



Agenda

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Agriculture Advisory Committee Meeting to be held via Zoom

**Public attendance at committee meetings continues to be restricted due to limited space and the physical distancing requirements. If you'd like to watch or listen to the live Committee meeting, please email Committees@Penticton.ca 24-hours prior to the commencement of the meeting for the Zoom meeting participation details. You will have an opportunity to ask questions related to the agenda at the end of the meeting.*

**Wednesday, July 22, 2020
at 3:00 p.m.**

1. **Call Regular Committee Meeting to Order**
2. **Adoption of Agenda**
3. **Adoption of Minutes**
 - 3.1 Minutes of the June 17, 2020 Agriculture Advisory Committee Meeting 3-4
Staff Recommendation:
 THAT the Agriculture Advisory Committee adopt the minutes of the June 17, 2020 meeting as presented.
4. **Business Arising from Prior Meetings**
5. **New Business**
 - 5.1 Irrigation, Sewer and Water Amendment Bylaw No. 2020-25 – Micheal Firlotte, Water Quality Supervisor 5-13
 - Irrigation, Sewer and Water Amendment Bylaw No. 2020-25 5-9
 Related Ticketing Bylaws:
 - Municipal Ticketing Information Amendment Bylaw No. 2020-29 10-11
 - Bylaw Notice Enforcement Amendment Bylaw No. 2020-30 12-13
 - 5.2 Proposed Zoning Bylaw Amendment to Agriculture Zone – Nicole Capewell, Planner 1 14-15
Staff Recommendation:
 THAT the Agriculture Advisory Committee provide support for introducing a new regulation to the Agriculture Zone within Zoning Bylaw No. 2017-08 that would limit the total 'farm residential footprint' to a maximum of 2,000m².

6. **Next Meeting**

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7. **Public Question Period**

8. **Adjournment**



Minutes

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Agriculture Advisory Committee Meeting

To be held via Zoom
 Wednesday, June 17, 2020
 at 3:00 p.m.

Present: Rod King, Chair
 Annelise Simonsen
 Doug Mathias
 Kristi Tatebe
 Chris Holler
 Paul Gardner
 Jesse Chapman

Council: Julius Bloomfield, Councillor

Staff: Micheal Firlotte
 Audrey Tanguay, Manager of Planning
 Paula McKinnon, Legislative Assistant

Regrets: Darshan Jassar

Guests: Drew Lejbak, Associated Environmental
 Paul Hague, Associated Environmental

1. **Call to Order**

The Agriculture Advisory Committee was called to order by the Chair at 3:04 p.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED

THAT the Agriculture Advisory Committee adopt the agenda for the meeting held on June 17, 2020 as presented.

CARRIED UNANIMOUSLY

3. **Adoption of Minutes**

3.1 Minutes of the May 20, 2020 Agriculture Advisory Committee Meeting

It was MOVED and SECONDED

THAT the Agriculture Advisory Committee adopt the minutes of the May 20, 2020 meeting as presented.

CARRIED UNANIMOUSLY

4. **Business Arising from Prior Meetings**

5. **New Business**

5.1 City of Penticton Drought Management Plan – Micheal Firlotte, Water Quality Supervisor

Paul Gardner entered the meeting at 3:10 p.m.

The Water Quality Supervisor informed the Committee that the City of Penticton engaged Associated Environmental to develop a drought management plan to support the City moving forward with a consistent application of drought management decisions and responses, consistent drought stage declaration approach and align drought stages and Provincial drought levels.

Drew Lejbak and Paul Hague of Associated Environmental presented the developed Penticton Drought Management Plan to the Committee. The presentation outlined the following information:

- General introduction to the Drought Management Plan
- Current City water distribution plan
- Drought stage decision process
- Drought Response Plan
- Communication strategy approach for residential and agricultural water users
- Water management teams: Water Supply Management Team and Drought Management Team
- Review of Bylaw 2005-02

It was MOVED and SECONDED

THAT the Agriculture Advisory Committee recommends that Council support the City of Penticton Drought Management Plan as presented at the June 17, 2020 Committee meeting.

