Amend BL 8285, 2023

PART 10 AGRICULTURE ZONES

10.10 A1: AGRICULTURE ZONE

10.10.1 INTENT

This *zone* is intended for *farming*, breeding pets, *kennels* and related *uses*.

10.10.2 PRINCIPAL USES

Breeding pets

Farming

Kennel

10.10.3 ACCESSORY USES

Accessory farm dwelling unit, accessory to a *farm house*

Accessory farm residential facilities, accessory to a *farmhouse, accessory farm dwelling unit* or *additional farm house*

Additional farm house, accessory to *farming*

Agricultural liquid waste storage facility, accessory to *farming*

Agricultural solid waste storage facility, accessory to *farming*

Agri-tourism, accessory to *farming*

Bed and breakfast operation

Co-generation facility, accessory to a *greenhouse operation*

Farm alcohol production facility

Farm cannabis processing, accessory to *farming*

Farm house, accessory to *farming*, breeding pets or *kennel*

Farm retail sales, accessory to *farming*

Home occupation, accessory to a f*arm house, accessory farm dwelling unit* or *additional farm house*

See Section 6.1.10 for *home occupation* regulations

Equestrian facility with a maximum of 40 permanent stalls but not including a racetrack licensed by the Province of British Columbia, accessory to farming

Keeping of *household pets*, accessory to a *farm hous*e, *secondary suite*, *accessory farm dwelling unit* or *additional farm house*

Migrant farm worker housing, accessory to *farming*

Office space, change rooms, lunchrooms, washrooms, storage and product preparation areas, accessory to any *principal use*

On-farm composting, accessory to *farming*

On-farm gathering, accessory to *farming*

On-farm processing, accessory to *farming*

On-farm product preparation, accessory to *farming*

Retail sales of equestrian-related goods, accessory to an equestrian facility

Secondary suite, accessory to a *farm house*

Soilless medium preparation and storage, accessory to *farming*

10.10.4 DENSITY: RESIDENTIAL

Maximum total *floor area* for residential use on a lot shall be:

Dwelling Type	Maximum Total Floor Area
Farm house	500 m²
Accessory farm dwelling unit	On a *lot* 40 ha or less: 90 m²*
	On a *lot* more than 40 ha: 186 m2*
Additional farm house	On a *lot* less than 8 ha: 180 m²
	On a *lot* 8 ha or greater: 233 m²
Migrant farm worker housing	15 m² per *migrant farm worker* to a maximum of 630 m² per *farm*
Migrant farm worker housing* on a *farm* primarily used for *greenhouses*, mushroom operations and berry or vegetable operations with *on-farm processing* or *on-farm product preparation	15 m² per *migrant farm worker* to a maximum of 1,950 m² per farm, based on 1 *migrant farm worker* per 1,000 m² of *principal farm building*

*Despite any other definition of *gross floor area* within this bylaw, the *gross floor area* of an *accessory farm dwelling unit* shall be measured to the inner surface of the exterior walls of the structure.

10.10.5 SETBACKS: RESIDENTIAL

(a) Minimum setbacks for residential building and structures shall be:

See Section 10.10.11 and Section 10.10.12 for additional *setback* regulations

	Front Lot Line* or *Flanking Street	Other *Lot Lines*	Rear of *farm home plate*
Farm house	6 m	15 m	10 m
Accessory farm dwelling unit			
Additional farm house			
Accessory farm residential facilities* except for decorative *landscaping			
Migrant farm worker housing			

(b) Despite subsection (a), where *lot width* is less than 50 m, the setback from a *lot line* other than a *front lot line*, a *flanking street* or the rear of a *farm home plate*, shall be the lesser of:

(i) 15 m, or

(ii) 10% of *lot width*, but not less than 3 m.

(c) The *front lot line* and *flanking street* setbacks apply to the closer of either the dedicated or the constructed *street, lane* or *highway*.

(d) The minimum *setback* between *buildings* used for *migrant farm worker housing* shall be 3 m.

