



Agricultural Advisory Committee Minutes

Date: Thursday, July 9, 2015
 Location: Council Chamber
 City Hall, 1435 Water Street

Committee Members Present: John Janmaat (Chair), Yvonne Herbison (Vice Chair), Keith Duhaime, Tarsem Goraya, Jeff Ricketts (Alternate), Kevin Daniels (Alternate) and Jill Worboys (Interior Health)

Committee Members Absent: Domenic Rampone, Ed Schiller and Pete Spencer

Staff Present: City Clerk, Stephen Fleming; Planner, Melanie Stepphun and Legislative Systems Coordinator, Sandi Horning

(* denotes partial attendance)

1. Call to Order

The Chair called the meeting to order at 6:02 p.m.

Opening remarks by the Chair regarding conduct of the meeting were read.

2. Applications for Consideration

2.1 1629-1649 KLO Road, A15-0006 - Western Global Enterprises Ltd.

Staff:

- Displayed a PowerPoint presentation summarizing the application.
- The applicant is seeking approval from the Agricultural Land Commission under Section 20(3) of the *Agricultural Land Commission Act* for a "non-farm use" to allow for landscape supply sales.
- The property was previously farmed in corn and potatoes. In 2012, Better Earth Garden Centre leased the property for their landscape and garden centre business. Portions of the property were also sub-leased to three (3) other tenants, including another landscape company.
- In 2014, the City of Kelowna Bylaw Enforcement received complaints about dust and noise on the property. The Agricultural Land Commission also received complaints, and in July of 2014, a Stop Work Order was sent by Agricultural Land Commission Enforcement personnel.

- In the summer of 2014, the applicants met with planning staff to review options for compliance, and began to terminate the leases of the other sub-tenants, and to clean up the majority of the site and return it to agriculture.
- The applicants have worked since 2014 to bring the site into compliance, however, it has been decided that their business requires a larger non-farm retail sales area than is permitted under the Agricultural Land Commission's Regulations.
- This application is a request to the Agricultural Land Commission to allow the non-farm retail sales for their operation to be expanded to 700 meters square, from 150 meters permitted, to allow for landscape soil products, including topsoil, rock and wood mulches, compost products such as OgoGrow, and fertilizer.
- The subject property is approximately 5.03 hectares or 12.4 acres in size and is located in the South Pandosy/Mission Sector of the City along KLO Road, west of Benvoulin Road.
- The site is in the Agricultural Land Reserve, surrounded by Agricultural Land Reserve properties to the north and south. Residential neighbourhoods lie immediately east and west.
- The plans for the property include farming the majority of the parcel in alfalfa. The area immediately adjacent to KLO Road will be used for the garden centre, which will include a shop, customer parking, an office, a greenhouse, trees and shrub growing areas and retail sales, as well as landscape soil products (topsoil, rock, wood mulch, compost, fertilizer).
- The topsoil and compost products will not be taken from or produced on site, but will be brought in from off-site suppliers.
- If the Agricultural Land Commission approves the use, a site specific City of Kelowna Text Amendment will be required in order to allow the use in the A1 - Agriculture 1 Zone.
- Responded to questions from the Committee members.

Alexander & Krystal Luymes, Applicants:

