

Agricultural Advisory Committee

Minutes

Date:	Thursday, May 12, 2016
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Domenic Rampone, Ed Schiller, Jeff Ricketts (Alternate), John Janmaat, Keith Duhaime, Kevin Daniels (Alternate), Tarsem Goraya, Yvonne Herbison, Jill Worboys (Interior Health)
Members Absent	Pete Spencer
Staff Present	Suburban & Rural Planning Manager, Todd Cashin Planner, Melanie Steppuhn Planner, Tracey Yuzik* Planner Specialist, Graham March* Policy & Planning Dept. Manager, James Moore* Sr. Airport Finance & Corporate Service Manager, Shayne Dyrdal* Airport Director, Sam Samaddar* Council Recording Secretary, Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

The Chair called the meeting to order at 6:07 p.m.

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

2. Applications for Consideration

2.1 3665 and 3671 Hart Road, A16-0006 - Roger Borrett

Staff:

- Displayed a PowerPoint Presentation summarizing the application.
- The applicant is requesting permission from the Agricultural Land Commission (ALC) for a "*Subdivision of Agricultural Land Reserve*" under Section 21(2) of the Agricultural Land Commission Act. The subdivision is more specifically a Lot Line Adjustment.
- The subject property is located in the Southeast Kelowna Sector of the City. It is surrounded by land in the ALR. To the west is a golf course with an agricultural component, to the north, east and south is actively farmed land. It is outside the Permanent Growth Boundary according to the Official.
- The site is in the ALR surrounded by ALR properties.
- The family has farmed in the area for four generations. On the two properties they farm apples, sour cherries, grapes, have a garden nursery and vegetables.
- The proposal as noted:
 - Move east lot line 98 m east;
 - Homeplate (.5 ha) covenant for existing farmplate;
 - Homeplate (0.2 ha) on 3665 Hart Road;
 - Access easement for 3681 Hart Road.
- The property at 3671 has an existing homeplate covenant registered on the property, which was a requirement when the homesite severance of 3681 was subdivided from the

property. The proposal would remove this covenant, and replace a farmplate covenant on the existing farmplate on the south edge. This farmplate includes the applicant's dwelling, his implement shed, and a bunkhouse which he currently uses to house his temporary workers. A No-build covenant would be placed on the remainder of 3671 Hart Road.

- In addition, the proposal includes the registration of a 0.2ha homeplate covenant along McCulloch Road. The size of this covenant is the same as that which would be removed from Hart Road. This size and location, being within 60 metres of the road, is consistent with Ministry of Agriculture bylaw standards.
- City Council is asking the Agricultural Advisory Committee for your recommendation for this application with respect to the City of Kelowna and ALC regulations and policies. Considerations should be given to agriculture impacts as well as the potential impacts to surrounding agricultural parcels.
- The proposal would include the registration of an access easement through 3671 Hart Road, to access 3681 Hart Road, which is the lot of the homesite severance from 2010.
- Responded to questions from Committee members.

AAC/Staff Discussion:

- Staff clarified that the by moving the lot line 98 m east would negate the requirement of the current access agreement.
- AAC confirmed there would be no net loss in farmland due to this application.
- AAC confirmed with staff that the combined two properties totals 28.7 acres.
- The Chair clarified the history of ALC decisions on the subject property. Staff clarified that no additional houses have been built since homesite severance.

Roger Borrett, Applicant

- Present and available for questions.

Moved By Yvonne Herbison/Seconded By Domenic Rampone

THAT the Agricultural Advisory Committee recommends that Council support an application to the Agricultural Land Commission under Section 21(2) of the Agricultural Land Commission Act for a "Subdivision of Agriculture Land Reserve at 3665 and 3671 Hart Road for a lot line adjustment.

Carried

ANECTDOTAL COMMENT:

The Agricultural Advisory Committee supported this application for "Subdivision of Agriculture Land" on this property and commented that there is no net loss of agricultural land and the farm is currently in operation.

2.2 3740 Casorso Road, A16-0002 - Urban Options Planning & Permits

Staff:

- Displayed a PowerPoint Presentation summarizing the application.
- Located in South Pandosy
- Outside of Permanent Growth Boundary
- Responded to questions from AAC Members
- Get PP from Tracey Yuzik

AAC/Staff Discussion:

- AAC confirmed that Neway Nursery & Landscaping leases the land and that approval has been provided by the land owners

- Staff advised that the creek does not encroach the property; this land is not identified as an official wetland area.
- AAC confirmed that there is compacted gravel in the north area of the property.