(e) No *building* or *outdoor amenity space* used for *migrant farm worker housing* shall be located closer than 30 m 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 in subsection (f) may be used.

(f) *Landscape* screening shall be:

(i) Located between the *migrant farm worker housing* and the *dwelling unit* in question;

(ii) Located at least 6 m from the nearest wall of the *building* used for *migrant farm worker housing*;

(iii) A landscape strip a minimum length equivalent to the longest side of the *building* used for *migrant farm worker housing*, and at least 1.5 in width consisting of a thick hedge of hardy shrubs or evergreen trees not less than 1.8 m in height and maintained in a healthy growing condition.

10.10.6 FARM HOME PLATE

(a) Maximum area of a *farm home plate* shall be as follows:

Dwelling Type	Maximum Size of Farm Home Plate	Maximum Depth of Farm Home Plate
Farm house* with or without an *accessory farm dwelling unit	3,600 m²	60 m
Farm house with or without an accessory farm dwelling unit, plus additional farm house	5,000 m²	60 m
Migrant farm worker housing	1,400 m²	60 m where not adjoining another *farm home plate* 100 m maximum combined depth where adjoining another *farm home plate*
Migrant farm worker housing on a farm with greenhouses, mushroom operations and berry or vegetable operations with on-farm processing or on-farm product preparation	4,300 m² based on a ratio of 35 m² per worker	

(b) Maximum depth of a *farm home plate* shall be measured to the closer of either the dedicated or constructed *fronting street*, *flanking street*, *lane* or *highway*.

(c) 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.

(d) The sewerage septic tank for a *dwelling unit* or *migrant farm worker* housing shall be located on the same *farm home plate* that it serves.

(e) Subsections (a) through (d) 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.

10.10.7 HEIGHT

The following *maximum heights* shall apply:

	Principal Structure	Accessory Structure
Farm House* or *Additional Farm House	3	1
Accessory Farm Dwelling Unit	2	n/a

10.10.8 MINIMUM LOT SIZE FOR SUBDIVISION

(a) Subdivision shall not be permitted except where it is in compliance with the Delta Official Community Plan Bylaw and has been approved under the Agricultural Land Commission Act if applicable. Where permitted, the minimum *lot* size that may be created by subdivision is 8 ha.

(b) Subsection (a) shall not apply to a home site severance in accordance with the Agricultural Land Commission Act, Policy No. 11 March 2003.

10.10.9 ADDITIONAL REGULATIONS: RESIDENTIAL USE

(a) *Farm House*

(i) One *farm house* per *lot* is permitted.

(b) *Secondary Suite*

(i) One *secondary suite* is permitted accessory to a *farm house* only.

(c) *Accessory Farm Dwelling Unit*

(i) One *accessory farm dwelling unit* per *lot* is permitted.

(ii) An *accessory farm dwelling unit* may be in the form of either a *single detached dwelling* unit or a *coach house*.

(iii) An *accessory farm dwelling unit* is permitted if:

(1) There is no more than one *farm house* on the *lot*; and

(2) The floor area of the *farm house* does not exceed 500 m^2;

(iv) Approval of the Agricultural Land Commission is required for more than one *accessory farm dwelling unit*.

(v) An *accessory farm dwelling unit* shall be located on the same *farm home plate* as the *farm house*.

(vi) An *accessory farm dwelling unit* shall be independent and entirely separate from any other *dwelling unit* located on the same *lot*.

(d) *Additional Farm House*

(i) An *additional farm house* is permitted only if:

(1) The net benefit of the *additional farm house* is supported by a report prepared by a Professional Agrologist, who is a full member of the British Columbia Institute of Agrologists describing:

(1.1) the established level of *farm* operation;

(1.2) detailed agricultural rationale of the necessity for a full-time *farm* employee living in the *additional farm house*;

(1.3) an assessment of the impacts on the *farm* operation of the proposed *additional farm house*;

(1.4) such report be prepared to a standard acceptable to the *General Manager, Development*; and

(1.5) contain sufficient and appropriate rationale for recommendations made, and be completed at the cost of the applicant; and

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

(ii) Subdivision of an *additional farm house* under the Strata Property Act is prohibited.

