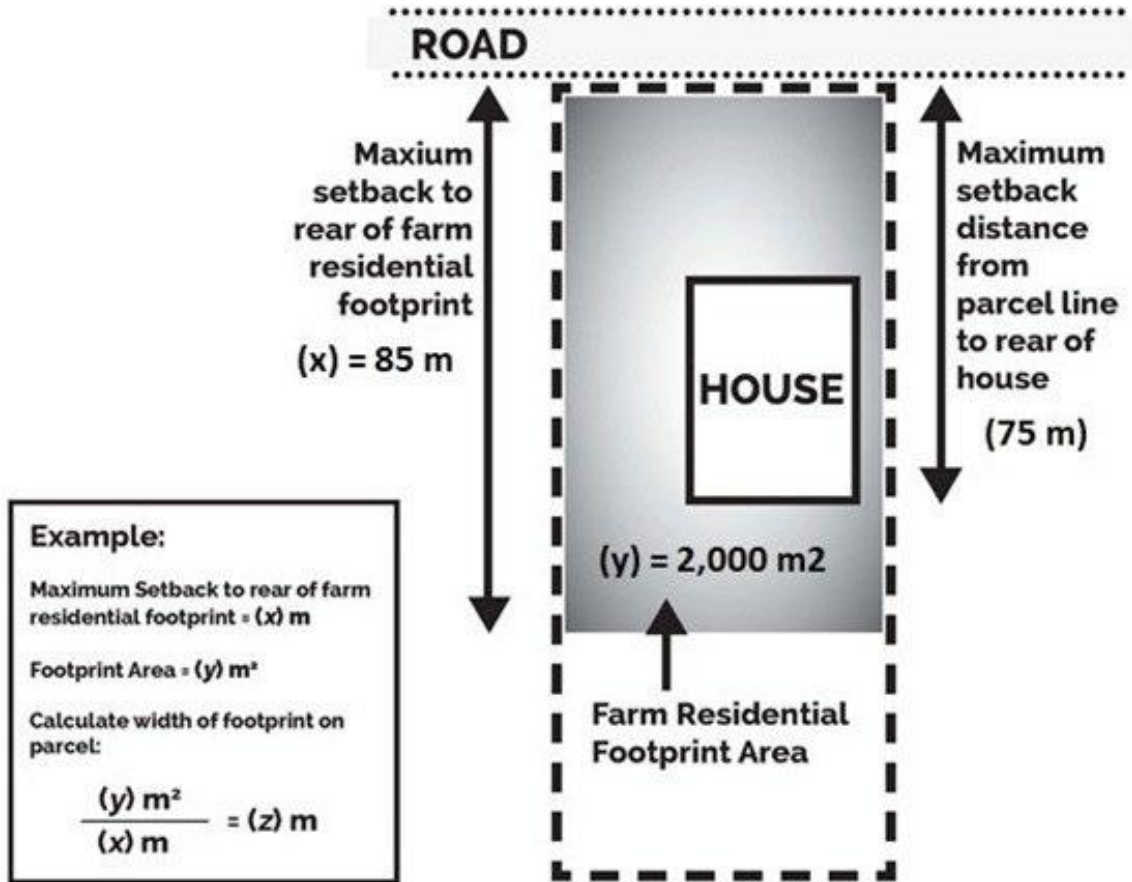
- .1 On all *lots* within the AGR1 Zone, the *farm residence, farm employee residence, home office, home craft, gathering for an event* and all accessory residential facilities must be located within the *farm residential footprint* area.
- .2 No non-agricultural or non-farm uses defined by the *Agricultural Land Commission Act* and Regulation are permitted outside the *farm residential footprint*.

Siting Requirements

- .3 The maximum area of a *farm residential footprint* containing one *farm residence* is 2,000 m<sup>2</sup>.
- .4 A *farm residential footprint* containing a *farm employee residence* (where it has been approved by the SLRD) may be increased by a maximum of 500 m<sup>2</sup> to 2,500 m<sup>2</sup>.
- .5 The maximum depth for a *farm residential footprint* is 85 m, measured from a dedicated road. If the road is not dedicated then the depth shall be measured from the constructed road.
- .6 One boundary of the *farm residential footprint* must be located at the property line along which vehicular access is obtained.
- .7 The access road to the *farm residential footprint* must be located along a property line that serves as the front of the *farm residential footprint*.
- .8 The rear face of a *farm residence* or *farm employee residence* must not be less than 10 m from the rear of the *farm residential footprint*.