CARRIED UNANIMOUSLY

6. **Council Outcome**

7. **Next Meeting**

8. **Adjournment**

It was MOVED and SECONDED

THAT the Agriculture Advisory Committee adjourn the meeting held on June 17, 2020 at 4:00 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Paula McKinnon
Legislative Assistant

The Corporation of the City of Penticton

Bylaw No. 2020-25

A bylaw to amend Irrigation, Sewer and Water Bylaw 2005-02

WHEREAS the Council of the City of Penticton has adopted an Irrigation, Sewer and Water Bylaw pursuant the *Local Government Act* and *Community Charter*;

AND WHEREAS the Council of the City of Penticton wishes to amend Irrigation, Sewer and Water Bylaw 2005-02;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Penticton, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. **Title:**

This bylaw may be cited for all purposes as "Irrigation, Sewer and Water Amendment Bylaw No. 2020-25".

2. **Amendment:**

Irrigation, Sewer and Water Bylaw 2005-02 is hereby amended as follows:

2.1 Add the following to DEFINITIONS:

- 2. (zz1) "Raw Water" means water that is not suitable for human consumption that has not been treated by a City treatment facility.
- 2. (zz2) "Reclaimed Water" means treated and disinfected wastewater effluent processed by a City treatment facility that is not suitable for human consumption, to be used for irrigation purposes.

2.2 Add the following to GENERAL PROVISIONS AND RESTRICTIONS ON USE:

- 19. (1) The City of Penticton Water system is composed of three main water sources: Okanagan Lake, Penticton Creek and Ellis Creek. The Designated Officer has the right to determine what percentage of each source will be used for the desired application depending on current conditions. The Designated Officer has the right to impose restrictions on users of Irrigation Water, Raw Water, Reclaimed Water and Treated Water and has the ability to vary the level of restriction between the different user types and different water types.
 - (a) **Stage 1 Normal Restrictions:**
 - i. Odd numbered Street addresses may irrigate on Tuesday, Thursday and Saturday only. Even numbered Street addresses may irrigate on Wednesday, Friday and Sunday only.
 - ii. Automatic Irrigation systems to be programmed to run between the hours of 0001 and 0600 only on the designated day. Manual Irrigation may occur between 0600 and 1000 and 1800 and 2200 hours only on the designated day.

- iii Properties zoned RSM – Mobile Home Park may use their respective unit numbers in place of the street address to determine odd or even for the purpose of this restriction.
- iv. City Parks may irrigate 3 to 5 days per week, except for hanging baskets, which may be watered as required.
- v. Golf Courses may irrigate 3 to 5 days per week, including systems that use reclaim and raw water.
- vi. Agricultural users of the raw water supply may irrigate 5 to 7 days per week as required.

(b) **Stage 2 Restrictions:**

- i. Odd numbered Street addresses may irrigate on Tuesday and Saturday only. Even numbered Street addresses may irrigate on Wednesday and Sunday only.
- ii Automatic Irrigation systems to be programmed to run between the hours of 0001 and 0600 only on the designated day. Manual Irrigation may occur between 0600 and 1000 and 1800 and 2200 hours only on the designated day. Total water usage must be 20% less than used during the normal restriction period.
- iii Properties zoned RSM – Mobile Home Park may use their respective unit numbers in place of the street address to determine odd or even for the purpose of this restriction.
- iv. City Parks will reduce water consumption by 20%.
- v. Golf courses must reduce their total Irrigation water use by 20%.
- vi. Agricultural customers will reduce their consumption by 20%.

Triggers: Restrictions to be imposed at the discretion of the Designated Officer in consideration of but not limited to:

- i. Projected daily demand expected to reach 80% of Treatment Capacity.
- ii. Raw Water Storage Reservoir levels at 15% to 30% below the Median Storage Capacity for the time of year without any indication of recovery.
- iii. The Okanagan Basin Water Board forecasted or actual 1st of the month elevation of the months July through November is less than the 30th percentile 1st of the month elevation and greater or equal to the 15th percentile 1st of month elevation.
- iv. Failure or malfunction of a short-term nature of the Treated Water System.
- v. Level II drought conditions from the Ministry of Water, Land and Air Protection.
- vi. When considering restrictions for agricultural customers the Designated Officer may consult with Owners and take into consideration crop type, point in the growth cycle and type of on-site Irrigation system employed.
- vii. When considering restrictions for Irrigation customers using reclaimed water the Designated Officer may consult with AWWTP to ensure correct channel dilution rate can be achieved.

