

# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 56125

**Application Status:** Under LG Review

**Applicant:** wyn lewis

**Local Government:** City of Kelowna

**Local Government Date of Receipt:** 01/26/2017

**ALC Date of Receipt:** This application has not been submitted to ALC yet.

**Proposal Type:** Non-Farm Use

**Proposal:** To apply for "Non Farm Use" for two proposed activities  
. Please see attached file " Background of Proposal"

**Mailing Address:**

3240 Pooley Rd

Kelowna, BC

V1W 4G7

Canada

**Primary Phone:** (250) 575-5713

**Email:** wynlewis@thevibrantvine.com

## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 440-300-000

**Legal Description:** Lot 2 Plan 3379 section 15 ODYD Township 26

**Parcel Area:** 5 ha

**Civic Address:** 3240 Pooley Rd Kelowna BC V1W4G7

**Date of Purchase:** 08/31/2003

**Farm Classification:** Yes

**Owners**

1. **Name:** wyn lewis

**Address:**

3240 Pooley Rd

Kelowna, BC

V1W 4G7

Canada

**Phone:** (250) 575-5713

**Email:** wynlewis@thevibrantvine.com

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### Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

**Applicant:** wyn lewis

*I purchased the 11 acre orchard property at 3240 Poley Rd in 2003. In 2008, my wife Marion, our son Tony, and I planted 9,000 Pinot Gris vines. In 2009 we planted Riesling, Savignon Blanc, Chardonnay and Gewurztraminer over 6 acres. In 2016 we doubled the density of our Riesling vines. All but the Gewurztraminer were extremely successful ( the land where we planted the Gewurztraminer was a frost pocket and we have been unable to grow anything there. Its fallow now as we try and decide what to do with it.) We also have just over two acres of apples which we use for manufacturing Cider under our Cahoots brand.*

*In 2010, we received a manufacturing Licence under the Okanaganvilla Estate Winery name and opened a winery store selling OkanaganVilla and Vibrant Vine brands in the 1937 heritage building selling approx 500 cases of wine. We spent a great deal of care re engineering the building to meet current standards while keeping to the heritage of the building both on the outside and inside.*

*In 2014, our winery won a prestigious award in Europe and our business grew exponentially such that in 2016 we sold approx 6,000 cases, half via our tasting room/ on-site retail area and the remainder through LRS stores and our Wine Club.*

*In 2016, we processed 65 tons of white grapes from our owned vineyards and from our leased contract growers. As in prior years, in 2017 we to maintain our winerys Farm status as outlined in Part 2 Section 2 (2)(a) of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation. We are in discussions to purchase a 12 acre property which will allow us to expand production and maintain our Farm status in the future as our business grows.*

**2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**

*6 acres of Apples were replaced with vines in 2008/9.  
these vines were converted to high density vines in 2016*

**3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**

*OkanaganVilla Estate Winery is located on the property.*

**Adjacent Land Uses**

**North**

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** Apples

**East**

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** Apples

**South**

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** Apples

**West**

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** Apples

**Proposal**

**Applicant:** wyn lewis

**1. How many hectares are proposed for non-farm use?**

*0.5 ha*

**2. What is the purpose of the proposal?**

*To apply for "Non Farm Use" for two proposed activities  
. Please see attached file " Background of Proposal"*

**3. Could this proposal be accommodated on lands outside of the ALR? Please justify why the proposal cannot be carried out on lands outside the ALR.**

*As we increasingly compete on the World Stage, our overseas wine touring visitors ( approx 30 % of our summer 2016 guests) expect us to offer an experience that is tied to the Terroir of the wine we produce-the ALR land upon which our grapes are grown.*

*The majority of our guests do not see our product as a commodity. They have travelled to the winery to see the vines and touch the vineyard soil that created the wine that won The Best White Wine in The World in 2014 -a wine they love so much. It is the combination of the vineyard soil, aspect and local climate that defines our Terroir and it is absolutely unique. Our premium aromatic wines cannot be replicated elsewhere in the world- just as a Burgundy Pinot Noir is unique.*