See Figure 1 for a diagram describing *farm residential footprint* and *farm residence/farm employee residence setback*.

FIGURE 1



Farm Employee Residence

- .8 A person may apply for a *farm employee residence* by completing an application on the prescribed form and shall include a detailed site plan.
- .9 The property owner will be required to register a Section 219 covenant against the property title at the Land Title Office which will specify the *farm employee residence* details submitted in the application form and accompanying site plan.
- .10 A *farm employee residence* is not permitted on any lot less than 4 ha.
- .11 A maximum of one *farm employee residence* is permitted on any *lot*.

### Farm Retail Sales

- 6.6 *Farm retail sales* shall be conducted in accordance with, and are subject to, the provisions of the *Agricultural Land Commission Act* and Regulation.
- .1 Land, *buildings* and *structures* used for *farm retail sales* shall:
- .1 where both farm products and off-farm or non-farm products are being sold, have a maximum gross floor area of 300 m<sup>2</sup>, including both indoor and outdoor sales and display areas.
- .2 dedicate at least 50% of the total retail sales area to the sale of farm products produced on the farm on which the retail sales are taking place.
- .2 Off-street parking for *farm retail sales* must be located within the *farm residential footprint* area, and/or the *non-farm use footprint*, and be in accordance with Section 4 and Section 6.9.8 of this Bylaw.

### Temporary Farm Worker Housing

- 6.7 *Temporary farm worker housing* shall be in accordance with the provisions of this Section 6.7.
- .1 A person may apply for *temporary farm worker housing* by completing an application on the prescribed form and shall include a detailed site plan.
- .2 A statutory declaration must be filed with the SLRD annually, stating that the *temporary farm worker housing* building(s) will be used only for *temporary farm worker housing* for a specified period of time.
- .3 The property owner will be required to register a Section 219 covenant against the property title at the Land Title Office which will specify the *temporary farm worker housing* details submitted in the application form and accompanying site plan. The covenant will state that the farm worker housing will be removed by the owner and the land restored to agricultural use if the farm worker housing is vacant for two consecutive years.
- .4 *Temporary farm worker housing* must meet the standards in the *BC Public Health Act*, the *BC Building Code*, and the "Guidelines for the Provision of Seasonal Housing for Migrant Farm Workers in BC." Inspections are required prior to initial occupancy, as per the above noted guidelines.
- .5 A geotechnical report from a qualified professional must be submitted, in order to determine the Flood Construction Level (FCL) for the *temporary farm worker housing*.
- .6 The *parcel* on which the *temporary farm worker housing* is located is classified as a farm under the BC Assessment Act.
- .7 The *temporary farm worker housing* shall be used for the temporary accommodation of seasonal agricultural workers who are employed by the owner of the *parcel* to work in the owner's farm operation.
- .8 *Temporary farm worker housing* must be sited within the *farm residential footprint* area.



**Brewery, cidery, distillery, meadery or winery**

- 6.8 *Breweries, cideries, distilleries, meaderies or wineries* shall be in accordance with the provisions of this Section 6.8.
- .1 The number and frequency of special events (gatherings that are not typical operations of the establishment), other than those that fall within the *gathering for an event* use, held at a *brewery, cidery, distillery, meadery, or winery* lounge (indoor and outdoor space) and a valid lounge endorsement shall be limited to:
    - .1 A maximum of 4 special events in a calendar year, that occur outside of regular approved business hours.
    - .2 Of those 4 special events in a calendar year, no more than 1 special event per weekend.
  - .2 Off-street parking for a *brewery, cidery, distillery, meadery or winery* must be located within the *farm residential footprint* area, and/or the *non-farm use footprint*, and be in accordance with Section 4 and Section 6.9.8 of this Bylaw.

