

PART V

A1 ZONE: AGRICULTURE

Amend
BL 6555, 2007

501

Permitted Uses:

'Farming'

Breeding pets

'Kennel'

Amend.
BL 6555, 2007
Amend.
BL 7286, 2014

Permitted Accessory Uses:

Notwithstanding any other provision of this zoning Bylaw, "Accessory Uses" shall be permitted in this Zone as follows:

'Accessory Farm Residential Facilities' accessory to a 'Farmhouse' or 'Additional Farmhouse',

'Additional Farmhouse' accessory to 'Farming'

'Agricultural Liquid Waste Storage Facility' accessory to 'Farming',

'Agricultural Solid Waste Storage Facility' accessory to 'Farming',

'Agri-tourism' accessory to 'Farming',

'Cogeneration Facility' accessory to a 'Greenhouse Operation'

'Farm House' accessory to 'Farming', breeding pets, or 'Kennel',

'Farm Retail Sales' accessory to 'Farming'.

'Home Occupation' accessory to a 'Farm House' or 'Additional Farm House',

'Migrant Farm Worker Housing' accessory to 'Farming',

'On-farm Composting' accessory to 'Farming',

'On-farm Processing' accessory to 'Farming',

'On-farm Product Preparation' accessory to 'Farming',

'Soilless Medium' preparation and storage accessory to 'Farming'.

Bed and Breakfast operation with a maximum of three (3) 'Bed and Breakfast Units' accessory to a 'Farm House',

Horse riding, training and boarding with a maximum of 40 permanent stalls but not including a racetrack licensed by the Province of B.C. accessory to 'Farming',

Keeping of 'Household Pets' accessory to a 'Farm House' or 'Additional Farm House',

Office space, change rooms, lunchrooms, washrooms, storage and product preparation areas accessory to any "Permitted Use",

Retail shop for equestrian-related goods that has a maximum retail 'Floor Area' of 50 square metres accessory to a horse riding, training and boarding facility.

Amend.
BL 6555, 2007

502

Setbacks for 'Farm House', 'Additional Farm House' and 'Accessory Farm Residential Facilities' and 'Migrant Farm Worker Housing':

Amend.
BL 6600, 2007

The regulations for setbacks as set out in this Section shall be reviewed and amended to be consistent with setbacks established by the Provincial Minister responsible for Agriculture when such guidelines are established.

1. 'Farm Houses', 'Additional Farm Houses', 'Accessory Farm Residential Facilities' and 'Migrant Farm Worker Housing' shall be no closer in horizontal distance to the front 'Lot' line or a 'Lot' line adjacent to a 'Flanking Street' or other 'Lot' lines than the distance specified below. Section 305 does not apply for 'Farm Houses', 'Additional Farm Houses', 'Accessory Farm Residential Facilities' and 'Migrant Farm Worker Housing' in this zone. Please refer to Section 510 in this zone for information on separation distances between 'Migrant Farm Worker Housing' and other agricultural uses.

The following front 'Lot' line and 'Flanking Street' setbacks apply to the closer of either, the dedicated or constructed frontage road, abutting road, lane or Highway:

	Front 'Lot' Line and a 'Lot' Line Adjacent to a 'Flanking Street'	Other 'Lot' Lines
'Farm House'	6 metres	15 metres
'Additional Farm House'		
'Accessory Farm Residential Facilities' except for decorative landscaping		
'Migrant Farm Worker Housing'		

2. No building or 'Amenity Open Space' used for 'Migrant Farm Worker Housing' shall be located closer than 30 metres from the nearest exterior wall of a 'Dwelling Unit' on another 'Lot'. Where this setback cannot be provided because of the existing configuration of farm buildings or the size of the 'Lot', landscape screening as set out below can be used instead.
3. Landscape screening used in lieu of the 30 metre setback described above shall be:
 - a) located between the 'Migrant Farm Worker Housing' and the 'Dwelling Unit' in question;
 - b) located at least 6 metres from the nearest wall of the building used for 'Migrant Farm Worker Housing';
 - c) a minimum length equivalent to the longest side of the building used for 'Migrant Farm Worker Housing';
 - d) a minimum width of 1.5 metres; and
 - e) comprised of a thick hedge of hardy shrubs or evergreen trees not less than 1.8 metres in height and maintained in a healthy, growing condition.