(iii) Where an *additional farm house* existed legally prior to the adoption of Bylaw No. 6367 on May 31, 2006, it may only be used for *migrant farm worker housing* provided that all of the standards and conditions for that use are met.

(e) *Migrant Farm Worker Housing*

(i) *Migrant farm worker housing* shall only be permitted where all of the following criteria are met:

(1) the *lot* is located in the Agricultural Land Reserve and has *farming* as a permitted use;

(2) the *lot* is classified as a *farm* under the Assessment Act;

(3) Written approval of the Agricultural Land Commission has been obtained;

(4) the *farm* on which the *migrant farm workers* are employed is no less than 8 ha in area; and

(5) the *lot* on which the *migrant farm worker housing* is located is no less than 4 ha in area.

(ii) For *migrant farm worker housing,* the following conditions apply:

(1) *migrant farm worker housing* shall meet all Provincial and Federal standards for the provision of housing for temporary agricultural workers in BC.

(2) not more than one *farm home plate - migrant farm worker housing* is permitted per *farm*.

(3) any new *building* for *migrant farm worker housing* shall be a manufactured home and may only be placed on a temporary foundation or footings.

(4) if a *lot* contains two or more existing permanent dwellings, only one can be used for *migrant farm worker housing*, subject to the *floor area* limits per approved *migrant farm worker* set out in this *zone*.

(5) The minimum *floor area* per *migrant farm worker* in *migrant farm worker housing* is 7.44 m^2, which includes living and sleeping areas, but does not include any common laundry, washroom or storage areas and mechanical rooms, or open balconies, decks, terraces and exterior steps.

(6) The minimum volume per *migrant farm worker* is 8.5 m^3 per person in the sleeping area of any *migrant farm worker housing*.

(7) *Outdoor amenity 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 m^2 plus 5 m^2 per *migrant farm worker*. Where the *outdoor amenity 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.

(8) Where a *farm* accommodates more than 20 *migrant farm workers*, *indoor amenity space – migrant farm worker housing* may also be provided in a mobile, manufactured *building* to a maximum of 50 m^2 in *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 include one enclosed bathroom with a toilet and sink but may not include any other plumbing fixtures or wall partitions. Provision of *indoor amenity space – migrant farm worker housing* is optional and may only be provided in addition to the minimum requirement for *outdoor amenity space*.

(9) The owner of the *lot* on which the *migrant farm worker housing* is located shall register on the title of that *lot* a Section 219 covenant containing the requirements outlined in Schedule E.

10.10.10 SITE COVERAGE: NON-RESIDENTIAL

Maximum *agricultural site coverage* shall be:

Apiculture	20%
Farm cannabis processing	5%
Greenhouses	75%
Growing of Tree, Vine, Field and Forage Crops	25%
Mushroom Growing	35%
***Nurseries*, Specialty Wood Crops and Turf Farms**	35%
Raising of Livestock, Poultry, Game and Fur including *confined livestock areas*	35%

10.10.11 SETBACKS: NON-RESIDENTIAL

(a) Minimum *setbacks* for non-residential buildings and structures shall be:

