



Agricultural Advisory Committee Minutes

Date: Thursday, June 11, 2015
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Domenic Rampone, Ed Schiller, Jeff Ricketts (Alternate), John Janmaat, Keith Duhaime, Kevin Daniels (Alternate), Pete Spencer, Tarsem Goraya, Yvonne Herbison, Jill Worboys (Interior Health)

Staff Present Agriculture, Subdivision & Environment Services Manager, Todd Cashin; Planner, Melanie Stepphun; Council Recording Secretary, Arlene McClelland; City Clerk, Stephen Fleming

(* denotes partial attendance)

1. Call to Order

The staff liaison called the meeting to order at 6:01 p.m.

Opening remarks by the Staff Liaison regarding conduct of the meeting were read.

2. Appointment of Chair and Vice Chair

MOVED BY Ed Schiller/SECONDED By Tarsem Goraya

THAT the Agricultural Advisory Committee elects John Janmaat as Chair for 2015 and 2016;

AND THAT the Agricultural Advisory Committee elects Yvonne Herbison as Vice Chair for 2015 and 2016.

CARRIED

3. Applications for Consideration

3.1 2570 Saucier Road, A15-0003 - Laura & Larrie Carr

Staff:

- Displayed a PowerPoint Presentation summarizing the application.
- The applicant is seeking approval from the Agricultural Land Commission for a "non-farm use" to allow for a second dwelling on the subject property.
- The subject property is approximately 2.8 ha (6.9 acres) and is located along Saucier Road in Southeast Kelowna, just west of South Kelowna School.
- The subject property is within the Resource Protection Area Future Land Use designation.
- The applicants wished to build a new home. To comply with the ALC Act and Regulation, they removed 2 mobile homes and two small dwellings from the property. A \$20,000 delayed demolition bond was placed on Unit A. This application seeks to receive a resolution from the ALC to keep this dwelling as a carriage home on the property.

- Unit A lies in the south central portion of the property. With the new dwelling on the northwest portion of the property. Keeping the house would result in two farm residential footprints.
- The Barn / Workshop will be moved to the west, where the previous mobile homes were located approximately. The pool for the carriage house has been removed.
- Unit A is oversized for a carriage house, which must be no more than 90 square metres to comply with Zoning Bylaw No. 8000. Should the ALC resolve to allow the carriage house, the property would need to be rezoned from A1 to A1c - Agriculture 1 with Carriage House. In addition, modifications would need to be made to the dwelling for compliance with the zoning bylaw.
- Unit A lies in the south central portion of the property. With the new dwelling on the northwest portion of the property, keeping the house would result in two farm residential footprints.
- The Barn/Workshop will be moved to the west side of the property, to in the place where the farm worker dwellings were, to provide more contiguous arable land.
- The property contains primarily Class 5A and Class 5A Agriculture Capability with soil moisture deficits. With irrigation, the agricultural capability of the property could be improved to predominately Class 3. Class 1 through 3 is considered prime agricultural land with minimum restrictions on crop capability.
- The City of Kelowna Farm Protection DP guidelines outline policies to protect farm land and farm operations, limit urban encroachment, and reduce land use conflicts.
- The Agriculture Plan supports non-farm uses when a benefit to agriculture is present.
- ALC's position on carriage homes is that they impose an additional residential intrusion on farm parcels.
- In order for the carriage home to comply with regulation, the following is required:
 - o A resolution by the ALC to allow the Non-farm Use;
 - o A rezoning supported by City Council;
 - o A reduction of the living space of the dwelling to 90 square metres;
 - o Confirmation through the Building Department that life safety requirements are consistent with the current BC Building Code.
- Kelowna City Council is asking the Agriculture Advisory Committee for a recommendation for this application taking into account both the City of Kelowna's and the Agricultural Land Commission's regulations and policies. Consideration should be given to impacts to surrounding agricultural parcels.
- Responded to questions from AAC Members.

Larrie Carr, Applicant:

- Present and available for questions.