Birte Decloux, Urban Option Applicant's Representative

- Displayed a PowerPoint Presentation summarizing the application.
- Landscape business has been licensed on the site since 2003.
- No complaints about the uses, or anything else, ever generated on the site.
- There is a symbiotic relationship between the nursery and the landscape business
- Over the 13 years that Neway has been located on the site many improvements have been made including; planting the boulevard with large trees; creating a ditch to collect the excessive water; naturalizing wetland areas and removing weeds.
- As well, gradual expansion of the nursery area as follows:
 - o 2006 increased nursery area to 1,500m² (11% of the parcel) with some soil bins for wholesale sales;
 - o 2009 nursery expanded to 2,140m² (16% of the parcel) Rock bins were added to the site for wholesale sales;
 - o 2012 the main nursery area was expanded to include a larger sawdust area to heel in plants.
- The overall area of the nursery increased to 2,340 m² or 17.5% of the land.
- In 2016 changes have been ongoing; displayed photos of the property.
- Advised that gravel had been brought in due to the high water table.
- The applicant has worked hard to clean up the area and unsightly materials.
- The applicant is following recommendation from staff to place trees and landscape materials in mulch baskets and not in the soil.
- Displayed photos of nursery area showing soil storage and up potting.
- Supports agriculture with wholesales of nursery accounting for 21% of farm gate sales in 2004;
 - Site is close to urban area and easy for customer to purchase gardening needs. Approximately 83% of a garden centres customers come from 8-24km radius;
 - Employees are local that have an aptitude for plants and agriculture;
 - Independent local business that has operated here for over 13 years;
 - Utilizes local sources materials such as Glenmore grow and Ogogrow;
 - A viable compliant business on the land reduces development pressure for other uses;
 - BC is the second largest producers of nursery stock in Canada and account for 31% of the national trade.

Glen Chora, Owner Neway Landscape & Irrigation Ltd., Gordon Drive

- Confirmed that most areas of the property being put into use and that there has been a major clean up on the property.
- Advised that the nursery and landscape business are both required for each to survive and to move forward.

AAC/Applicant Discussion:

- Applicant believes the benefit to agriculture is the expansion of the nursery function.
- Applicant commented that the intent was always to expand the nursery and propagate.
- Applicant advised that no work had been done on the drainage ditch as it is on city property.
- Applicant confirmed that that there had not been an application to ALC to bring soil on site.
- Applicant advised that the first greenhouse is set up however needs power and heat to the building. Future plan is to set up another greenhouse.
- Applicant confirmed the area is 100% cleaned and trailers have been removed.
- Applicant confirmed that landscape and nursery equipment is stored on this property.
- Applicant confirmed Business License states landscaping, gardening including sale shrubs.

Staff/Applicant Discussion:

- AAC raised concerns with other surrounding properties being non-compliant without proper permits for many years.
- Staff advised that the city has been aware of non-compliant activities in the Benvoulin / Casorso Corridor and Council directed staff to correct this. A Strategy Plan has been underway for one year and it has been quite successful.

Moved By Keith Duhaime /Seconded By Ed Schiller

THAT the Agricultural Advisory Committee recommends that Council support an application to the Agricultural Land Commission under Section 25 of the Agricultural Land Commission Act for "non-farm use" on the subject property at 3740 Casorso Road legalize an existing non-conforming nursery and landscape company and proposed nursery expansion.

Defeated

Domenic Rampone, Jeff Ricketts, John Janmaat, Kevin Daniels Tarsem Goraya, Yvonne Herbison - Opposed

ANECTDOTAL COMMENT:

The Agricultural Advisory Committee did not support the request to legalize an existing non-conforming nursery and landscape company and proposed nursery expansion on this property, however, acknowledge that the applicant has done a lot to enhance the property. The Agricultural Advisory Committee raised concern with setting a precedent for others in the area that are non-compliant. The Agricultural Advisory Committee strongly encourages the Applicant to relook at the site and reconfigure in order to increase farmland; suggested the gravel operation be moved to the front of the property to increase the agriculture footprint.

The Agricultural Advisory Committee recommend more resources be put towards compliance enforcement.

2.3 1555 Glenmore Road, 855 Packinghouse Road, 2250 & 2285 Galiano Road, ASP12-0001 - Troika Developments

Staff:

- Displayed a PowerPoint Presentation summarizing the application.
- The purpose is to consider the merits of the draft Diamond Mountain Area Structure Plan (ASP), submitted by the applicant for review and comment.
- Seeking anecdotal comments, specifically regarding urban/agricultural interface; Stormwater management and second road access.
- Described the purpose of an Area Structure Plan.
- As part of the OCP 2030 update, Diamond Mountain designated as ASP area. On April 15, 2016 Troika submitted a draft ASP for review and comment.
- The ASP area is generally bounded by:
 - City of Kelowna Glenmore Landfill to the north;
 - Roberts Lake to the east;
 - Glenmore Road to the west and Scenic Road to the south
 - University of British Columbia, Okanagan (UBCO) is approximately 1.5 km to the east of Diamond Mountain
- The Diamond Mountain ASP lands is made up of four properties totaling 88.80 hectares (219.42 acres) zoned A1 - Agriculture; primarily undeveloped hillside site.
- Described the development concept as mixed-use neighbourhood with limited commercial and office areas. Multi-phase buildout with a total population of 2,000 people. Over 50% of site to remain as natural area.