	Use, Building* or *Structure	***Front lot line* and *lot line* adjacent to a *flanking street***	**Other *lot lines***	**All *lot* lines along the ALR boundary in the *Edge Planning Area* Maps in Section 10.10.14**	***Migrant farm worker housing building***
(i)	*Farm buildings, structures,* or outdoor storage areas, except as provided in rows (ii) through (xvi)	7.5 m	4.5 m	7.5 m except for boilers and exterior fans where setback is 15 m	7.5 m
(ii)	*Farm buildings, structures*, or outdoor storage areas, including *confined livestock areas*, containing animals other than swine and fur-bearing animals	15 m	15 m	60 m	30 m
(iii)	*Farm buildings, structures*, or outdoor storage areas, including *confined livestock areas*, containing swine and fur-bearing animals	30 m	30 m	Not permitted	30 m
(iv)	Agricultural by-product storage *structures*, *agricultural solid waste* field storage or *agricultural liquid waste storage facility*	30 m	30 m	30 m	30 m
(v)	*Agricultural solid waste storage facility*	15 m	15 m	15 m	30 m
(vi)	Chemical storage	7.5 m	7.5 m	15 m	30 m
(vii)	*Detention pond*	7.5 m	4.5 m	4.5 m	4.5 m
(viii)	*Farm alcohol production facility*: Outdoor lounge, special event area, or picnic area	7.5 m	15 m	30 m	7.5 m
(ix)	*Farm cannabis production* or *farm cannabis processing facility*	30 m	30 m	Not permitted	30 m
(x)	Generator shed or *cogeneration facility*	15 m	15 m	15 m	30 m
(xi)	Incinerator or silo	30 m	30 m	30 m	30 m
(xii)	*Mushroom growing medium* preparation and storage	30 m	30 m	Not permitted	30 m
(xiii)	*On-farm composting*	30 m	30 m	30 m	30 m
(xiv)	*On-farm gathering* event area	15 m	30 m	30 m	7.5 m
(xv)	*Soilless medium preparation*	15 m	15 m	15 m	30 m
(xvi)	*Soilless medium* or wood waste storage	7.5 m	7.5 m	7.5 m	7.5 m

(b) The *front lot line* and *flanking street setbacks* apply to a *fronting street*, *lane* or *highway*. Where there is no dedicated *street* in place, distance shall be measured to the closer of either the dedicated or the constructed *street*, *lane* or *highway*.

10.10.12 SETBACKS: RIPARIAN AREAS

Minimum *setbacks* shall be:

	Separation Distance to a:		
	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*	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*	15 m	15 m	15 m
All other *farm buildings* and *structures*	15 m	10 m	5m

*1 agricultural unit = live weight of 455 kg of livestock, poultry, or farmed game or any combination of them equaling 455 kg

10.10.13 ADDITIONAL REGULATIONS: NON-RESIDENTIAL USE

(a) *Agri-Tourism*

Agri-tourism activities are permitted subject to the following:

(i) The activity is conducted on agricultural land that is classified as a *farm* under the Assessment Act;

(ii) Members of the public are ordinarily invited to the activity, whether or not a fee or other charge is payable;

(iii) No permanent facilities are constructed or erected in connection with the activity;

(iv) No soil or fill is brought onto the property for the purpose of accommodating *agri-tourism* activities.

(b) Apiaries, Beekeeping and *Beehive* Storage

(i) Within the *Edge Planning Area*, the keeping of bees, *beehives* and *nucleus colonies* is permitted where they are:

(1) Located behind a continuous *fence* or hedge 1.8 m in height that has length extending 6 m beyond the *beehive* or *nucleus colony* in each direction; or

(2) Raised to a minimum of 2.5 m above the *finished grade*; or

(3) Located a minimum of 7.5 m from all *lot* lines.

(ii) For *lots* equal to or less than 1,000 m² in area, a maximum of 2 *beehives* and 2 *nucleus colonies* may be kept.

(iii) For *lots* greater than 1,000 m² in area which are not classified as a *farm* under the Assessment Act, R.S.B.C. 1996, c. 20, a maximum of 4 *beehives* and 4 *nucleus colonies* may be kept.

(iv) For *lots* greater than 1,000 m² in area which are classified as a *farm* under the Assessment Act, R.S.B.C 1996, c. 20, the number of *beehives* or *nucleus colonies* is not restricted.

(v) Nothing in this section shall restrict the active temporary use of *beehives* for crop pollination services.

(c) *Cannabis Production* and *Farm Cannabis Processing*

(i) The growing of cannabis shall only be permitted as a *farming* use where the following criteria are met:

(1) the lot is located in the Agricultural Land Reserve and in a *zone* in which *farming* is a permitted use; and

(2) all federal and provincial licenses, permits and approvals have been obtained for such growing.

