

Growing in the City

Regulatory Amendments to Support Small-Scale Urban Agriculture in Victoria, BC

Meleana Searle BA, MCP Candidate

Andrea Hudson MCP, PIBC, RPP | Assistant Director of Community Planning, Victoria BC



Abstract

The City of Victoria has recognized that urban agriculture is an important component of healthy and vibrant local communities. Urban gardening and food production contributes to a more sustainable food system and provides economic opportunities to both individuals and businesses. To facilitate and encourage urban agriculture, the City has undertaken a year-long initiative, entitled Growing in the City. The initiative seeks to enhance the local urban food system by connecting more people with space to grow more food. A key part of this initiative is the update and expansion of policies and guidelines to remove barriers that urban farmers have previously faced. Through extensive public engagement and inter-departmental collaboration, the City has developed and proposed a number of regulatory amendments that support a diverse and sustainable local food system. The proposed amendments are in alignment with key directives in the City's Official Community Plan and the 2015-2018 Strategic Plan. In collaboration with Andrea Hudson from the City of Victoria, this case-in-point examines the proposed regulatory amendments, developed through the Growing in the City initiative, as a 'best planning practice' in the promotion of urban agriculture at the municipal level.

Introduction

Urban agriculture is an umbrella term encompassing a wide range of activities involving the growing, processing, retailing, packaging, storage and distribution of food in urban and peri-urban areas. It is an important component of food policy and food system planning, and it is increasingly being recognized at the municipal level throughout North America (Kaethler, 2006). Although there is considerable variation between urban agriculture activities, there are some general characteristics commonly associated with its production; sites often occupy leftover spaces within developed areas, are small in size, and are cultivated intensively. With intensive production, much of a household's food needs can be met and urban commercial operations have been found to yield 13 times more per acre than rural counterparts (CFSC, 2003).

Beyond the contribution to local food systems, urban agriculture has a multiplicity of other benefits such as; economic vitality and business entrepreneurship, individual health and well-being;

community health and well-being; landscape beautification; and environmental restoration and remediation (CFSC, 2003). This case-in-point outlines how the City of Victoria is working to promote urban agriculture through regulatory amendments proposed

initiative. The goal of the project was to enhance the local, urban food system by “finding ways to connect more people with space to grow more food, on public and private land” (City of Victoria, 2016b). Additionally, “It’s about finding ways to encourage small-scale



City of Victoria neighbourhood map (City of Victoria, 2016)

through the *Growing in the City* initiative.

About Growing in the City

In May 2015, after being endorsed by Council, the City of Victoria launched the *Growing in the City*

urban agriculture and to begin thinking differently about how we manage some of our City-owned land, so we can work together to build the skills, knowledge and resources needed to produce more food in our beautiful and already delicious City” (City of Victoria, 2016b).

The City, with support from the community, recognized that urban gardening and food production is a valuable community activity that contributes to health and well-being, positive social interaction, connection to nature, environmental education, increasing healthy and diverse ecosystems, neighbourhood building, and food security. Small-scale commercial urban agriculture, which involves the production of agricultural products for sale, provides household and neighbourhood-scale economic opportunities and supports the region's food production and restaurant sectors (City of Victoria, 2016a).

The project will deliver six related initiatives intended to advance key directives in the *City's Official Community Plan* and *2015-2018 Strategic Plan* towards a more sustainable food system.

For this case-in-point I am focusing on one of the six initiatives - the regulatory amendments, which are described as "a review of City regulations and policies to explore the opportunity for, and implications of, supporting expanded small-scale commercial

urban agriculture" (City of Victoria, 2016b).

Existing Regulations

The current regulations in the City's *Zoning Regulation Bylaw* consider urban agriculture as a home occupation. As a home occupation up to two people living on a site are permitted to engage in the production of fruit and vegetables for retail purposes on a portion of the parcel, however, no retail sales are allowed from the site. Commercial urban agriculture is not currently identified as a use elsewhere in the *Zoning Regulation Bylaw*. Anyone who wants to establish a commercial urban agriculture operation away from their homes are directed to industrial areas, where activities similar to food production such as manufacturing and warehousing are permitted. Most people hoping to farm in Victoria would prefer to not be limited to industrial areas due to the availability of arable land, the risk of soil contamination and limitations on retail sales (City of Victoria, 2016a).

Engagement Process

Working with the community

on this initiative was a priority for the City. Extensive public engagement activities, in various forms, have been carried out over the past year. The first phase of engagement took place between June and October 2015. The purpose was to reach out to the community to find out what was already working, and what people felt could be done differently. This was done through an online survey, a stakeholder roundtable, three pop-up engagement stations at community markets, and one-on-one meetings with urban farmers. There was also a social media campaign, media relations, a print ad, posters and stakeholder updates used to raise awareness about the engagement opportunities.

The City received over 800 responses to the online survey, and met with more than 30 experts involved in the urban local food system. Feedback indicated that there was a high level of support for increasing opportunities for urban agriculture.