- Diamond Mountain is a hillside development outside of the ALR. There are potential negative impacts to both agriculture and to Diamond Mountain resident (ie. noise, spray, general farm practices).
- Storm water management needs to meet City requirements; proposing a system of catch basins and pipes.
- Initially only one access into development off John Hindle Drive; second access to be required if additional development above ~400 units.
- Responded to questions from AAC Members.

AAC Comments:

- AAC confirmed that there are no details or decision made at this moment regarding the type of buffering.
- AAC suggested the Developer put up a bond for buffering.
- AAC suggested contacting the City of Abbotsford as they good documentation on how to incorporate corridors to separate development and agriculture. There could be nice public space separating development and agriculture.
- Raised concern regarding farmers burning every season; could pose a risk to have isolated development surrounded by agriculture.
- Suggested weed line along fence buffering be maintained.
- Shuttling large amounts of traffic is disruptive and congestive and suggested access off of Glenmore. Suggested an interchange or light to coordinate second road access plan.
- Consider road design to minimize slope as there will be cyclists.
- Suggested the proposed roadway be thought out with least impact to agriculture.
- Pleased that a garden space is being incorporated into the development.
- Recommended that a program be put in place to support farmers in return for the value the development receives from being surrounded by agriculture.

Renee Wasylyk, Troika Developments

- Displayed photo of farms around the area.
- The landscape is quite steep; wherever it is not steep a buffer will be created. Want to enhance the area with buffering.
- There is 16 acres of agricultural uses; a blueberry farm and maple tree farm. Created 4 acres of community gardens. Also proposing a fruit stand.
- Creating a trail system for people to walk to UBCO or the Airport.
- There will always be a fence line when interfacing agricultural land with a berm in some areas. The goal is to enhance the interface with agricultural neighbours.
- Home sites will be long and narrow in size and will allow for a natural buffer. There are many evergreen trees along the edge and want to keep as many as possible.
- Working with the Tonn Family to expose the historical value of the area.

AAC/Applicant Discussion:

- Applicant confirmed there is bonding in place now with the City for buffering.
- Applicant confirmed servicing assessment done by CTQ Consultants. Power will be coming from Glenmore Road and John Hindle but mostly from John Hindle for most of the infrastructure. This will be in place prior to development.
- Applicant commented that they would like all roads under 10% grade; roads onto the site must be good for walking, hiking, cycling, strollers, etc.
- Applicant advised the architectural guidelines will contemplate solar power for every single rooftop.
- Applicant confirmed there is no proposal for a cell tower as there is already cell service all over the mountain.
- AAC inquired about storm sewers and if storm water is treated on site. The Applicant advised that there are 7 ponds on site; outside of 100-year storm that will drain into catch basins.

2.4 5269 Hwy 97, 4310, 4210 and 4130 Old Vernon Road, A16-0009 - City of Kelowna (YLW)

Staff:

- Displayed a PowerPoint Presentation summarizing the application.
- The applicant is requesting permission from the Agricultural Land Commission under Section 30(1) of the Agricultural Land Commission Act for an exclusion within the ALR of the subject properties for airside commercial development to support airport services. The City of Kelowna property is actually under Section 29(1) of the ALC Act.
- The airport is within the Highway 97 Official Community Plan Sector of the City. The sites are within the ALR.
- There are ALR parcels predominantly to the east and south; to the north lies the airport, and the west across Highway 97 is the Airport Industrial Park, with some commercial uses.
- According to the Official Community Plan the future land uses of the subject property within the City of Kelowna is Public Service Utilities.
- According to the Regional District of Central Okanagan's (RDCO) Future Land Use Map the future and use of the subject properties within the RDCO is Agriculture.
- The City of Kelowna property has been identified in the 2025 Airport Master Plan as having a land use of Terminal Services.
- City Council is asking the Agricultural Advisory Committee for your recommendation for this application with respect to the City of Kelowna and ALC regulations and policies. Considerations should be given to agriculture impacts as well as the potential impacts to surrounding agricultural parcels.
- Responded to questions from AAC Members.