Amend.
BL 6367, 2006

503

Maximum 'Height' of Structure:

The maximum 'height' of a 'Farm House', 'Additional Farm House', or 'Accessory Farm Residential Facilities' shall not exceed 2½ storeys as defined in Section 607 (1), measured from finished grade.

504

Other Regulations:

1. The provisions of Section 603 'Home Occupations' apply to this zone except Sections 603 (8) and 603 (13).
2. A maximum of four boarders or lodgers shall be permitted in a 'Farm House' or an 'Additional Farm House'.

505 Minimum 'Lot' Size:

1. The minimum 'Lot' size that may be created by subdivision is eight (8) hectares subject to approval under the *Agricultural Land Commission Act* if applicable.
2. The minimum 'Lot' size shall not apply to a home site severance in accordance with the *Agricultural Land Commission Act*, Policy No. 11 March 2003 as amended or superseded from time to time.

Amend.
BL 6367, 2006
Amend.
BL 6600, 2007

506 'Farm Home Plate' and 'Farm Home Plate' – 'Migrant Farm Worker Housing':

1. The maximum area of a 'Farm Home Plate' containing one 'Farm House' is 3,600 square metres.
2. The maximum area of a 'Farm Home Plate' containing a 'Farm House' and 'Additional Farm House' is 5,000 square metres.
3. Where a 'Farm Home Plate' and 'Farm Home Plate - Migrant Farm Worker Housing' are located on the same parcel of land, they shall be located so as to minimize loss of productive agricultural land.
4. The maximum area of a 'Farm Home Plate - Migrant Farm Worker Housing' is 1,400 square metres except for greenhouses, mushroom operations and berry/vegetable operations with "on-farm processing" or "on-farm product preparation", which are permitted up to 4,300 square metres based on a ratio of 33 square metres per worker.
5.
 - a) The maximum depth of a 'Farm Home Plate' is 60 metres measured from a dedicated or constructed road.
 - b) The maximum depth of a 'Farm Home Plate – Migrant Farm Worker Housing' where it does not adjoin a 'Farm Home Plate', is 60 metres measured from a dedicated or constructed road.
 - c) Where a 'Farm Home Plate' and 'Farm Home Plate - Migrant Farm Worker Housing' are adjoining and located on the same 'Lot', their maximum combined depth is 100 metres measured from a dedicated or constructed road.
 - d) In subsections (a) through (c), distance shall be measured to the closer of either the dedicated or constructed frontage road, abutting road, lane or Highway.
6. The rear face of a 'Farm House', 'Additional Farm House', 'Accessory Farm Residential Facilities', or 'Migrant Farm Worker Housing' shall not be located within 10 metres of the rear of the 'Farm Home Plate'. For the purposes of this section, the rear face of any 'Farm House', 'Additional Farm House', 'Accessory Farm Residential Facilities', or 'Migrant Farm Worker Housing' faces the 'Lot' line opposite the front 'Lot' line.
7. The sewerage septic tank for a dwelling on a 'Farm Home Plate' shall be located on the 'Farm Home Plate'.
8. The sewerage septic tank for 'Migrant Farm Worker Housing' shall be located on the same 'Farm Home Plate – Migrant Farm Worker Housing' as the 'Migrant Farm Worker Housing' that it serves.
9. Subsections 1 through 6 shall not apply to any 'Farm House', 'Additional Farm House' or 'Accessory Farm Residential Facilities' constructed prior to the adoption of 'Delta Zoning Bylaw No. 2750, 1977, Amendment (Rural Residential Bylaw P03-17) Bylaw No. 6367, 2005". For greater certainty, after the adoption of 'Delta Zoning Bylaw No. 2750, 1977, Amendment (Rural Residential Bylaw P03-17) Bylaw No. 6367, 2005", any 'Farm House', 'Additional Farm House' or 'Accessory Farm Residential Facilities' shall be located on the same 'Farm Home Plate', unless varied by a Development Variance Permit.
10. A Development Variance Permit may be considered in order to vary subsections 1 through 8.