(c) **Stage 3 Restrictions:**

- i. Odd numbered Street addresses may irrigate on Saturday only. Even numbered Street addresses may irrigate on Sunday only.

- ii. Automatic Irrigation systems to be programmed to run between the hours of 0001 and 0600 only on the designated day. Manual Irrigation may occur between 0600 and 1000 and 1800 and 2200 hours only on the designated day. Total water usage must be 50% less than used during the normal restriction period.
- iii. Properties zoned RSM – Mobile Home Park may use their respective unit numbers in place of the street address to determine odd or even for the purpose of this restriction.
- iv. City Parks will reduce water consumption by 50%.
- v. Golf courses must reduce their total Irrigation water use by 50%.
- vi. Agricultural customers will reduce their consumption by 50%.

Triggers: Restrictions to be imposed at the discretion of the Designated Officer in consideration of but not limited to:

- i. Projected daily demand expected to reach 90% of Treatment Capacity.
- ii. Raw Water Storage Reservoir levels at 30% to 40% below the Median Storage Capacity for the time of year without any indication of recovery.
- iii. The Okanagan Basin Water Board forecasted or actual 1st of the month elevation of the months July through November is less than the 15th percentile 1st of the month elevation and greater or equal to the 5th percentile 1st of month elevation.
- iv. Failure or malfunction of a short-term nature of the Treated Water System.
- v. Level III drought conditions from the Ministry of Water, Land and Air Protection.
- vi. When considering restrictions for agricultural customers using the Raw Water supply, the Designated Officer may consult with Owners and take into consideration crop type, point in the growth cycle and type of on-site Irrigation system employed.
- vii. When considering restrictions for Irrigation customers using reclaimed water the Designated Officer may consult with the AWWTP to ensure correct channel dilution rate can be achieved.

(d) **Stage 4 Restrictions**

- i. Use of City of Penticton supplied water for all forms of lawn and garden watering is prohibited.
- ii. City Parks will reduce water consumption by 90%.
- iii. Golf courses must reduce their total Irrigation water use by 90%.
- iv. Agricultural customers will reduce their consumption by 90%.

Triggers: Restrictions to be imposed at the discretion of the Designated Officer in consideration of but not limited to:

- i. Projected daily demand expected to reach 100% of Treatment Capacity.
- ii. Raw Water Storage Reservoir levels at Greater than 40% below the Median Storage Capacity for the time of year without any indication of recovery.
- iii. The Okanagan Basin Water Board forecasted or actual 1st of the month elevation of the months July through November is less than the 5th percentile 1st of the month elevation.
- iv. Failure or malfunction of a short-term nature of the Treated Water System.

- v. Level IV drought conditions from the Ministry of Water, Land and Air Protection.
 - vi. When considering restrictions for agricultural customers using the Raw Water supply, the Designated Officer may consult with Owners and take into consideration crop type, point in the growth cycle and type of on-site Irrigation system employed.
 - vii. When considering restrictions for Irrigation customers using reclaimed water the Designated Officer may consult with the AWWTP to ensure correct channel dilution rate can be achieved.
19. (2) A Person who has just placed new sod or planted a newly seeded lawn may apply to the Designated Officer for a permit to water outside of the use restrictions referenced in Section 19.(1). The Designated Officer will consider the request and may issue a permit for the applicant to water outside of the use restrictions for a period of 21 days. The permit, date of issue and ending date must be prominently displayed on the front lawn.
19. (3) A Person in any irrigation year, who contravenes the water use restrictions referred to in Section 19.(1) of this bylaw is guilty of an offence punishable on summary conviction and is liable to a fine as follows:
- (a) Stage 1 Restriction violation – of not less than \$25.00 for the first offence, \$50.00 on the second offence and if the offence is of a continuing nature to a fine not less than \$500.00 for each day the offence is continued.
 - (b) Stage 2 Restriction violation – of not less than \$50.00 for the first offence, \$100.00 on the second offence and if the offence is of a continuing nature to a fine not less than \$500.00 for each day the offence is continued.
 - (c) Stage 3 Restriction violation – of not less than \$100.00 for the first offence, \$200.00 on the second offence and if the offence is of a continuing nature to a fine not less than \$500.00 for each day the offence is continued.
 - (d) Stage 4 Restriction violation – of not less than \$200.00 for the first offence, \$400.00 on the second offence and if the offence is of a continuing nature to a fine not less than \$500.00 for each day the offence is continued.
- 2.3 Delete section 23 in its entirety from IRRIGATION WATER SYSTEM - General.
- 2.4 Delete section 24 in its entirety from IRRIGATION WATER SYSTEM – General.
- 2.5 Delete section 43 in its entirety from TREATED WATER SYSTEM – General.
- 2.6 Delete section 44 in its entirety from TREATED WATER SYSTEM – General.
- 2.7 Delete section 45 in its entirety from TREATED WATER SYSTEM – General.