*Our Phantom shows ( after which our premium red wine is named) are a key part of our strategy to attract visitors from out side the Okanagan. They absolutely love the open air ambiance of the shows held within the winery courtyard on a warm summer evening. The majority of our guests are Vibrant Vine Wine Club Members from outside Kelowna who enjoy the onsite social interaction with the Winery Staff and Owners. These guests very much look forward to these evenings walking in the gardens of our home with a glass of wine and touring the winery and vineyards with our winemakers and staff. And, just as with Mission Hill Winery and Cedar Creek Winery, the ability to access tickets for our shows is a major attraction of membership in our Wine Club.*

*In summary,the proposed activites are intimately tied to, and dependent upon the specific property upon which they take place. The land, and specifically the Terroir of the Winery, is the key to the attraction of these events. Moving these events to land outside the ALR would destroy their primary raison detre.*

**4. Does the proposal support agriculture in the short or long term? Please explain.**

*Our winery has achieved significant success ( winning "The Best White Wine in The World" in The World Wine Competition in Geneva ,Switzerland in 2013) and has been rated the #1 Winery Experience in BC ( out of 214 wineries rated) by Trip Advisor in 2013, 2014, 2015 and 2016. A large part of our popularity comes from the reviews written by visitors to our property either to visit the Tasting Room/Winery or to attend the evening events referred to above. Over a third of the attendees to these events come to Kelowna from outside the Okanagan and plan their trip to Kelowna around the dates of our events.*

*We employ 31 staff during the Summer months that we are open and contribute approximately \$2 Million to the local economy.*

*All our wines are VQA wines and as such all the grapes used come from our farm vineyards and from five other local vineyards with whom we have long term lease agreements.We purchase over \$750,000 of farm products each year from these vineyards and therefore support another 20 or so people engaged in Farming in the Okanagan.*

*In summary, the activities of the winery provide significant financial support to local agriculture in the short term, by providing opportunities for local employment and continuing contracts with local farmers.*

*In the long term, the winery activities bring international recognition to the Terroir of the Okanagan. This increasing recognition is driving increased awareness of the value of agricultural land in the area, and providing support for the long term sustainability of Agriculture in the Region.*

## **Applicant Attachments**

- Proposal Sketch - 56125
- Professional Report - Background of
- Certificate of Title - 440-300-000

## **ALC Attachments**

None.

## **Decisions**

None.

## **BACKGROUND of PROPOSAL**

For several years we have hosted several gatherings at The Vibrant Vine Winery some of which we now believe require review by the ALC.

1)The Wine Country Half Marathon, one of a series of interational half marathons held around the world, begins each year at The Vibrant Vine and ends at Waterfront Park in Kelowna.This is the only race held in Canada.

2)The Kelowna Hospice Butterfly Release is held each year on the driveway of the Vibrant Vine.

3) For several years we have performed Shakespeare Plays and Phantom of The Opera in front of about 200 guests up to ten times a year in the summer within the courtyard of our home on the property. The performances are very popular locally and usually sell out in a day. The performers come from the UK ( Phantom) and Canada ( Shakespeare)

4) We have also entertained our picnic area guests on weekend afternoons from 2pm to 4pm with local performers. We have never had any complaints from our neighbors ( many of whom bring visitors to picnic in our picnic area) Our picnic guests usually spend about an hour with us before moving on to the next winery to continue their wine tour of the East Kelowna wineries.

5) Finally, we have hosted one wedding ceremony per year in the garden of our home for the last five years. The ceremony and champagne toast, held in the afternoon, lasts for one or two hours, after which the 100 or so guests leave for the reception elsewhere. We have never had any complaints about noise etc since the music is usually a violin/cello playing for 15 mins or so.