Amend.
BL 6798, 2010

- Amend.
BL 6600, 2007
- 507 Area of a 'Farm House', 'Additional Farm House' or 'Migrant Farm Worker Housing':
1. The maximum 'Floor Area – Farm House' on a 'Lot' less than 8 hectares shall be 330 square metres.
 2. The maximum 'Floor Area – Farm House' on a 'Lot' 8 hectares or greater shall be 465 square metres.
 3. The maximum 'Floor Area – Additional Farm House' is a maximum of 180 square metres if located on a 'Lot' less than 8 hectares or a maximum of 233 square metres if located on a 'Lot' 8 hectares or greater.
- Amend.
BL 6798, 2010
4. The maximum 'Floor Area – Migrant Farm Worker Housing' shall be 10 square metres per approved* 'Migrant Farm Worker'. If the building to be used exceeds the maximum allowable floor area per worker or per farm unit, the excess area must be made inaccessible to the workers.
- *Approved by the recognized Federal Government program under which the workers are hired.
- The regulations set out in relation to maximum Floor Area and numbers of workers shall be reviewed and amended to be consistent with guidelines for 'Migrant Farm Worker Housing' established by the Provincial Minister responsible for Agriculture and as amended from time to time.
5. An 'Additional Farm House' may only be used as 'Migrant Farm Worker Housing' where the 'Additional Farm House' legally existed prior to the adoption of Bylaw No. 6367 on May 31, 2006.
- Amend.
BL 6600, 2007
- 508 A. 'Additional Farm House':
1. Not more than one 'Additional Farm House' is permitted on any 'Lot'.
 2. An 'Additional Farm House' is only permitted if:
 - a) it is occupied by a retired person who worked full-time on the farm and is a member of the family that currently operates the farm and written approval of the Agricultural Land Commission has been obtained; or
 - b) it is occupied by 'Migrant Farm Workers' only. The 'Additional Farm House' used for 'Migrant Farm Worker Housing' shall meet the standards of this Zoning Bylaw, the *B.C. Health Act* and the *Guidelines for the Provision of Seasonal Housing for Migrant Farm Workers in BC*, all as amended or replaced from time to time; or
 - c)
 - (i) it is occupied by a full-time farm employee who is required for the farm operation and who provides a net benefit to the existing farm operation; and
 - (ii) The 'Additional Farm House' is sited so as not to have a negative effect on the existing farm operation; and
 - (iii) The net benefit of every 'Additional Farm House' is supported by a report prepared by a Professional Agrologist to be retained by The Corporation of Delta who is a full member of the British Columbia Institute of Agrologists describing:
 - the established level of farm operation;
 - detailed agricultural rationale of the necessity for a full-time farm employee living in the 'Additional Farm House';
 - an assessment of the impacts on the farm operation of the proposed 'Additional Farm House'; and

such report to be prepared to a standard acceptable to the Director of Community Planning & Development, contain sufficient and appropriate rationale for recommendations made, and completed at the cost of the applicant; or

d) Written approval of the Agricultural Land Commission has been obtained.

3. A building permit for an 'Additional Farm House' shall not be unreasonably withheld.

508 B. 'Migrant Farm Worker Housing':

1. 'Migrant Farm Worker Housing' shall only be permitted where all of the following criteria are met:

a) The 'Lot' is located in the Agricultural Land Reserve and has 'Farming' as a "Permitted Use".

b) The 'Lot' is classified as a 'Farm' under the *British Columbia Assessment Act* as amended or replaced from time to time.

c) The 'Farm' on which the 'Migrant Farm Workers' are employed is no less than 8 ha in area.

d) The 'Lot' on which the 'Migrant Farm Worker Housing' is located is no less than 4 ha in area.