The Corporation of the City of Penticton

Bylaw No. 2020-29

A bylaw to amend the Municipal Ticketing Information Bylaw No. 2012-5021

WHEREAS the Council of the City of Penticton has adopted a Municipal Ticketing Information Bylaw pursuant to the *Community Charter*;

AND WHEREAS the Council of the City of Penticton wishes to amend the "Municipal Ticketing Information Bylaw No. 2012-5021";

NOW THEREFORE BE IT RESOLVED that the Council of the City of Penticton in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Title:

This Bylaw may be cited as "Municipal Ticketing Information Amendment Bylaw No. 2020-29".

2. Amendment:

2.1 Amend "Municipal Ticketing Information Bylaw No. 2012-5021" by updating titles in Schedule A and deleting and replacing the following section reference of Schedule B16 to Bylaw #5021 for Irrigation, Sewer and Water Bylaw No. 2005-02:

7.	Failure to comply with Stage 1 treated water use restrictions. First offence: Second offence: Continuing:	43(a) 19.(1) (a)	 \$25.00 \$50.00 \$500.00
8.	Failure to comply with Stage 2 treated water use restrictions. First offence: Second offence: Continuing:	43(b) 19.(1) (b)	 \$50.00 \$100.00 \$500.00
9.	Failure to comply with Stage 3 treated water use restrictions. First offence: Second offence: Continuing:	43(c) 19.(1) (c)	 \$100.00 \$200.00 \$500.00
10.	Failure to comply with Stage 4 treated water use restrictions. First offence: Second offence: Continuing:	43(d) 19.(1) (d)	 \$200.00 \$400.00 \$500.00

2.2 The provisions of this bylaw are effective January 1, 2021.

READ A FIRST time this day of , 2020

READ A SECOND time this day of , 2020

READ A THIRD time this day of , 2020

ADOPTED this day of , 2020

John Vassilaki, Mayor

Angie Collison, Corporate Officer

The Corporation of the City of Penticton

Bylaw No. 2020-30

An amendment to regulate enforcement of bylaw notices

WHEREAS pursuant to the *Local Government Bylaw Notice Enforcement Act* and the *Community Charter*, the City may establish fine amounts for contravention of City bylaws;

AND WHEREAS the City of Penticton has adopted "Bylaw Notice Enforcement Bylaw No. 2012 – 5037";

AND WHEREAS the City of Penticton wishes to amend Schedule 'A' to "Bylaw Notice Enforcement Bylaw No. 2012 - 5037";

NOW THEREFORE the Municipal Council of The Corporation of the City of Penticton in open meeting assembled ENACTS as follows:

1. Title:

This Bylaw may be cited as the "Bylaw Notice Enforcement Amendment Bylaw No. 2020-30."

2. Amendment:

2.1 Amend Schedule 'A' Appendix 15 Irrigation, Sewer and Water Bylaw No. 2005-02 by deleting and replacing the following bylaw sections:

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Failure to comply with Stage 1 treated water use restrictions.	43(a)				
First offence:	19. (1) (a)	\$25.00	\$22.50	\$27.50	Yes
Second offence:		\$50.00	\$45.00	\$55.00	No
Continuing:		\$500.00	\$450.00	\$550.00	No
Failure to comply with Stage 2 treated water use restrictions.	43(b)				
First offence:	19. (1) (b)	\$50.00	\$45.00	\$55.00	Yes
Second offence:		\$100.00	\$90.00	\$110.00	No
Continuing:		\$500.00	\$450.00	\$550.00	No
Failure to comply with Stage 3 treated water use restrictions.	43(c)				
First offence:	19. (1) (c)	\$100.00	\$90.00	\$110.00	Yes
Second offence:		\$200.00	\$180.00	\$220.00	No
Continuing:		\$500.00	\$450.00	\$550.00	No