(ii) Such growing occurs outdoors in a field or inside a *structure* that has a base consisting entirely of soil, or was, before July 13, 2018:

(1) constructed for the purpose of growing crops inside it, or

(2) under construction for the purpose of growing crops inside it, if that construction;

(3) being carried out in accordance with all applicable authorizations and enactments;

(4) continuing without interruption from the date it began to the date the *structure* is completed, other than work stoppages considered reasonable in the *building* industry; and

(5) has not been altered since that date to increase the size of its base or to change the material used as its base.

(iii) The maximum *floor area* of any *building* used for *farm cannabis processing* shall be 5% of the lot area on lots greater than or equal to 4 ha in size or 2,000 m² *gross floor area* on *lots* less than 4 ha in size;

(iv) Where *cannabis production* and *farm cannabis processing* take place, they shall not be located within 1 km of a school or public park.

(d) *Cogeneration Facilities*

(i) A combined heat and power engine must be fueled by natural gas.

(ii) The combined heat and power engine must be sized to be commensurate with the heat demand of the *greenhouse* operation.

(iii) 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.

(iv) 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.

(v) The combined heat and power engine capacity must not exceed 1 MWe/ha of land in *greenhouse* crop production on the *farm operation*. A combined heat and power engine with a capacity up to 1.5 MWe/ha is permitted if high intensity lighting (greater than 10,000 lux) is used in the *greenhouse*.

(vi) The combined heat and power engine must operate with an efficiency of at least 80%.

(vii) The farm must have capacity to store excess heat generated by the combined heat and power engine for beneficial use by the *greenhouse operation*.

(viii) The combined heat and power engine operation must meet emission standards established by Metro Vancouver or as required in the Environmental Management Act or appropriate successor legislation.

(ix) 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.

(x) Permission from the Agricultural Land Commission shall be obtained where required.

(e) *Farm Alcohol Production Facility*

A *farm alcohol production facility* is permitted subject to:

(i) Compliance with the requirements of the Agricultural Land Reserve Use Regulation B.C. Regulation 30/2019, as amended from time to time.

(ii) Retaining appropriate and current Provincial licensing.

(iii) The following ancillary uses are permitted, subject to the maximum *floor areas* noted. The *floor area* used for washroom facilities is excluded from the total.

Ancillary Use	Maximum *Floor Area*
(1) Indoor food and beverage service lounge, including areas used to conduct cooking classes	125 m²
(2) Outdoor food and beverage service lounge	125 m²

(f) *Farm Retail Sales*

(i) Despite Section 10.10.2, *farm retail sales* shall only be permitted on a *lot* assessed as a farm pursuant to the Assessment Act.

(ii) Where all of the products offered for sale are produced on the *farm* on which the *farm 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.

(iii) Where any of the products offered for sale are not produced on the *farm* on which the *farm retail sales* are taking place,

(1) A *farm retail area* shall not exceed 300 m², and

(2) A minimum of 50% of the *farm retail area* shall be limited to product produced on that *farm*.

(iv) Despite subsections (i) through (iii) above, a *cannabis dispensary* is prohibited.

(v) A *farm retail area* for equestrian-related goods accessory to a horse riding, training and boarding facility shall not exceed a floor area of 50 m²

(g) *On-Farm Gathering*

On-farm gathering for an event is permitted where:

(i) the event is conducted on agricultural land that is classified as a *farm* under the Assessment Act;

(ii) no permanent facilities are constructed or erected in connection with the event;

(iii) *parking* for those attending the event

(1) is available on that agricultural land;

(2) occurs only in connection with that event; and

(3) does not interfere with the productivity of that agricultural land.

