
**CITY OF KELOWNA
MEMORANDUM**

Date: October 14, 2008
File No.: A08-0011
To: City Manager
From: Community Sustainability Division
Purpose: To obtain approval from the Agricultural Land Commission under Section 20(3) of the *Agricultural Land Commission Act* for a non-farm use to allow greenhouses on a portion of the property to be converted and utilized for RV and boat storage.

OWNERS John & Henriette Faber **APPLICANTS** John & Henriette Faber
AT: 1779 Rutland Road North
EXISTING ZONE: A1 – Agriculture 1
REPORT PREPARED BY: Andrew Browne

1.0 RECOMMENDATION

THAT Agricultural Land Reserve Appeal No. A08-0011 for Lot 2, Section 35, Township 26, O.D.Y.D., Plan 18313, located at 1779 Rutland Road North, Kelowna, B.C. for a non-farm use within the Agricultural Land Reserve, pursuant to Section 20(3) of the *Agricultural Land Commission Act*, not be supported by Municipal Council;

AND THAT Municipal Council forward the subject application to the Agricultural Land Commission.

2.0 SUMMARY

The applicant is requesting permission from the Agricultural Land Commission (ALC) to allow a non-farm use within the Agricultural Land Reserve in order to convert the existing greenhouses for use as RV & boat storage.

3.0 AGRICULTURAL ADVISORY COMMITTEE

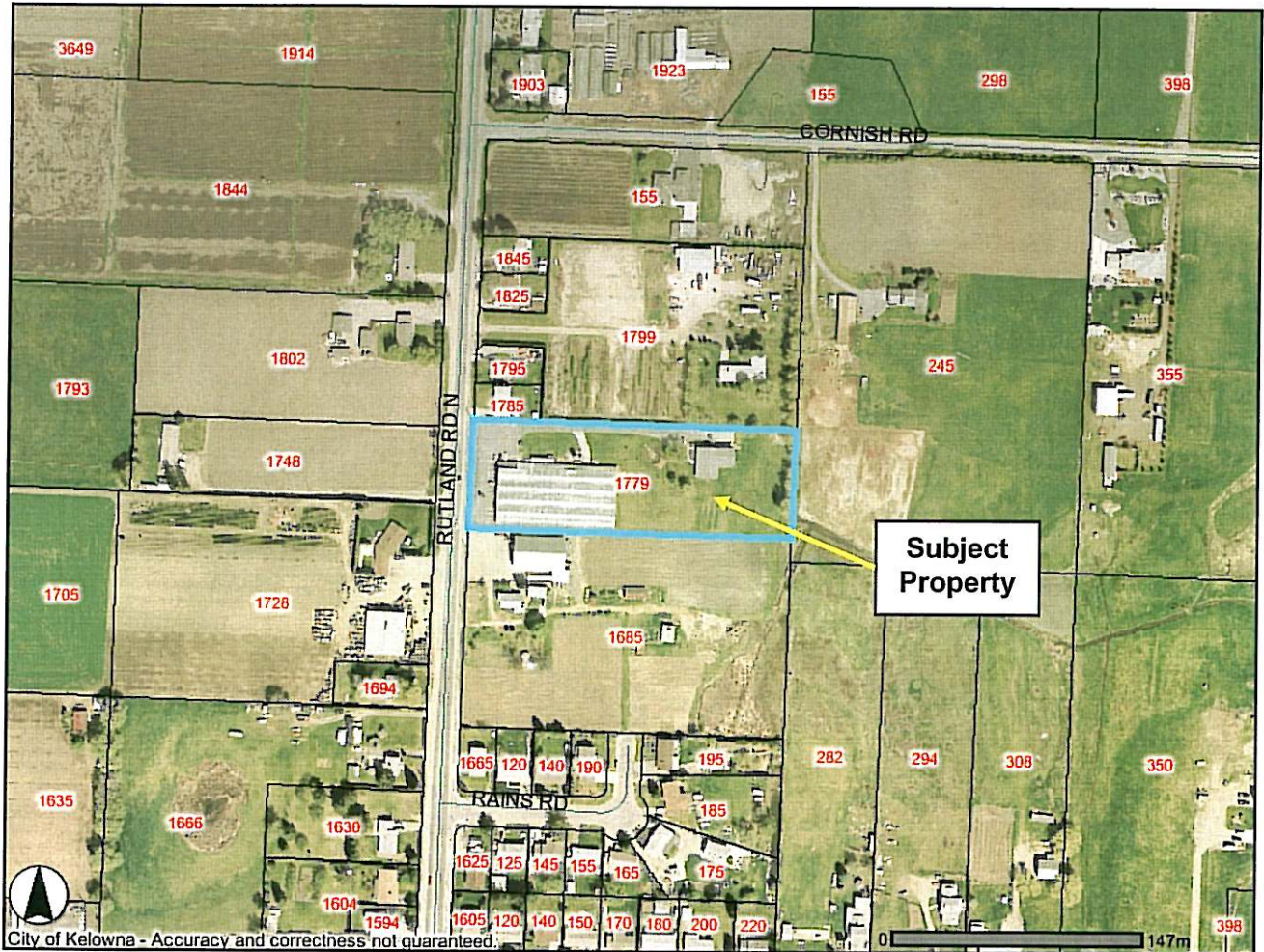
At a meeting held on October 9, 2008, the Agricultural Advisory Committee passed the following recommendation:

THAT the Agricultural Advisory Committee support Application No. A08-0011, as presented by the Applicant, for 1779 Rutland Rd N, Lot 2, Plan 18313, by John & Henriette Faber to obtain approval from the Agricultural Land Commission for non-farm use to convert greenhouse space to RV and boat storage subject to a Temporary Use Permit being obtained and that the buildings on site be maintained.



4.0 SITE CONTEXT

The subject property is located on the east side of Rutland Road North, approximately 800 m south along Rutland Rd N from Highway 97. The front half of the property contains a large greenhouse operating as Kelowna Rose & Garden Centre, while the rear half of the property contains a residence and a sizable yard not currently used for agriculture. The site area is 1.22 hectares (3.01 acres) and the site elevation is 402-405 m. There are no crops grown on-site outside of the greenhouse.



4.1 Zoning of Adjacent Properties and ALR Status

North	A1 – Agriculture 1, designated ALR
South	A1 – Agriculture 1, designated ALR
East	A1 – Agriculture 1, designated ALR
West	A1 – Agriculture 1, designated ALR

4.2 BCLI Land Capability (Map 82E.094)

Portion of Site	Land Capability Rating, Unimproved	Land Capability Rating, with Improvements
Western	100% Class 4 with soil moisture deficiency	100% Class 2 with soil moisture deficiency
Central	100% Class 3 with soil moisture deficiency & undesirable soil structure and/or low perviousness	100% Class 3 with undesirable soil structure and/or low perviousness
Eastern	80% Class 6 with excess water and salinity; 20% Class 4 with soil moisture deficiency	80% Class 4 with excess water & undesirable soil structure and/or low perviousness; 20% Class 1

4.3 Soil Classification

Portion of Site	%	Soil Type	Description
Western	100%	GL – Glenmore	<u>Land</u> : Nearly level to moderately sloping stratified glaciolacustrine sediments. <u>Texture</u> : 100 cm or more of silt loam, silty clay loam or clay loam. <u>Drainage</u> : Well to moderately well.
Central	100%	OY – Oyama	<u>Land</u> : Very gently to extremely sloping fluvio-glacial deposits. <u>Texture</u> : 100 cm or more of sandy loam or loamy sand grading to sand. <u>Drainage</u> : Rapid.
Eastern	80%	SR – Summerland	<u>Land</u> : Nearly level to strongly sloping fluvial veneer over glaciolacustrine sediments. <u>Texture</u> : 10 to 100 cm of silty clay loam grading to clay loam. <u>Drainage</u> : Dominantly poor, ranging to imperfect; fluctuating groundwater table or seepage, subject to flooding.
	20%	KN – Knox Mountain	<u>Land</u> : Fluvio-glacial veneer over gently to strongly sloping stratified glaciolacustrine sediments. <u>Texture</u> : 10 to 50 cm of sandy loam over banded silty clay loam, clay loam or loamy fine sand. <u>Drainage</u> : Well to rapid.