**Gathering for an Event and the Non-Farm Use Footprint**

- 6.9 The *gathering for an event* use shall be in accordance with the *Agricultural Land Commission Act* and Regulation, ALC Policy L-22 Gathering for an Event, and the provisions of this Section 6.9.
- .1 the farm must be located on land classified as a farm under the *BC Assessment Act*.
  - .2 *permanent facilities* must not be used, constructed or erected in connection with the event.
  - .3 parking for those attending the event must be available on the farm, but must not be permanent (asphalt, concrete, gravel, etc.) nor interfere with the farm's agricultural productivity.
  - .4 no more than 150 people, excluding residents and employees of the farm, may be gathered on the farm at one time for the purpose of attending the event.
  - .5 the event must be of no more than 24 hours duration.
  - .6 no more than 10 *gatherings for an event*, or such other number as may be allowed by the *Agricultural Land Commission Act* and Regulation, of any type may occur on the farm within a single calendar year.
  - .7 the *gathering for an event* use and uses accessory to it must be located entirely within the *farm residential footprint* and/or the *non-farm use footprint*.
  - .8 the *non-farm use footprint* shall be in accordance with the following:
    - .1 On parcels that are less than 4 ha, the *non-farm use footprint* shall be a maximum of 500 m<sup>2</sup>.
    - .2 On parcels that are 4 ha or greater but less than 8 ha, the *non-farm use footprint* shall be a maximum of 1,500 m<sup>2</sup>.
    - .3 On parcels that are 8 ha or larger but less than 16 ha, the *non-farm use footprint* shall be a maximum of 2,000 m<sup>2</sup>.
    - .4 On parcels that are 16 ha or greater, the *non-farm use footprint* shall be a maximum of 2,500 m<sup>2</sup>.

### **Agritourism Activities**

- 6.10 The following *agritourism activities* requirements shall apply to all lots within the *ALR* and are subject to the provisions of the *Agricultural Land Commission Act* and Regulation.

#### General Requirements

- .1 *Agritourism Activities*
- .1 can only occur on a property that has farm class under the *BC Assessment Act*.
  - .2 only include those specific activities included in the definition of *agritourism activities* in this Bylaw.
  - .3 must be accessory to and related to the *principal use* of the farm.
  - .4 must promote or market farm products from the farm.
  - .5 must be *temporary* and *seasonal*.
  - .6 *permanent facilities* must not be used, constructed, or erected in connection with the *agritourism activity*.
  - .7 do not include any overnight accommodation.
  - .8 excludes permanent commercial kitchen facilities.
  - .9 Off-street parking for *agritourism activities* must be located within the *farm residential footprint* area and/or the *non-farm use footprint* area, and be in accordance with Section 4 and Section 6.9.8 of this Bylaw.

### **Agricultural Home Based Business**

- 6.11 The *agricultural home based business* shall be in accordance with the *Agricultural Land Commission Act* and Regulation, and the provisions of this section 6.12:

#### Agricultural Land Reserve (ALR) Requirements

- .1 The *agricultural home based business use* shall be accessory to the *residential or agricultural use* on the same *lot*.
- .2 The *agricultural home based business use* shall not exceed a maximum *gross floor area* of 100 m<sup>2</sup> on a *parcel*. The 100 m<sup>2</sup> includes the ≤10 m<sup>2</sup> of associated *agricultural home based business* retail and/or gallery space.
- .3 An *agricultural home based business use* within the *ALR* shall not be detrimental to any existing or potential *agriculture* or *farm use* on the property, or on adjacent properties.
- .4 An *agricultural home based business use* within the *ALR* shall be limited to the *farm residence*, and/or an *accessory building*, and cannot be located in the *farm employee residence*, if one is permitted on a *parcel* in accordance with this Bylaw.
- .5 All activities associated with the *agricultural home based business use* shall be entirely conducted within a completely enclosed building.
- .6 There shall be no outdoor storage of materials, equipment, containers or finished products associated with the *agricultural home based business*.
- .7 On a *parcel* within the *ALR*, an *accessory building* and/or off-street parking used for and in relation to an *agricultural home based business* must be located within an established *farm residential footprint* area.