(iv) no more than 150 people, excluding residents of the agricultural land and employees of the *farm operation* conducted on that agricultural land, are gathered on that agricultural land at one time for the purpose of attending the event;

(v) the event is no more than 24 hours in duration;

(vi) no more than 10 gatherings for an event of any type occur on that agricultural land within a single calendar year;

(vii) a current log with dates, number of attendees, and details of events shall be maintained and made available to the City of Delta upon request; and

(viii) no soil or other material may be brought onto the property for the purpose of accommodating an *on-farm gathering*.

(h) Storage, Processing and Preparation of *Agricultural Products* and *Mushroom Growing Medium*

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*:

(i) 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 a *cooperative association* to which the owner of the *farm* belongs, or

(ii) must have been harvested, grown, raised, or produced on a *farm* owned or operated by the owner or lessee of the *lot* or a *cooperative association* to which the owner of the farm belongs.

(i) *Vehicle* Storage and Parking

(i) Nothing in the regulations of this section shall be interpreted so as to restrict the parking, storage or number of *farm vehicles*.

(ii) For each *farm house* or *additional farm house*, overnight parking of a maximum of 6 *recreation vehicles* is permitted. For the purposes of this section, *recreation vehicles* include only *utility trailers* not exceeding 5,500 kg *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.

See Part 8 for additional parking regulations

(iii) The storage or parking of any *wrecked motor vehicles* is prohibited unless they are within an enclosed *building*, or they are:

(1) considered *farm vehicles*, or

(2) are trucks over 5,500 kg *licensed gross vehicle weight* which are considered *farm vehicles* and are kept for the purpose of salvaging parts to repair or maintain other *farm* tractors.

(j) Waste Management and *On-Farm Composting*

(i) Using, storing, and managing *agricultural solid waste* and *agricultural liquid waste* must conform to the Code of Practice for Agricultural Environmental Management, B.C. Reg. 8/2019 of the Environmental Management Act.

(ii) All *on-farm composting*, including but not limited to mushroom and manure *composting*, must conform to the Agricultural Land Reserve Use Regulation, B.C. Reg. 30/2019, the Code of Practice for Agricultural Environmental Management, B.C. Reg. 8/2019 of the Environmental Management Act and the Organic Matter Recycling Regulation, B.C. Reg. 18/2002, as applicable. *Mushroom growing medium* preparation and storage shall comply with the Mushroom Composting Pollution Prevention Regulation B.C. Reg. 413/98 of the Environmental Management Act.

(iii) Despite the above, where *on-farm composting* takes place within the *Edge Planning Area* identified on the *Edge Planning Area* Maps in Section 10.10.14, the following regulations apply:

(1) Compost shall be maintained in a manner that allows aerobic decomposition;

(2) Impermeable surfaces shall be required for all storage;

(3) The total volume of compost production on site, including mixed and finished;

(4) Compost shall be limited to 100 m^3 at any one time;

(5) 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*;

(6) 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*; and

(7) 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*.

10.10.14 EDGE PLANNING AREA

(a) Despite Section 10.10.2 and 10.10.3, the following uses, *buildings* and *structures* are not permitted in the *Edge Planning Area* shown on the *Edge Planning Area* Maps:

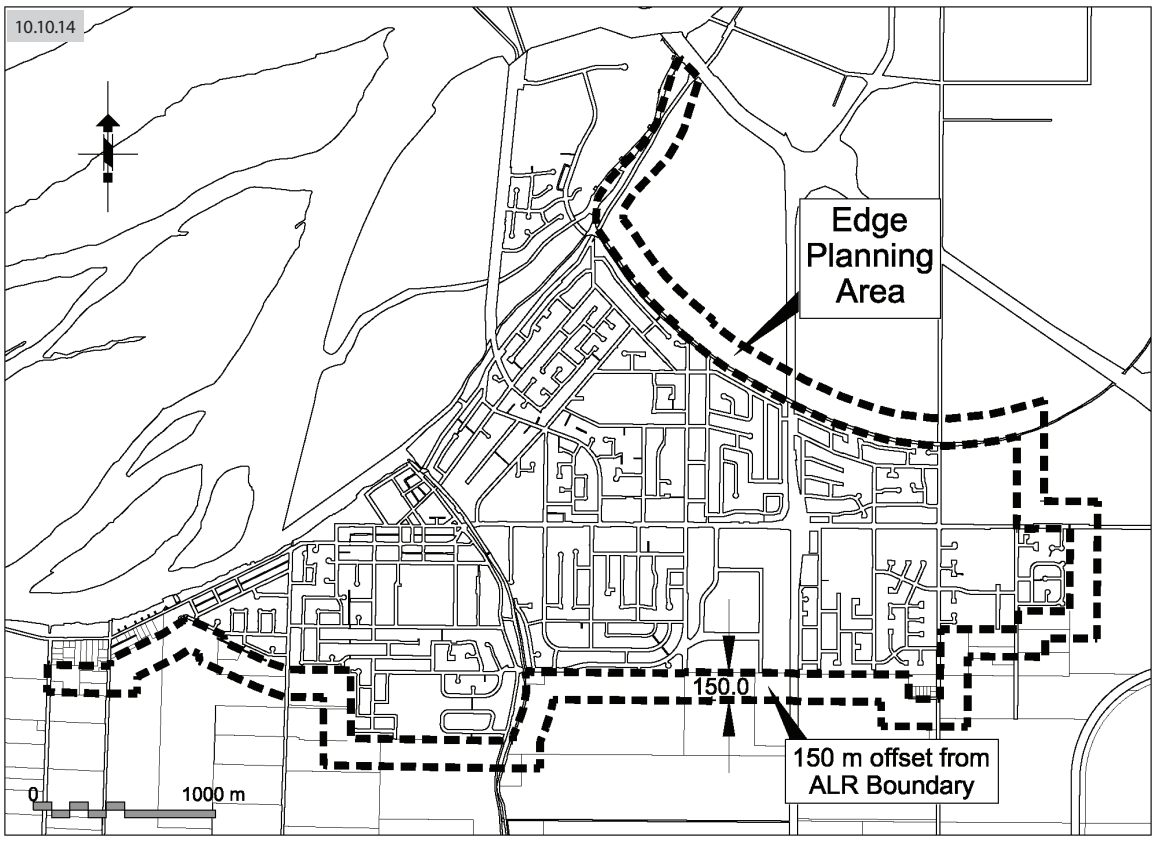
(i) breeding pets;

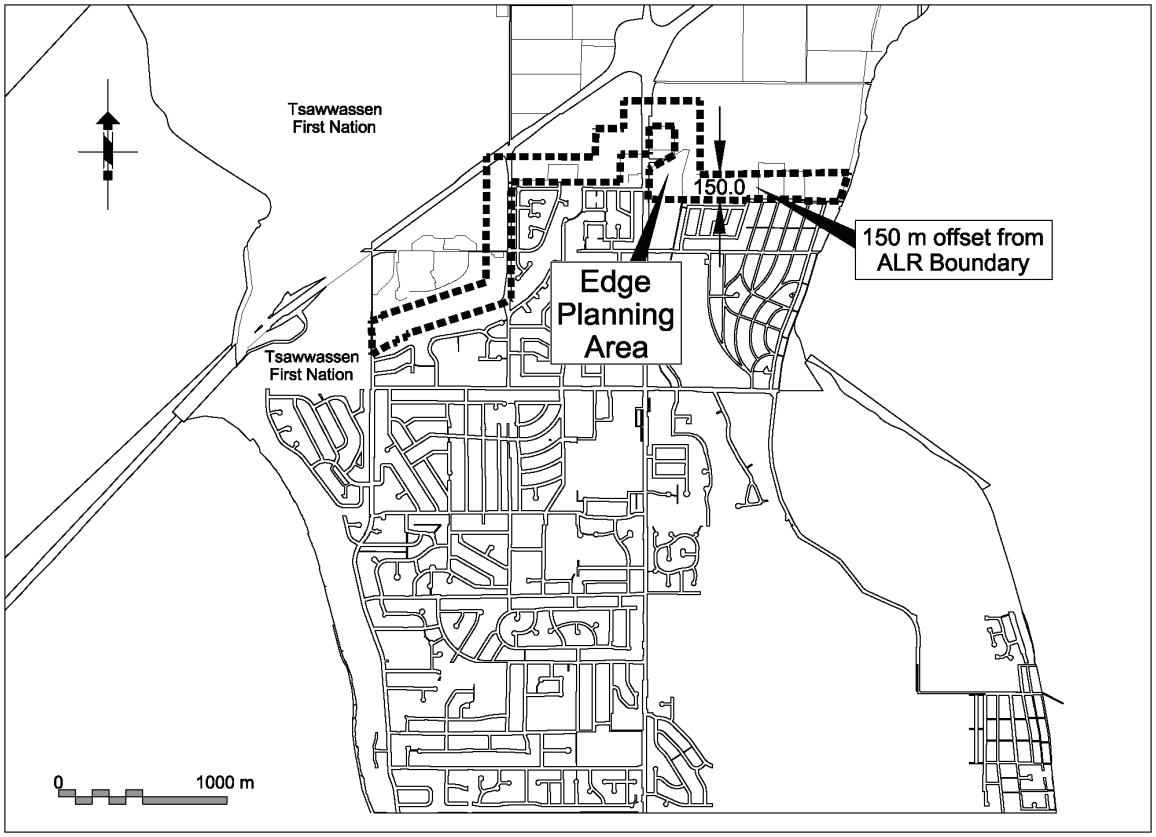
(ii) *kennel*;