5.0 PROPOSAL

The applicants, in an attached letter dated September 5, 2008, note considerable financial hardship in the continued operation of their greenhouse due to foreign competition in the rose-growing market. The applicants are seeking an alternate means of revenue generation and are proposing boat and RV storage, which they observe to be in short supply community-wide.

Of the four greenhouse bays existing today, three are proposed to be converted for storage use while the remaining bay will continue in its use as a garden centre and store. A new rollup door is proposed at the rear of the greenhouses to accommodate the proposed storage use. In addition, various overhead pipes and conduits may be reconfigured in recognition of the changing heating requirements.

It should be noted that the applicant first approached the City in July 2006 inquiring as to what alternate uses may be permitted on their property and were advised that a Temporary Use Permit (TUP) could not authorize uses that are not permitted under ALC regulations without ALC authorization. An OCP amendment application would need to accompany the TUP application if the ALC is supportive.

The applicant has expressed an ideal date for commencement of storage of October 2009.

6.0 POLICY AND REGULATION

6.1.1 **Kelowna 2020 – Official Community Plan**

The current Official Community Plan has designated the subject property as Rural / Agricultural.

Agricultural Policies:

- 11.1.12 Sustained Agriculture. Encourage the retention of diverse agricultural uses through limits on urban development and non-farm use on lands of sustainable production capability;

6.1.2 **City of Kelowna Agriculture Plan**

Exclusion, subdivision, or non-farm use of ALR lands will generally not be supported. General non-support for ALR applications is in the interest of protecting farmland through retention of larger parcels, protection of the land base from impacts of urban encroachment, reducing land speculation and the cost of entering the farm business, and encouraging increased farm capitalization.

Farmland Preservation – Direct urban uses to land within the urban portion of the defined urban–rural/agricultural boundary, in the interest of reducing development and speculative pressure, toward the preservation of agricultural lands and discourage further extension of existing urban areas into agricultural lands.

7.0 TECHNICAL COMMENTS

7.1 Works & Utilities Department

Works and Utilities has no comments at this point in time with regard to this application, however, should the owner be required to rezone or subdivide the subject property, a comprehensive report addressing the necessary upgrades, will be provided at the time when an application is made.

The City of Kelowna is currently negotiating with the owners the relocation of a drainage system crossing the property. It is anticipated that the relocation of the drainage infrastructure and amendment to the utilities right of way be resolved within the next year.

8.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

The subject property has a variety of land capability and soil classification conditions across the site and has the potential for land capability to increase through improvements such as expanded irrigation and enhanced drainage. However, even with improvements the site continues to be of small size for farming, aside from agriculture activities that can be performed on limited site areas.

The City of Kelowna Official Community Plan and Agriculture Plan both express concern that the permitted expansion of urban uses into what is otherwise an agricultural landscape will serve to diminish the viability of agricultural practice. Increased speculative pressure on land and conflict between land uses should be avoided, particularly in agricultural areas under development pressure. Current policy does not support this application for a non-farm use within the ALR.