AAC/Staff Discussion:

- AAC inquired if the City could engage the old sawmill site and turn back into agriculture in lieu of removing productive farm land. Would like city to improve agriculture at their own expense and not taxpayers.
- Staff noted the Agrology report speaks to saving and salvaging topsoil from the site and providing to other ALR properties.

Shayne Dyrdale, Sr. Airport Finance & Corporate Service Manager

- Displayed a PowerPoint Presentation summarizing the application.
- Kelowna International Airport is requesting that four key pieces of airport land be excluded from the ALR for necessary aeronautical airside development.
- The Airport intends to use the ALR exempt properties for necessary future airside development and services that will support anticipated growth.
- Property to the east of the runway will create opportunity for additional airside infrastructure including fueling, maintenance and cargo.
- Property to the south of the terminal building will be used for the airport terminal complex expansion.
- Spoke to the Airport's support of Agriculture;
 - Okanagan Estate Wine Cellar is located in the departure area and offers a broad selection of wines, exclusively from Okanagan wineries with complimentary carry-on packages; future development plans for the departure area is a wine, craft beer and distillery bar; gifts of the Okanagan including valley artists displaying artworks, many of which are agriculture related.
 - The Airport has partnered with De Simone Farms to provide passengers with fresh, local in-season produce that they can take home with them; packaged in specially designed boxes that will fit easily under airplane seats or in overhead compartments.
 - As the Airport develops land, it intends to have all soil tested to determine whether it's of agricultural quality with the intent to transfer it to a local farm to improve it agricultural ability.
- The Airport provides advertising opportunities to agricultural-based businesses with signage positions throughout the airport.
- The Airport has a history of leasing Airport owned lands eligible for agriculture to farmers at a very reasonable rate for the production of hay and alfalfa.
- The Airport Connection Magazine is a free quarterly publication; past issues have featured agriculture related content and all issues provide a platform for agriculture-based businesses to purchase advertising space to target potential tourism customers.

- The Airport regularly sponsors and advertises in various local wine publications and events.
- Responded to questions from AAC Members

AAC/Applicant Discussion:

- AAC commented that it appears the Airport mostly supports the wine industry with its advertising.
- The Applicant noted that the advertising is free and would definitely consider making other signs that highlight diversity in the community including both wineries and farmers.
- The Applicant noted that they're hoping the Farm to Flight program becomes something very unique and will be providing produce/fruit from a variety of local farms.
- The Applicant advised that the Airport also has the ability to bring in seasonal farm workers in a more direct route.
- AAC commented that it is a huge help to Orchards to have the farm help workers flown direct to Kelowna.
- The Applicant advised that with the potential for larger planes in the future, the opportunity for direct overseas flights will exist. Direct cargo can also cut the time of produce/fruits being transported by ground transportation.
- The Applicant advised that the runway end safety area has to be extended to the south due to new regulations.
- The Applicant advised that the landing instruments will be moved further to the south, the system has to have an area free to transmit the signal and the signal will not clear the mountains.
- AAC commented that airports are a critical part of transportation infrastructure and that there is a great link between airport and ground transportation. Linkage from the Airport to Downtown would be a benefit to agriculture and reduce the pressure of traffic.

Moved By Keith Duhaime/Seconded By Domenic Rampone

THAT the Agricultural Advisory Committee recommends that Council support the exclusion from the Agricultural Land Reserve under Section 30(1), 29(1) of the ALC Act of the subject properties 5269 Highway 97 N, 4310, 3210 and 4130 Old Vernon Road in order to provide airside commercial development to support airport services.

Carried

ANECTDOTAL COMMENT:

The Agricultural Advisory Committee supported the "Exclusion of Agriculture Land" on this property, however, encourage the Airport branding activities, including for example, art installations or advertising opportunities, to recognize full diversity of agriculture in Kelowna. The Agricultural Advisory Committee recommend that the soil recovered to help sites that are degraded and not just assist one individual farmer.

The AAC also recommends that the City of Kelowna prepare an overall mitigation plan for infrastructure and public service projects that require ALR land, that provides a benefit to agriculture off site and to the broader agricultural community as a whole. This could include replacing land to benefit of agriculture, water improvements, soil improvement initiatives, weed control and research collaborations.

3. Minutes

Moved By Domenic Rampone/Seconded By Yvonne Herbison

THAT the Minutes of the April 14,2016 Agricultural Advisory Committee meeting be adopted.

Carried

4. **Next Meeting**

The next Committee meeting has been scheduled for June 9, 2016.

5. **Termination of Meeting**

The Chair declared the meeting terminated at 9:02 p.m.

John Janmaat, Chair

/acm