2. For 'Migrant Farm Worker Housing' the following conditions apply:

a) All 'Migrant Farm Worker Housing' shall meet the standards in the *B.C. Health Act* and the *Guidelines for the Provision of Seasonal Housing for Migrant Farm Workers in BC*, both as amended or replaced from time to time.

b) Not more than one 'Farm Home Plate - Migrant Farm Worker Housing' is permitted per 'Farm'.

c) Any new building for 'Migrant Farm Worker Housing' shall be a 'Dwelling, Manufactured Home' and may only be placed on a temporary foundation or footings.

d) If a 'Lot' contains two or more existing permanent dwellings, only one can be used for 'Migrant Farm Worker Housing'.

e) The total 'Floor Area – Migrant Farm Worker Housing' shall not exceed 420 m² per farm except for greenhouses, mushroom operations and berry/vegetable operations with 'on-farm processing' or 'on-farm product preparation', which are permitted a maximum of 1,300 square metres per farm based on one 'Migrant Farm Worker' per 1,000 square metres of 'Principal Farm Building'. This limit shall be reviewed and amended to be consistent with guidelines for migrant farm worker housing, established by the Provincial Minister responsible for Agriculture and as amended from time to time.

f) Not more than 42 'Migrant Farm Workers' per 'Farm' are permitted except for greenhouses, mushroom operations and berry/vegetable operations with 'on-farm processing' or 'on-farm product preparation', which are permitted one 'Migrant Farm Worker' per 1,000 square metres of 'Principal Farm Building' floor area, to a maximum of 130 workers per farm. This limit shall be reviewed and amended to be consistent with guidelines for migrant farm worker housing established by the Provincial Minister responsible for Agriculture and as amended from time to time.

g) The minimum 'Floor Area' per 'Migrant Farm Worker' in 'Migrant Farm Worker Housing' is 7.44 m², which includes living and sleeping areas but does not include:

a) any common laundry, washroom or storage areas and mechanical rooms;

b) open balconies, decks, terraces and exterior steps.

Amend.
BL 6798, 2010

Amend.
BL 6798, 2010

Amend.
BL 6798, 2010

- Amend.
BL 6798, 2010
- h) The minimum volume per 'Migrant Farm Worker' is 8.5 m³ per person in the sleeping area of any 'Migrant Farm Worker Housing'.
- i) "Amenity Open Space" shall be provided on the same 'Farm Home Plate – Migrant Farm Worker Housing' as the 'Migrant Farm Worker Housing' at a minimum standard of 50 m² plus 5 m² per 'Migrant Farm Worker'. Where the 'Amenity Open Space' is subject to inundation by water or is otherwise unsuitable for leisure use, a deck or similar structure shall be provided at the minimum standard noted above. This requirement shall be reviewed and amended to be consistent with migrant farm worker housing guidelines when such guidelines are established by the Provincial Minister responsible for Agriculture.
- Amend.
BL 6798, 2010
- j) Where a 'Farm' accommodates more than 20 'Migrant Farm Workers', 'Amenity Indoor Space – Migrant Farm Worker Housing' may also be provided in a mobile, manufactured building to a maximum of 50 square metres floor area. This building shall be separate from the building(s) which contain workers' sleeping areas but included on the 'Farm Home Plate – Migrant Farm Worker Housing'. This space may also be provided in a mobile, manufactured building to a maximum of 50 square metres of floor area. This building shall be separate from the building(s) which contain workers' sleeping area but included on the 'Farm Home Plate – Migrant Farm Worker Housing'. This space may include one enclosed bathroom with a toilet and sink but may not include any other plumbing fixtures or wall partitions. Provision of 'Amenity Indoor Space – Migrant Farm Worker Housing' is optional and may only be provided in addition to the minimum requirement for 'Amenity Outdoor Space'.
- k) Prior to occupancy of the 'Migrant Farm Worker Housing' and annually thereafter, the operator of a 'Farm' shall deposit a statutory declaration with The Corporation of Delta, verifying:
- the dates of proposed occupancy;
 - the number of 'Migrant Farm Workers' approved for that farm in an employment confirmation provided through the Federal Migrant Agricultural Farm Worker Program or Pilot Project for Occupations Requiring Lower Levels of Formal Training, as amended or replaced from time to time;
 - that the housing complies with all applicable Municipal regulations;
 - that the housing has been inspected by an Inspector recommended by the Western Agriculture Labour Initiative (W.A.L.I.) and certified as being in compliance with the "Guidelines for the Provision of Housing for Seasonal Agricultural Workers in BC" as amended or replaced from time to time;
 - that there is available by telephone twenty-four hours a day, a person who is fluent in English and who may be contacted by phone twenty-four hours a day, to answer enquiries from the municipality as to occupancy of 'Migrant Farm Worker Housing' on the farm;
 - the contact information for the appointed person shall be provided in the required annual statutory declaration and updated should it change prior to deposit of the next annual statutory declaration;
 - that the 'Migrant Farm Worker Housing' is covered by insurance for the dwelling; and
 - that the 'Migrant Farm Worker Housing' shall be occupied only by workers hired through the Federal Migrant Agricultural Farm Worker Program or the Pilot Project for Occupations Requiring Lower Levels of Formal Training for that 'Farm'.
- Amend.
BL 6798, 2010

Documentation shall be provided to support the statements made in the statutory declaration.