AAC/Applicant Discussion:

- The Applicant confirmed he does not live on the property due to the home being too small for his family.
- The Applicant advised that the current tenant is a family member of the previous owner. The tenant helps with the orchard.
- The Applicant commented that they will convert what was residential into farm, therefore, will be bringing more land back into agriculture.
- A Committee Member asked if there were any plans to change the crop from hay to something else. The applicant advised that they produce high quality hay that is bought up every year by Christmas time.
- A Committee Member asked the intentions of the carriage house. The applicant indicated that the long term vision is to have in-laws or parents there for a period of time. I am not interested in renting or being a landlord.
- A Committee Member asked what the net benefit to agriculture was. The applicant commented that the area that is residential is being turned back into agricultural use.
- A Committee Member confirmed with the Applicant that farming was not his primary employment.

AAC Discussion:

- The Committee Members agreed that the footprint of this application needs to be minimized in order to make the farmland more viable for farming.

MOVED BY Yvonne Herbison/SECONDED By Ed Schiller

THAT the Agricultural Advisory Committee recommends that Council NOT support an application to the Agricultural Land Commission under Section 20(3) of the Agricultural Land Commission Act for a 'Non-Farm Use' within the Agricultural Land Reserve (ALR) to allow for a second dwelling on the subject property at 2570 Saucier Road.

CARRIED

Tarsem Goraya - Opposed

ANECTDOTAL COMMENT:

The Agricultural Advisory Committee did not support the application for a "Non-Farm Use" within the Agricultural Land Reserve as the Committee Members expressed concern that there is no benefit to agriculture. The Committee suggested that by moving the driveway to the edge of the property and farm closer to the homesite would make a better farm footprint.

3.2 1838 Heimlich Road, A15-0004 - Don & Diane Hickey

Staff:

- Displayed a PowerPoint Presentation summarizing the application.
- The applicant is seeking approval from the Agricultural Land Commission for a "non-farm use" to allow for a second dwelling on the subject property.
- The subject property is approximately 2.8 ha (6.9 acres) and is located along Heimlich Road, south of Mission Creek and west of Spiers Road.
- The property is located in the ALR, surrounded by ALR properties.
- The property has several riding corrals, single family dwelling, and a shop. The shop has a two level suite addition at the south end.
- The property contains primarily Class 5A and Class 4A Agriculture Capability, with limitations due to soil moisture deficits, which are considered improvable with irrigation. Class 1 through 3 are considered prime agricultural land.
- The soils on the property are predominately Carlin soils. These are fluvial which tend to be silty, medium to finely textured soils. They are suitable for alfalfa, annual vegetable crops, asparagus, cereals, corn and forage crops.
- The City of Kelowna Farm Protection DP guidelines outline policies to protect farm land and farm operations, limit urban encroachment, and reduce land use conflicts.
- In order for the carriage home to comply with regulation, the following is required:
 - o A resolution by the ALC to allow the Non-farm Use;
 - o A rezoning supported by City Council;
 - o Confirmation through the Building Department that life safety requirements are consistent with the current BC Building Code.
- Kelowna City Council is asking the Agriculture Advisory Committee for a recommendation for this application taking into account both the City of Kelowna's and the Agricultural Land Commission's regulations and policies. Consideration should be given to impacts to surrounding agricultural parcels.
- Responded to questions from AAC Members.

AAC/Staff Discussion:

- A Committee Member confirmed with staff that the use in which the original building permit was attained had changed.

Don Hickey, 1838 Heimlich Road, Applicant:

- Advised that originally the space was used as an office and had attained a building permit to build.

- Relocated to Edmonton and rented out the home in Kelowna.
- Was unable to secure a tenant that would also look after the maintenance of the property. Returned to Kelowna and used the office space as an apartment.
- Originally the land housed two horses. Currently there is no agriculture on the land and it is just grass.