- Advised that they were unaware of all the Agricultural Land Commission's Regulations when they first leased the property and are now trying to bring the site into compliance.
- Responded to questions from the Committee Members.
- Advised that they are requesting 700 square meters of non-farm use area in order enable their business to sell a variety landscape material. The allowable 150 square meters is not large enough for the number products they wish to sell.
- Confirmed that they farm the entire site.
- Advised that they do not cut the alfalfa themselves, they hire someone to do that for them.
- Advised that if the non-farm use is approved, they will be planting trees and plants to support the business.
- Confirmed that the trees and plants are currently brought in from off-site.
- Spoke to what they have done to ensure that the soil would not be contaminated. All the rock and concrete that was there when they first leased the property has been taken away.
- Advised that they have an on-site compost area.
- Advised that any soil that was brought in from off-site was there prior to them leasing the property.
- Advised that when they leased the property they were informed that the activities on the site were legal.
- Advised that soil testing has not been completed, however Agricultural Land Commission staff have been on site and did conduct an inspection. They were advised that the Agricultural Land Commission did not have any concerns with the soil.
- Advised that their intent is to ensure that the quality of soil remains at a high level.
- Advised that the pressure chips would be for the benefit of the non-farm use area of the site and would not necessarily benefit agriculture.
- Confirmed that they do not use herbicides as part of their weed control. The weeds are cut on a regular basis.
- Confirmed that if the business does well, the 700 square meters of non-farm use area will accommodate any potential future expansion.

AAC/Staff Discussion:

- Staff confirmed that the other businesses in the area are also located within the Agricultural Land Reserve.
- Staff confirmed that if the Agricultural Land Commission approves this non-farm use application and in the future, the Applicants wish to expand the area, another application to the Agricultural Land Commission would be required.

A motion by Jeff Ricketts not to recommend that Council 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 for a portion of the property to operate as a landscape centre was lost due to a lack of a seconder.

Moved By Keith Duhaime/Seconded By Yvonne Herbison

THAT the Agricultural Advisory Committee recommends that Council 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 for a portion of the property to operate as a landscape centre.

Carried
Jeff Ricketts - **Opposed**

3. Minutes

A Committee Member questioned the content of the June 11, 2015 Minutes with respect to the Farm Housing Application for the property located at 1090 McKenzie Road.

The City Clerk spoke to the minute-taking process and confirmed that the City of Kelowna does not take verbatim minutes.

Moved By Yvonne Herbison/Seconded By Tarsem Goraya

THAT the Minutes of the June 11, 2015 Agricultural Advisory Committee meeting be adopted with a note that the omission of the discussion regarding the Farm Housing Application for the property located at 1090 McKenzie Road be raised at the next Committee meeting.

Carried

The Committee Members had a discussion with respect to the process and procedure at meetings and how to deal with the discussion around support or non-support of motions. For the time being, the Committee Members agreed to have a discussion prior to a motion being put on the floor with a view to moving towards having a motion put on the floor first and then discussing it.

4. Referrals

There were no referrals.

5. Old Business

5.1 Update of Agricultural Land Commission Decisions

Staff provided an update on the following Agricultural Land Commission applications:

- 1) 3150 Balldock Road - Application for Subdivision
 - Supported by the Committee

- Supported by Council
 - Refused by the Agricultural Land Commission
- 2) 2105 Morrison Road - Application for Subdivision
 - Not supported by the Committee
 - Supported by Council
 - Refused by the Agricultural Land Commission
 - 3) 4410 Wallace Hill Road - Application for Non-Farm Use (Apple Vodka Distillery)
 - Supported by the Committee
 - Supported by Council
 - Refused by the Agricultural Land Commission
 - 4) 342 Valley Road - Home Site Severance Application
 - Supported by the Committee
 - Supported by Council
 - Approved by the Agricultural Land Commission

6. New Business

6.1 Agricultural Planning Overview

Staff:

- Displayed a PowerPoint presentation and provided an overview of agricultural planning within the City of Kelowna, including:
 - Permitted Uses on agricultural lands;
 - Non-farm use applications for carriage houses;
 - Home-based businesses;
 - Retail sales;
 - Landscaping companies;
 - Farm help dwellings - Seasonal farm worker housing and Full-time farm help;
 - Weddings;
 - Farm Protection Development Permits;
 - Resource materials;
 - Legality of Rationale;
 - Strategy; and
 - Other municipalities;
- Responded to questions from the Committee Members.

7. Next Meeting

The next Committee meeting has been scheduled for August 13, 2015.

8. Termination of Meeting

The Chair declared the meeting terminated at 7:14 p.m.

John Janmaat, Chair

/slh