- l) 'Migrant Farm Worker Housing' shall not be occupied except during the time periods identified in the statutory declaration.
- m) The owner of the 'Lot' on which the 'Migrant Farm Worker Housing' is located shall register on the title of that 'Lot', a restrictive covenant against the title stating that:

Amend.
BL 6798, 2010

- the accommodation shall only be used for the accommodation of full-time 'Migrant Farm Workers' hired for that 'Farm' through the Federal programs specified in this Bylaw, as amended or replaced from time to time;
- the accommodation shall only be used during the periods of time approved by the Federal program under which the workers are hired;
- the 'Dwelling, Manufactured Home' used for 'Migrant Farm Worker Housing' shall be removed, at the owner's expense, by December 31st of the second year following the year when the most recent statutory declaration was submitted;
- an 'Additional Farm House' used for 'Migrant Farm Worker Housing' shall be removed or converted to a non-residential use, at the owner's expense, by December 31st of the second year following the year when the most recent statutory declaration was submitted;
- a minimum financial security, equal to the cost to remove a 'Dwelling, Manufactured Home' or to demolish or convert an 'Additional Farm House' as the case may be, shall be provided to Delta. This security may be drawn upon by the Municipality should the owner fail to remove, demolish or convert the 'Migrant Farm Worker Housing' as required in this Bylaw by December 31st of the second year following the year when the most recent statutory declaration was submitted;
- a new estimated cost prepared by a qualified contractor to remove, demolish or convert as appropriate, the 'Migrant Farm Worker Housing' shall be provided to Delta every five years and the financial security deposited with Delta adjusted accordingly;
- if the security is not sufficient to cover the costs incurred by the Municipality, the Owners shall pay the balance owing to the Municipality. If the balance is not paid, the Municipality shall be authorized to recover the amount of the invoice, from the Lands in the same manner as it would be able to collect unpaid Municipal taxes;

Amend.
BL 6798, 2010

- the owner shall provide Delta with current contact information for a person who is fluent in English and who may be contacted by phone twenty-four hours a day, to answer enquiries from the municipality as to occupancy of 'Migrant Farm Worker Housing' on the farm;

Amend.
BL 6798, 2010

- the contact information for the appointed person shall be provided in the required annual statutory declaration and updated should it change prior to deposit of the next annual statutory declaration; and
- the operator of the 'Farm' shall indemnify and save Delta harmless for any loss or damage suffered as a result of Delta exercising any rights or enforcing any obligations in the covenant.

- n) The operator of the 'Farm' shall provide to Delta a minimum financial security, equal to the cost to remove a 'Dwelling, Manufactured Home' or to demolish or convert an 'Additional Farm House' as the case may be, which may be drawn upon by the Municipality should the owner fail to remove, demolish or convert the 'Migrant Farm Worker Housing' as required in this Bylaw by December 31st of the second year following the year when the most recent statutory declaration was submitted.

509 Special Requirements in Edge Planning Area*: - (Non-Residential Farm Use)

Notwithstanding Section 501, the following uses, buildings or structures are not permitted in the Edge Planning Area shown on Schedule I:

- a) Raising and keeping of swine and fur-bearing animals;
- b) 'Kennel', Breeding pets;
- c) Buildings, structures and outdoor areas containing 'Mushroom Growing Medium' or where 'Mushroom Growing Medium' is prepared or stored.

*The regulations set out in this section shall be reviewed and amended to be consistent with Edge-Planning Guidelines established by the Provincial Minister responsible for Agriculture when such guidelines are established.