AAC/Applicant Discussion:

- A Committee Member asked if there was any type of agriculture on the land. The Applicant advised that there is not and that there is a creek running through the property and there isn't a lot of land. It's always been grass which is also difficult to grow. The land is in the flood plain and only 90 feet from Mission Creek. Would be surprised if anything could be grown.
- A Committee Member commented that the staff report indicates agriculture capabilities. The Applicant advised that the land is not large enough for anything but a garden.
- The Applicant advised that the office was no longer needed and turned it into a suite in order to have a place to stay short term in order to maintain his property .
- The Applicant confirmed that no one is currently living in the main structure due to damage caused by the previous tenant. Currently living in the apartment until renovations are completed on the main house.
- The Applicant confirmed that he will continue to reside in the carriage if a tenant can be found for the main house. Otherwise the Applicant will move to the main house and leave the carriage house vacant.

MOVED BY Pete Spencer/SECONDED By Domenic Rampone

THAT the Agricultural Advisory Committee recommends that Council NOT support an application to the Agricultural Land Commission under Section 20(3) of the Agricultural Land Commission Act for a 'Non-Farm Use' within the Agricultural Land Reserve (ALR) to allow for a second dwelling located on the subject property of 1838 Hemlich Road.

CARRIED
Ed Schiller - Opposed

ANECTDOTAL COMMENT:

The Agricultural Advisory Committee did not support the application for a "Non-Farm Use" within the Agricultural Land Reserve as the Committee Members expressed concern that there is no benefit to agriculture.

3.3 1090 McKenzie Road, FH15-0001 - GP Sandher Holdings Ltd.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.
- The Applicant is requesting permission from the Agricultural Land Commission for a Farm Help Permit for proposed residences to accommodate 80 temporary agricultural workers in addition to accommodations for 48 temporary agricultural workers already approved for the property.
- The subject property is located at 1090 McKenzie Road just west of Gibson Road and South of El Paso and El Carlo Roads in the Rutland Bench area.
- The property is 12.9 ha in size and is one of over 93 ha (or 230 acres) currently farmed by the applicant in the Kelowna area. The subject property is fully planted in apples.
- Through the Seasonal Agricultural Workers Program the applicant has received approval for over 100 foreign agricultural workers.
- SAWP and the BC Agriculture Council, establishes standards for housing foreign farm workers and the housing is inspected twice per year by an accredited inspector for the SAWP program.
- The existing Farm Worker housing is held in the existing dwelling, and an addition built this year. The request today is for 2 structures to accommodate 40 additional workers

- each, for a total of 128 workers to be housed on the site. They will go on the slope at the east side of the property.
- The plans are for two bunkhouse style dwellings.
 - Farm work housing concerns:
 - o Potential misuse of farm worker housing / reuse in future
 - o Loss of agricultural land
 - o Increased demands on infrastructure
 - o Increased value of farm properties
 - o Change to agricultural landscape
 - o Neighbourhood impacts (e.g. noise, traffic)
 - According to the Summary of Local Government Regulations for Temporary Farm Worker Housing, the municipalities of Abbotsford, Delta, Langley Township, Maple Ridge, Pitt Meadows and Richmond regulate one or more of:
 - o the number of farm workers on a single site,
 - o maximum floor area,
 - o minimum lot and
 - o farm operation size
 - ALC provided comments of Non Support of the 80 additional farm worker dwelling units.
 - Existing policy states that where additional farm worker housing can be justified, the provision of temporary farm worker housing is preferred and further, that the accommodation can be easily removed if and when the need no longer exists.
 - Kelowna City Council is asking the Agriculture Advisory Committee for a recommendation for this application taking into account both the City of Kelowna's and the Agricultural Land Commission's regulations and policies. Consideration should be given to potential short and long term impacts of farm worker housing for 128 workers on a single parcel and potential reuse for the structures if the farming operation was reduced in size.
 - Responded to questions from AAC Members.

Sukhi Sandher, Applicant:

- Confirmed he owns several properties in Rutland and harvests 50% apples and 50% cherries.
- Confirmed he currently employs 200 workers; majority of workers are only needed for 2 months and the rest of the year require 70 to 80 workers.
- Confirmed his business is still growing.

AAC/Applicant Discussion

- The Applicant believes he would not require any more buildings for workers. Trying to keep everything in one area. Feels that putting buildings on each property would not be financially feasible.
- A Committee Member asked if current equipment storage could be used for accommodation. The Applicant noted that accommodation is only for workers and that they already have storage for equipment.

