

AgRefresh

STAGE 3 REPORT | EXCERPT FARM RETAIL





2.9 Farm Retail

Guide the scale and location of farm retail operations

The increasing popularity of buying directly from farms is creating a new level of demand for buildings, parking, and other supportive infrastructure.

Recommended updates for Farm Retail focus on clarification and alignment with the *ALR Use Regulations*.

2.9.1 Decision Makers

Proposals compliant with the Zoning Bylaw proceed directly to Building Permit.

2.9.2 What we heard in Stage 3

'Early Ideas' explored through Stage 3 engagement

- Maintain the existing 300 m² maximum floor area for farm retail
- Allow cooperative association farm products to contribute to the 50% ALC floor space requirement
- Set a maximum for permanent farm retail parking
- Require a business licence for farm retail

Stage 3 engagement feedback highlights*

- 82% of respondents agreed or somewhat agreed with early ideas
- some respondents felt farm retail should exclude co-ops, should have flexibility for parking and building size, and some opposed the idea of requiring a business licence

*A full summary of Stage 3 engagement material and feedback is available in the "Stage 3 Winter 2017-18 Engagement Results" report.



2.9.3 Draft Recommendations

A SNAPSHOT

Zoning Bylaw Highlights

- Modernized definition, acknowledging the broader permissions of the *ALR Use Regulation* for cooperative association products
- Update building setbacks
- Clarify parking requirements
- Coordinate regulation of allowable floor area for 'Farm Retail Sales' and the sale for farm alcohol sales (winery, brewery, etc.)
- Provide ALC requirements as explanatory notes to allow immediate updates following Provincial changes (i.e., 50% rules')

Business Licence Updates

- Require a business licence for farm retail sales involving buildings and structures with a farm retail sales area over 10m²

DRAFT POLICY AND REGULATION UPDATES

Updated
(Zoning)

ALC
Alignment

Modernized Definitions

New proposed definitions provide a general description of Farm Retail Sales Use, acknowledge ALC allowance for cooperative farm products, and improve resiliency by linking to ALC regulations for the use.

“Farm Retail Sales” means retail sale to the general public of Agricultural Products grown, produced, or raised on a Farm Operation, or the combined farms of a cooperative association to which the farm owner belongs, and may include the sale of Agricultural Products and non-agricultural products to the extent permitted by the Agricultural Land Commission. Farm Retail Sales excludes a Cannabis Store.

“Farm Retail Sales Area” means the cumulative indoor and outdoor retail sale and display areas of all Buildings and Structures dedicated to a Farm Retail Sales Use, but does not include areas for ancillary activities specifically excluded by the Agricultural Land Commission.

A supporting explanatory note references ALC Policy L-02, which clarifies the exclusion of parking, driveways, office space, washrooms and areas for farm product processing or farm product storage.



New
(Zoning)

ALC
Alignment

ALC 50% Rules

Direct reference to the ALC's 50% rule in the definition of 'Farm Retail Sales' has been replaced with an 'explanatory note' highlighting this Provincial operational requirement.

Specifically, the ALC requires that at least 50% of Farm Retail Sales floor space be limited to the sale of products from the subject farm operation, or a cooperative association to which the farmer belongs.

Using an explanatory note, instead of the bylaw, for this Provincial requirement allows an immediate update if rules are changed or clarified.

Updated
(Zoning)

Updated Setbacks

Ministry
Alignment

Updated setbacks are proposed for farm retail buildings and structures to align with the Minister's Bylaw Standards:

- 7.5 m from an exterior lot line (currently 9 m)
- 4.5 m from an interior lot line (currently 3 m)

New
(Business
Licencing)

Require a Business Licence (>10 m²)

Require a Business Licence for a Farm Retail Sales use that occupies more than 10 m² within a building or structure.

This new requirement will help track the sector and provide a tool to support compliance. The requirement would not apply to small stands or temporary tents.

Updated
(Zoning)

Clarified Parking Requirements

Proposed updates clarify the requirement for 1 parking space for every 20m² of indoor and permanently covered outdoor Farm Retail Sales and display areas.

To minimize impacts on roadways, all parking generated by a Farm Retail Sales use, even if it exceeds the minimum parking requirement of the Zoning Bylaw, must be accommodated on a lot that is part of the farm operation (i.e., no parking on the road).

AgRefresh is not recommending a parking maximum given the new ALC oversight implemented through the Bill 52, 2018 soil and fill rules and application process.



Retain
(Zoning)

Ministry
Alignment

Retain 300 m² Maximum Size

Retain the existing 300 m² area limit for all indoor and outdoor farm retail sales and display areas within buildings and structures.

Consistent with the *ALR Use Regulation*, if 100% of the farm products offered for sale originate from the host farm operation, outdoor areas that do not involve buildings or structures may exceed the 300 m² area limit. This provides flexibility for activities such as u-pick operations and outdoor nurseries that grow 100% of the products for sale.

New
(Zoning)

Combined Maximum Sales area with Alcohol

Proposed updates clarify that the combined area for general Farm Retail Sales and the sale of farm produced alcohol is limited to 300 m² per lot.