Amend.
BL 6600, 2007
Amend.
BL 6798, 2010

510 Setbacks: Non-Residential Farm Use and 'Migrant Farm Worker Housing'*:

The uses, buildings and structures set out in Column 1 below shall be no closer in horizontal distance to the 'Lot' lines in Columns 2, 3 and 4 or to any point of a building used for 'Migrant Farm Worker Housing' in Column 5 below, than the distance specified in those columns. The 'front lot line' and 'Lot' line adjacent to flanking road setbacks in Column 2 applies to the frontage road and abutting roads, lanes or Highways. Column 4 applies in place of Column 2 or 3 for property lines along the ALR boundary in the Edge Planning Area shown on Schedule I. Section 305 does not apply to lands in this Zone.

The following 'front lot line' and flanking road setbacks apply to a frontage road, abutting road, lane or Highway. Where there is no dedicated road in place, distance shall be measured to the closer of either the dedicated or constructed frontage road, abutting road, lane or Highway.

Amend.
BL 6798, 2010

	Column 1	Column 2	Column 3	Column 4 (Edge Planning Area)	Column 5
	Use, Building or Structure	'Front Lot Line' and 'Lot' line adjacent to a flanking road	Other 'Lot' lines	Property within the area outlined in Schedule I	'Migrant Farm Worker Housing' Building
a.	Farm buildings, structures, or outdoor storage areas, except as provided in Rows (b) through (q) below.	7.5 metres	4.5 metres	7.5 m except for boilers and exterior fans where setback is 15 metres.	7.5 metres

PART V: A1

b.	Farm buildings, structures, or outdoor storage areas, including 'Confined Livestock Areas', containing animals other than swine and fur-bearing animals.	15 metres	15 metres	60 metres	30 metres
c.	Farm buildings, structures, or outdoor storage areas, including 'Confined Livestock Areas', containing swine and fur-bearing animals.	30 metres	30 metres	Not Permitted	30 metres
d.	'Agricultural Liquid Waste Storage Facility'	30 metres	30 metres	30 metres	30 metres
e.	'Agricultural Solid Waste Storage Facility'	15 metres	15 metres	30 metres	30 metres
f.	'Agricultural Solid Waste' Field Storage	30 metres	30 metres	30 metres	30metres
g.	'On-farm Composting', whether inside or outside of farm buildings or structures.	30 metres	30 metres	30 metres	30 metres
h.	'Mushroom Growing Medium' preparation and storage whether inside or outside of farm buildings or structures.	30 metres	30 metres	Not permitted	30 metres
i.	'Soilless Medium' Preparation	15 metres	15 metres	15 metres	30 metres
j.	'Soilless Medium' Storage	7.5 metres	7.5 metres	7.5 metres	7.5 metres
k.	'Detention Pond'	7.5 metres	4.5 metres	4.5 metres	4.5 metres
l.	Wood Waste Storage	7.5 metres	7.5 metres	7.5 metres	7.5 metres
m.	Silo	30 metres	30 metres	30 metres	30 metres
n.	Chemical Storage	7.5 metres	7.5 metres	15 metres	30 metres
o.	Incinerators	30 metres	30 metres	30 metres	30 metres

Amend.
BL 7286, 2014

p.	Generator Shed or 'Cogeneration Facility'	15 metres	15 metres	15 metres	30 metres
q.	'Migrant Farm Worker Housing' building	6.0 metres	15 metres	15 metres	3 metres

Amend.
BL 6798, 2010

*The regulations set out in Columns 4 and 5 above shall be reviewed and amended to be consistent with Edge Planning Guidelines established by the Provincial Minister responsible for Agriculture when such guidelines are established.

511 Additional 'Separation Distance' – Non-Residential Farm Use*:

- The uses, activities, buildings, and structures set out in Column 1 below shall be no closer in horizontal distance to a 'Natural Stream', 'Channelized Stream', or a 'Constructed Ditch', than the distance specified below:

	'Natural Stream'	'Channelized Stream'	'Constructed Ditch'
Seasonal Feeding areas, 'Agricultural Solid Waste' field storage facility with more than 2 weeks storage time, 'Confined livestock Area' with more than 10 agricultural units (1 agricultural unit = live weight of 455 kg of livestock, poultry, or farmed game or any combination of them equalling 455 kg)	30 m	30 m	30 m
'Agricultural Solid Waste Storage Facility', 'Agricultural Liquid Waste Storage Facility', chemical storage, compost storage, composting, incinerator, silo, wood waste storage, mushroom barn, 'Confined Livestock Area' with less than 10 agricultural units (1 agricultural unit = live weight of 455 kg of livestock, poultry, or farmed game or any combination of them equalling 455 kg)	15 m	15 m	15 m
All other farm buildings and structures	15 m	10 m	5 m

*The regulations set out in the table above shall be reviewed and amended to be consistent with Streamside Protection Guidelines established by the Province of B.C. when such guidelines are established.