MOVED BY Keith Duhaime/SECONDED By Ed Schiller

THAT the Agricultural Advisory Committee recommends that Council support an application to the Agricultural Land Commission for a Farm Help Permit for proposed residences to accommodate 80 temporary agricultural workers in addition to accommodations for 48 temporary agricultural workers already approved for the property located at 1090 McKenzie Road.

CARRIED

ANECTDOTAL COMMENT:

The Agricultural Advisory Committee supported the application for a Farm Help Permit for proposed residences as this format centralizes sewer and water in one area and will accommodate many workers in one place. Will provide for better planning resources.

3.4 2015 Belgo Road, A15-0005 - Misao Koga

Staff:

- Displayed a PowerPoint Presentation summarizing the application.
- The Applicant is requesting permission from the ALC for a "Subdivision of agricultural land reserve". Specifically, the applicant is applying for a homesite severance under Policy #11 of the ALC
- The proposed subdivision complies with the ALC Policy #11 which states that owners may apply to subdivide their home from the farm remainder if the principal residence has been owner occupied since December 21, 1972. In this case, the applicant has owned and lived continually at the property since 1968
- The property is within the Belgo/Black Mountain Sector of the City, along Belgo Road, and east of Hollywood South.
- The property is within the Agricultural Land Reserve and is zoned A1.
- The property is within the Agricultural Land Reserve and is zoned A1
- The proposed homesite is at the northeast corner of the property, along Belgo Road and is approximately 0.4 hectares, or 0.98 acre in size. There are currently two dwellings on the property. The other dwelling will stay with the farm remainder.
- The Ministry of Agriculture's Guide for Bylaw Development in Farming Areas outlines standards for farm residential footprints. They outline the lesser of a footprint similar to residences in urban areas or 2000 square metres (1/2 acre).
- The Ministry Guidelines state that the footprint should be within 20 metres of a road, and preferably 2000 square metres or less.
- Kelowna City Council is asking the Agricultural Advisory Committee for your recommendation for this homesite severance, with respect to City of Kelowna, Ministry of Agriculture and ALC regulations and policies.

Bob Koga, Belgo Road, Applicant:

- Advised that he and his wife currently live in the house and the plan is for a homesite severance and have his mother move in.

AAC Discussion:

- Commented that this application is a good example of how a homesite severance can be achieved with the least amount of impact to agriculture.

MOVED BY Ed Schiller /SECONDED By Keith Duhaime

THAT the Agricultural Advisory Committee recommends that Council support an application to the Agricultural Land Commission for a "*Subdivision of Agricultural Land Reserve*" under Section 21(2) of the Agricultural Land Commission Act for a Homesite Severance on Agricultural Land Reserve (ALR) Lands located at 2015 Belgo Road.

Carried

4. Minutes

MOVED BY Ed Schiller /SECONDED By Pete Spencer

THAT the Minutes of the August 26, 2014 Agricultural Advisory Committee meeting be adopted.

Carried

5. Referrals

There were no referrals.

6. **Old Business**

There was no old business to consider.

7. **New Business**

A Committee Member suggested the Committee participate in an agricultural tour in 2016 with local politicians.

A Committee Member suggested meeting with Council to discuss agricultural issues and ALC enforcement on non-agricultural uses on agricultural land.

A Committee Member suggested sending a Member from this Committee to the Agricultural Advisory Committee Workshop held in Richmond, B.C.

A Committee Member suggested the Committee meet with ALC.

MOVED BY Domenic Rampone/SECONDED By Ed Schiller

THAT the Agricultural Advisory Committee requests Council approval to attend an Agricultural Advisory Committee Workshop to be held in 2016;

AND THAT the Agricultural Advisory Committee requests Council approval to participate in a Central Okanagan Agricultural Tour in 2016;

AND FURTHER THAT the Agricultural Advisory Committee requests Council approval to meet with ALC.

Carried

8. **Next Meeting**

The next Committee meeting has been scheduled for July 9, 2015.

9. **Termination of Meeting**

The Chair declared the meeting terminated at 8:34 p.m.

John Janmaat, Chair

/acm