The five couples who have been married on our property have all come back each year on their anniversary to meet with us and to enjoy some wine as friends in our home.

### **SPECIFIC REQUESTS**

We request the following two activities be considered appropriate “non Farm Use” activities:

1) We wish to host the annual Butterfly Release event on our property during one afternoon in August. This is a fundraising event for the Kelowna Hospice for which we receive no compensation. No alcohol is served and the event takes place on our driveway which is not included in the redlined area of our Special Event License. The event lasts two hours and usually about 500 people take part. (The butterflies represent the “departing souls” of friends and relatives who spent their final days in the Hospice.) It is a quite emotional experience and we are honoured to host the event on the grounds of our home.

2) We wish to once again host the start of the “Wine Country Half Marathon” race in September. As described on the “Destination Races” US web site..

“The Wine Country Half Marathon was born in 2004 when over 1,000 participants ran from the vineyards in southern Napa through the Carneros wine appellation into Sonoma. Spectators cheered runners as they made their way down Broadway and across the finish line in front of City Hall in Sonoma Plaza. Runners then united with friends, family and other runners as they sampled wines cultivated from those same vineyards they passed along the scenic 13.1 mile route. The post-race Wine & Music Festival became a celebration of life, an opportunity for people to meet, relax and reflect. This run, sip and explore concept took hold, and today, Destination Races produces a series of boutique-style events hosted by renowned wine regions and revered by thousands of runners and wine enthusiasts from all over the world.”

The Kelowna half marathon is the only race of its type in Canada and we are extremely proud of the international exposure the race brings to the Okanagan. All of the 1,000+ runners, ( many of whom are international visitors) are bused up to The Vibrant Vine from hotels all over Kelowna for the 7 am race start. These buses unload the runners and then drive directly to the end of the race at Waterfront Park to take the runners back to their hotels after the race ends at about 9am at the Park. There is no onsite or off road parking at our location. The runners arrive at approx 6.30 am and are on the property for about 30 mins before departing. Approx 50 Port-a-Potties are set up the night before and are removed from the property by 10 am.

### **INFORMATION ON OTHER ACTIVITIES**

The four activities listed below all take place within the redlined areas of our Winery's Special Events Endorsement and therefore we interpret these as complying with The Agricultural Land Reserve Use, Subdivision and Procedure Regulation Part 2 Section 2(4) (f) ( which defines events held within a Winery's Special Events Endorsement Area as being "Farm activities" which do not require a "Non Farm Use" application. We have submitted a request to the ALC to confirm that our interpretation is correct and are listing the four events below in the interests of full disclosure.

1) We wish to continue to produce three evening ( 7pm to 9.30pm) shows in late August each year of Phantom of The Opera ( A musical Play) within the courtyard of our home with a maximum attendance of 300 guests with on site parking. While we have cancelled the Shakespeare productions for 2017 because of the uncertainty surrounding our initial Non Farm Use Approval Application, we are committed to the three Phantom shows because of the contractual arrangements which were made over one year in advance.

2) We wish to produce six evening ( 6pm to 9.30pm) performances in August 2018 of a Shakespearian play with a maximum attendance of 200 guests with on site parking.

3) We wish to continue with entertaining our picnic guests with live performances by 1-3 artists from 2pm to 4pm each Sat from June to Sept as we have done for the last five years. These afternoons on the picnic lawn draw about 50-100 guests and have become a very popular activity for local families who spread out on the lawn between our vines and apple trees enjoying a relaxing glass of wine with friends.

4) We have one wedding booked for 2017, where all the arrangements ( guest invites etc) have been made, and we would like to continue with hosting one or two wedding ceremonies per year in the future. These ceremonies last an hour or two and are held in the garden of our home. Most of the guests arrive by bus from their hotel and return to the hotel for the Reception immediately after the ceremony and Champagne Toasts.





Image City of Kelowna

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