- A Development Variance Permit may be used to vary the setbacks in subsection 1 if supported by a report documenting the impacts of a reduced setback. The report shall be prepared at the cost of the applicant by a qualified environmental professional as defined in the Riparian Areas Regulation as amended from time to time. The report shall be prepared to a standard acceptable to the Director of Community Planning and contain sufficient and appropriate rationale for the recommendations made.

512 Maximum 'Agricultural Site Coverage' – Non-Residential Farm Use:

The 'Agricultural Site Coverage' associated with the following uses shall not exceed the percentage set out opposite thereto:

- | | | |
|----|---|-----|
| a) | Apiculture | 20% |
| b) | Nurseries, Specialty Wood Crops, and Turf Farms | 35% |

- | | | |
|----|---|-----|
| c) | Raising of Livestock, Poultry, Game, and Fur including 'Confined Livestock Areas' | 35% |
| d) | Mushroom growing | 35% |
| e) | Growing of Tree, Vine, Field & Forage Crops | 25% |

513 'Agricultural Product' and 'Mushroom Growing Medium' Storage, Processing and Preparation:

A minimum of 50% of the total volume of the 'Agricultural Products' or 'Mushroom Growing Medium' stored on a 'Lot' or processed or prepared by 'On-farm Processing' or 'On-Farm Product Preparation' on a 'Lot':

- a) must be consumed as animal feed or used in the production of mushrooms, on a farm owned or operated by the owner or lessee of the 'Lot': or
- b) must have been harvested, grown, raised, or produced on a farm owned or operated by the owner or lessee of the 'Lot'.

514 Agricultural Waste Management and 'On-Farm Composting':

1. Using, storing, and managing 'Agricultural Solid Waste' and 'Agricultural Liquid Waste' must conform to the Code of Agricultural Practice for Waste Management, April 1, 1992 established by the 'Agricultural Waste Control Regulation' of the *Environmental Management Act*, as amended from time to time.
2. All 'On-farm Composting', including but not limited to mushroom and manure composting, must conform to the Code of Agricultural Practice for Waste Management, April 1, 1992, established by the 'Agricultural Waste Control Regulation' of the *Environmental Management Act*, as amended from time to time, and the 'Organic Matter Recycling Regulation' of the *Environmental Management Act*, as amended from time to time. 'Mushroom Growing Medium' preparation and storage shall comply with the 'Mushroom Composting Pollution Prevention Regulation' of the *Environmental Management Act* as amended from time to time.
3. Notwithstanding the above, where 'On-farm Composting' takes place within the 'Edge Planning Area' identified in Schedule I, the following regulations apply:
 - a) Compost shall be maintained in a manner that allows aerobic decomposition.
 - b) Impermeable surfaces shall be required for all storage.
 - c) The total volume of compost production on site, including mixed and finished compost, shall be limited to 100 m³ at any one time.
4. Where more than 50% of the raw materials or 'Agricultural Solid Waste' used for 'On-farm Composting' originates from on the farm, then 100% of the finished compost may be distributed or sold off the farm.
5. Where less than 50% but more than 1% of the raw materials or 'Agricultural Solid Waste' used for 'On-farm Composting' originates from on the farm, then up to 50% of the finished compost may be distributed or sold off the farm.
6. Where 100% of the raw materials or 'Agricultural Solid Waste' used for 'On-farm Composting' originates from off the farm, then 100% of the finished compost must be used on that farm and shall not be distributed or sold off the farm.