Committee Memo

penticton.ca

Date: July 22, 2020
To: Agriculture Advisory Committee
From: Nicole Capewell, Planner 1
Subject: Proposed Zoning Bylaw Amendment to Agriculture Zone

Staff Recommendation

THAT the Agriculture Advisory Committee provide support for introducing a new regulation to the Agriculture Zone within Zoning Bylaw No. 2017-08 that would limit the total 'farm residential footprint' to a maximum of 2,000m².

Proposal and Background

Staff are completing an update to the City's Zoning Bylaw No. 2017-08. One of the topics that is being reviewed are agricultural uses. Staff have reviewed Agricultural Land Commission (ALC) documents that assist local governments in drafting bylaws that affect lands within the Agricultural Land Reserve (ALR), as well as other communities in the province for best-practices. As a result of this research, staff are proposing to introduce a new regulation to the Agriculture zone that would limit the footprint of residential structures and associated uses to 2,000m². Staff are seeking the input of the Agriculture Advisory Committee prior to finalizing these changes.

Currently, the Zoning Bylaw regulates the size of residential buildings by placing a maximum lot coverage of 10% (for all residential structures). This regulation does not account for paved driveways, pools, outdoor living areas, septic areas, etc. associated with the residential uses on an agriculture property.

Analysis

In staff's research, the ALC document: ALC Bylaw Reviews: A Guide for Local Governments (2018), was reviewed. This document recommends that local governments have policies for limiting the size and siting of residences on farm parcels (for example, restricting the size and location of farm home plates).

Staff are now seeking the Agricultural Advisory Committee's feedback on introducing a new regulation to the City's Zoning Bylaw for agriculture properties, which is a maximum Farm Residential Footprint. The purpose of the Farm Residential Footprint is to maximum the farming potential on agricultural properties in the City. The footprint will be used to establish the area where residential uses are allowed and require property owners to consider the total area of their properties that are dedicated to residential uses.

Staff are proposing to introduce a 2,000m² maximum for farm residential footprint within the Agriculture Zone. The farm residential footprint would include:

- Residential buildings (i.e. single family residence),
- Carriage houses (where permitted),
- Farm help dwellings (where permitted),
- Any accessory structures that are associated with residential uses,
- Swimming pools (or other similar structures),
- Outdoor living spaces that have non-permeable surfaces,
- Septic systems, and
- Paved driveways.

When property owners are proposing to construct any new building(s) on their property for residential use, they would be required to submit a breakdown of the farm residential footprint for all structures and areas that are noted above. Staff have reviewed other communities in the province with similar regulations, including the City of Kelowna, which also sets a 2,000m² maximum footprint for residential uses.

Staff would like to hear from the Agriculture Advisory Committee to receive any feedback and comments that they may have regarding this proposed regulation. Comments from the Committee will be reviewed by staff before finalizing or determining next steps for the proposed changes.

Alternate recommendations

The Agriculture Advisory Committee may determine that the proposed regulation is not appropriate for agriculture lands within the City. If this is the case, the Agriculture Advisory Committee may choose to not support the proposed regulation.

THAT the Agriculture Advisory Committee deny support for introducing a new regulation to the Agriculture Zone within Zoning Bylaw No. 2017-08 that would limit the total 'farm residential footprint' to a maximum of 2,000m².

Supporting Documents:

1. ALC Bylaw Reviews: A Guide for Local Governments
(https://www.alc.gov.bc.ca/assets/alc/assets/library/land-use-planning/alc_bylaw_review_guide.pdf)

Respectfully submitted,

Nicole Capewell
Planner 1



2020 Agriculture Advisory Committee Meeting Dates

Meeting commences at 3:00 p.m.

Council Chamber, City Hall, 171 Main Street (Second Level)

Month	Date
January	-
February	19
March	18
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