General Requirements

- .8 An *agricultural home based business use* must be located within a building that has a valid building permit from the SLRD for the *agricultural home based business use*.
- .9 An *agricultural home based business use* shall only be permitted when the owner of the property is a registered owner of the *agricultural home based business*.
- .10 Any *building* containing a *dwelling unit* shall not be used for manufacturing, welding, or any other light or heavy *industrial use*.
- .11 No external indication shall exist that a building is used for any purpose other than that normally associated with a residential dwelling or accessory building except for a single sign not exceeding 3,500 cm<sup>2</sup>.
- .12 Employees of an *agricultural home based business use* shall be restricted to members of a family residing on the *parcel* and may include a maximum of two other people.
- .13 The owners of any *agricultural home based business use* involved in the production and/or storage of food must have the appropriate approvals and permits from the SLRD and the Vancouver Coastal Health Authority.
- .14 An *agricultural home based business use* shall not involve the sale of food or drink.
- .15 Motor vehicle and bicycle parking and loading for an *agricultural home based business use* shall comply with the requirements of Section 4 of this Bylaw.
- .16 An *agricultural home based business use* is not a *farm retail sales use* and may be conducted in association with a *farm retail sales use*.

**Parking & Loading**

6.12 Motor vehicle and bicycle parking and loading shall comply with the requirements of Section 4 of this Bylaw.