515 Farm Retail Sales*:

1. Notwithstanding Section 501, 'Farm Retail Sales' shall only be permitted on a 'Lot' assessed as a farm pursuant to the *Assessment Act*.
2. Where all of the products offered for sale are produced on the farm on which the retail sales are taking place, the size of the 'Farm Retail Area' shall not be limited, but the location is subject to all applicable siting and setback provisions.
3. Where any of the products offered for sale are not produced on the farm on which the

retail sales are taking place:

- a) a 'Farm Retail Area' shall not exceed 300 m²; and
- b) a minimum of 50% of the 'Farm Retail Area' shall be limited to product produced on that farm.

*The regulations set out in this section shall be reviewed and amended to be consistent with amendments to any policies on farm retail uses established by the Provincial Minister responsible for Agriculture when such policies are amended.

516 Vehicle Storage, Parking and Loading:

1. Nothing in the regulations of this section shall be interpreted so as to restrict the parking, storage or numbers of "farm vehicles".
2. Off-Street parking shall be provided as per Part IX and Section 410 of this Bylaw.
3. For each 'Farm House' or 'Additional Farm House' overnight parking of a maximum of six recreational vehicles is permitted. For the purposes of this section, recreational vehicles include only utility trailers not exceeding 5,500 kilograms licensed gross vehicle weight, pleasure boats, motor homes and towable campers, all of which shall be uninhabited and are kept primarily for other than gain, rent or sale.
4. The storage or parking of any 'wrecked motor vehicles' is prohibited unless:
 - a) they are within an enclosed building or obscured from view from any property line; or
 - b) they are:
 - i) considered farm tractors or implements of husbandry under the *Motor Vehicle Act*, as amended from time to time;
 - ii) trucks over 5,500 kilograms licensed gross vehicle weight which are considered farm vehicles as defined in the 'Commercial Transport Regulation' of the *Commercial Transport Act* as amended from time to time;and are kept for the purpose of salvaging parts to repair or maintain other farm tractors, implements of husbandry as defined in the *Motor Vehicle Act*, as amended from time to time or farm vehicles as defined in the 'Commercial Transport Regulation' of the *Commercial Transport Act* as amended from time to time on that farm.
5. Off-Street loading spaces shall be provided as per Part IV, Section 409 and 411 and Part IX, Section 902.

517 Facilities and Services to be Available:

Notwithstanding any other provision of this Bylaw, land may be used for those "Permitted Uses" and "Permitted Accessory Uses" set out in the A1-Agricultural Zone subject to immediate availability and adequacy of Municipal facilities and services to serve each parcel of land and each unit of every building, structure and use to be erected, placed, or carried out thereon. For the purposes of this section, 'facilities and services' means Sanitary sewer, waterworks, on-site fire protection, and drainage works to the standards set out in the current Delta Subdivision and Development Standards Bylaw.

Amend.
BL 7286, 2014

518 Criteria for 'Cogeneration Facility' in this zone

1. The 'Combined Heat and Power Engine' must be fueled by natural gas.
2. The 'Combined Heat and Power Engine' must be sized to be commensurate with the heat demand of the 'Greenhouse Operation'.
3. The hours of operation of the 'Cogeneration Facility' shall be determined by the thermal, electrical and/or CO₂ demands of the 'Greenhouse Operation' on the lands.
4. The 'Cogeneration Facility' shall be used to meet the thermal, electrical and/or CO₂ requirements for cultivation and production of agricultural products within the 'Greenhouse Operation' on the lands.

5. The 'Combined Heat and Power Engine' capacity must not exceed 1.0 MW_e/ha of land in 'Greenhouse' crop production on the farm operation. A 'Combined Heat and Power Engine' with a capacity up to 1.5 MW_e/ha is permitted if high intensity lighting (greater than 10,000 lux) is used in the 'Greenhouse'.
6. The 'Combined Heat and Power Engine' must operate with an efficiency of at least 80 percent.
7. The farm must have capacity to store excess heat generated by the 'Combined Heat and Power Engine' for beneficial use by the 'Greenhouse Operation'.
8. The 'Combined Heat and Power Engine' operation must meet emission standards established by Metro Vancouver or as required in the *BC Environmental Management Act* or appropriate successor legislation.
9. The 'Cogeneration Facility' shall be disconnected from its natural gas fuel supply if it cannot be demonstrated that the criteria noted above are being met.