Phase two of public engagement took place between October 2015 and January 2016. The goal of this phase was to get feedback on the draft regulation changes developed after the first round of engagement. This phase included a

roundtable meeting with food stakeholders, an open house, a policy review workshop, and another online survey. The City had approximately 80 participants attend the open house, with 60 participating in the workshop sessions. The online survey garnered an additional 263 responses. Once again, feedback indicated a high level of support.

Overall, there was a strong level of support from the community, however there were some concerns expressed by those involved regarding potential negative impacts for neighbours of urban agriculture activity. These concerns included:

- Noise from machinery and

deliveries

- Odour from compost, soil amendments and chickens
- Artificial lighting from greenhouses
- Parking for customers and employees
- Hours of sale
- Aesthetics and maintenance
- Increased pesticide and synthetic fertilizers use.
- Compatibility of agricultural uses in residential areas

Meetings with commercial urban farmers identified concerns regarding regulatory barriers. Some of the issues included: a lack of clarity about what zones allow urban agriculture, restrictive requirements for

urban agriculture as a home occupation, restrictions on commercial use of accessory buildings, and restrictions on commercial sales of animal products (City of Victoria, 2016a).

Proposed Changes

Integrating urban agriculture into the City is a challenging task as it, “does not fit neatly into zoning and other City regulations” (City of Victoria, 2016a). This has resulted in uncertainty about where to locate, and how to regulate, urban agriculture activities. The City’s proposed changes take a balanced approach by introducing regulatory



Growing in the City display board from public engagement session (City of Victoria, 2015)

changes that support expanded small-scale commercial urban agriculture, with limits to minimize potential negative impacts on neighbouring properties, particularly in residential and commercial areas (City of Victoria, 2016a). The recommendations from the planning department include proposed amendments to the *Zoning Regulation Bylaw*, *Business Licence Bylaw*, *Sign Bylaw*, *Pesticide Regulation Bylaw* and *Official Community Plan*, to:

1. Define commercial agriculture
2. Allow commercial agriculture in all zones
3. Restrict loadings of delivery trucks
4. Allow off-site retail sales
5. Allow on-site retail sales through farm stands
6. Limit odours, noise and light pollution
7. Exempt rooftop greenhouses from height calculations and floor space ratio calculations
8. Exempt urban agriculture from requiring a development permit for landscaping
9. Restrict the use of pesticides in commercial urban agriculture
10. Allow permanent farmers market signage

*Each of these proposed amendments have detailed and specific actions linked

to them, however due to the brevity of this case-in-point they have not been included.

Professional Perspective

Contributed by Andrea Hudson

Anticipated Outcomes

City of Victoria staff prepared these bylaw amendments to support urban agriculture and are working to bring them forward for consideration at a public hearing. Given the extensive consultation the City of Victoria embarked on during this process, early indications show there is significant support for this initiative. It is hoped the bylaw changes will be well received, as they were created in response to the public input collected during the engagement process.

Lessons learned

One of the lessons learned from this is the importance of doing a refresh of municipal zoning bylaws to consider new uses that have emerged over time due to niche markets and changing business models. The City of Victoria's *Zoning Regulation Bylaw* has been in existence for decades, amended over the years, and written at a

time when urban agriculture and other land use trends now accepted as part of complete communities, were not on the radar. These proposed bylaw amendments help modernize the bylaw and support various objectives in the *Official Community Plan* related to urban food production and economic development.

Innovation

The City of Victoria has progressive regulations regarding the keeping of backyard chickens with no limits on the maximum number of hens a property owner can keep (the regulations prohibit roosters). Through these new proposed regulations, Victoria continues to be innovative, particularly in the introduction of farm stands in all zones (with size limitations), the sale of commercial agriculture in all zones, and the use of business licenses for off-site retail and on-site farm stand sales. The City's *Strategic Plan* encourages innovation, being bold and testing new ideas. If approved, staff will monitor the new regulations over a two-year period and report to Council on how they are working. Stay tuned!

Resources

*Cover image: www.topsoileatlocal.com

City of Victoria. (2016a). Committee of the Whole Report - “*Growing in the City*” - Part 2: *Regulatory Amendments to Support Small-Scale Commercial Urban Farming*. Victoria: City of Victoria.

City of Victoria. (2016b). *Growing in the City*. Retrieved 7 April 2016, from <http://www.victoria.ca/EN/main/community/growing-in-the-city.html>

Kaethler, T. M. (2006). *Growing Space: The Potential for Urban Agriculture in the City of Vancouver*. Vancouver, BC, CAN: School of Community and Regional Planning, University of British Columbia. Retrieved from <http://www.ebrary.com.uml.idm.oclc.org>

Community Food Security Coalition’s North American Urban Agriculture Committee. (2003). *Urban Agriculture and Community Food Security in the United States: Farming from the City Center to the Urban Fringe*. Retrieved from <http://community-wealth.org/sites/clone.community-wealth.org/files/downloads/report-brown-carter.pdf>

Special thanks to Andrea Hudson for her contributions and insight into this project.



Local honeybees (Searle, M. 2015)