**Exceptions**

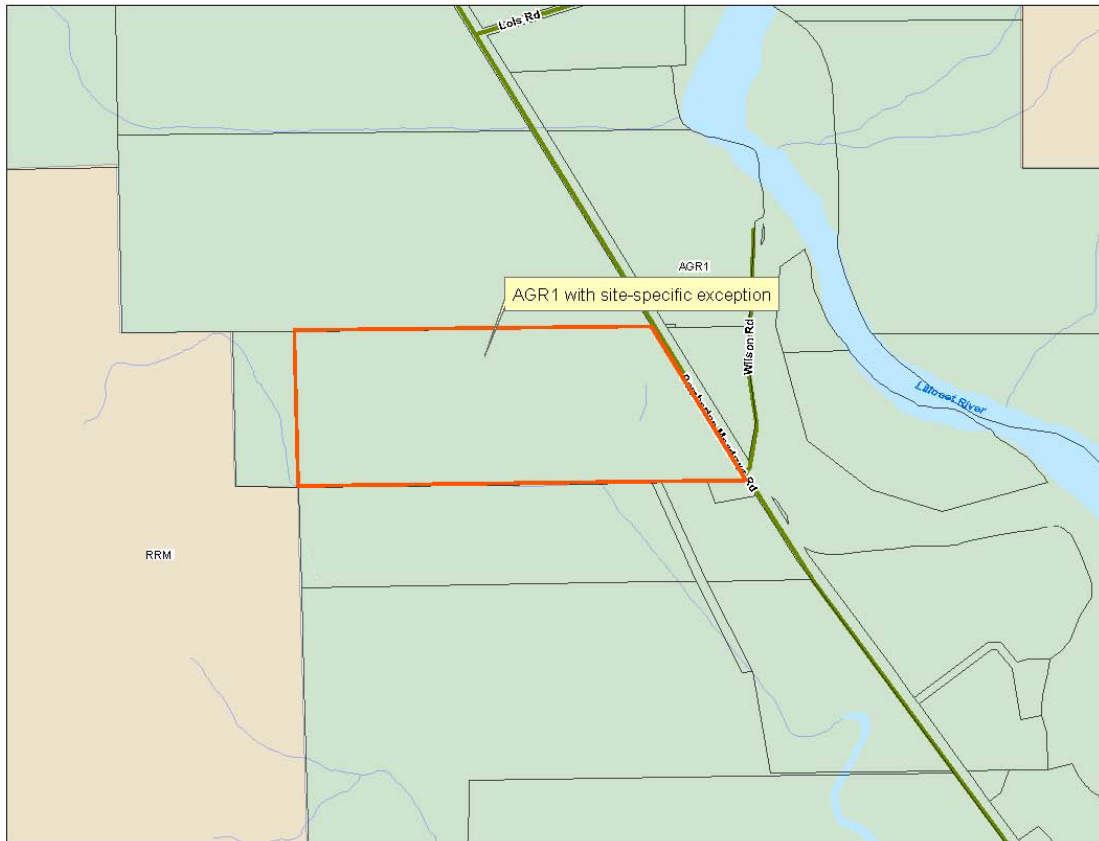
6.13 Exceptions

.1 On the *Parcel* legally described as PID 009-458-832, Lot 1 District Lot 171 Lillooet Land District Plan 11798, the additional *use* permitted is:

- Cemetery.



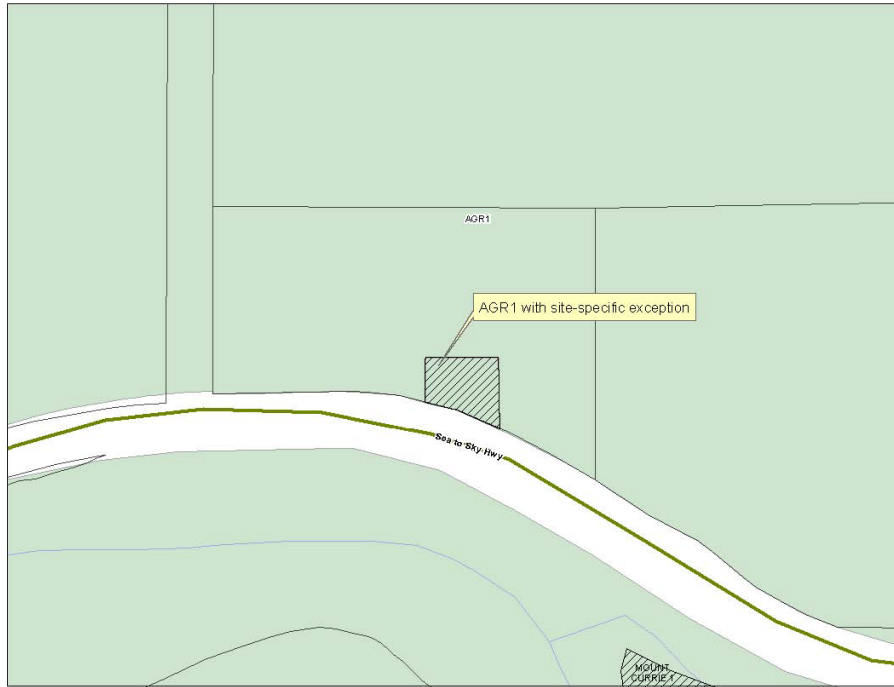
- .2 On the *Parcel* known as PID 011-512-172, Lot A, DL 173, Plan 1613 except Plan 18218, Lillooet Land District, the following additional *uses* are permitted:
- Two (2) additional single family residences, and
  - One (1) small *portable sawmill* and planer mill for the use of the resident as long as the use is temporary and at least 50% of the volume of timber processed is harvested from the farm or the parcel on which the sawmill is located. The use of the portable sawmill and planer mill must be in compliance with the *Agricultural Land Commission Act* and Regulation.



Applicability of Land Use Contract Until Terminated

In the event of conflict between provisions of these zoning regulations and those of the 4D Ranch Land Use Contract Authorization Bylaw No. 123, 1977, the Land Use Contract Bylaw shall apply until it is terminated.

- .3 On the *Parcel* known as PID 009-810-331, Lot 13, DL 210, Plan KAP1241, LLD, except Plan 4249, the additional uses permitted on that portion of the parcel indicated in cross hatched markings on the following map are:
- Autobody shop and car repair, and
  - Parking for the vehicles being repaired.



- .4 In addition to the uses permitted in section 6.2, bed and breakfast is a permitted use on PID Lot 52, DL 164, Plan KAP 883, LLD

*(Amendment Bylaw No. 1609)*