(iii) raising and keeping of swine and fur bearing animals;

(iv) *buildings*, *structures* and outdoor areas containing *mushroom growing medium* or where *mushroom growing medium* is prepared or stored; and

(v) *farm cannabis processing*.


10.10.14
Edge
Planning
Area
150.0
150 m offset from
ALR Boundary
0
1000 m


Tsawwassen
First Nation
150.0
150 m offset from
ALR Boundary
Edge
Planning
Area
Tsawwassen
First Nation
0
1000 m

22.5 SCHEDULE E: MIGRANT FARM WORKER HOUSING

Amend BL 8285, 2023

1. The owner of the *lot* on which the *migrant farm worker housing* is located shall register on the title of that lot a Section 219 covenant containing the following requirements:

    (a) the accommodation shall only be used for the accommodation of full-time *migrant farm workers* hired for that farm through the Federal program(s) specified in this Bylaw;

    (b) the accommodation shall only be used during the periods of time approved by the Federal program under which the workers are hired; and

    (c) the *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.

2. 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.

3. A minimum financial security, equal to the cost to remove a *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 City 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.

4. 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 5 years and the financial security deposited with Delta adjusted accordingly.

5. If the security is not sufficient to cover the costs incurred by the City, the owners shall pay the balance owing to the City, and if the balance is not paid, the City 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 City taxes.

6. 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.

7. Prior to occupancy of the *migrant farm worker housing* and annually thereafter, the operator of a *farm* shall deposit a statutory declaration with the City, verifying:

    (a) the dates of proposed occupancy;

    (b) the number of *migrant farm worker housing* approved for that *farm* in an employment confirmation provided through the Federal Temporary Foreign Agricultural Farm Worker Program as amended or replaced from time to time;

    (c) that the housing complies with all applicable City regulations;

    (d) that the housing has been inspected by an Inspector approved 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;

(e) that there is available by telephone 24 hours a day a person who is fluent in English and who may be contacted by phone 24 hours a day, to answer enquiries from the City as to occupancy of *migrant farm worker housing* on the *farm*;

(f) that 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;

(g) that the *migrant farm worker housing* is covered by insurance for the dwelling; and

(h) that the *migrant farm worker housing* shall be occupied only by workers hired through the Federal Temporary Foreign Agricultural Worker Program for that farm.

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

9. *Migrant farm worker housing* shall not be occupied except during the time periods identified in the statutory declaration.