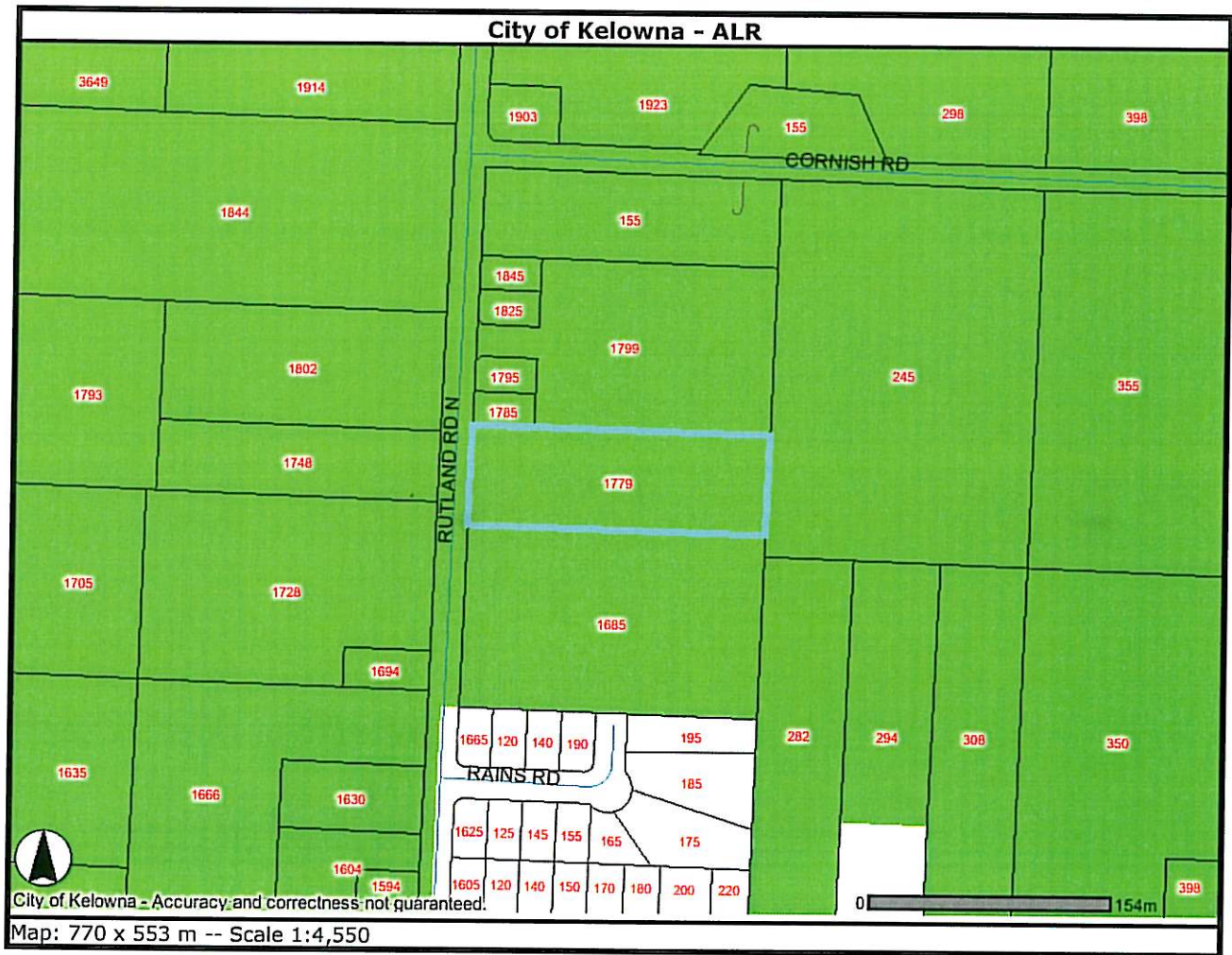
No significant, irreversible changes are proposed to the greenhouse and the applicant notes that conversion back to full greenhouse use will be possible.

Should the ALC favourably consider this non-farm use application, a TUP application and OCP amendment application will need to be applied for and would have a time limitation if approved.


Shelley Gambacort
Director of Land Use Management

ATTACHMENTS

Location map of subject property
ALR map
ALC Application form (2 pages + letter from applicant)
Land capability map
Soil classification map



This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



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Fax: (250) 491-7655
Rel: (250) 491-7633

*John & Henriette Faber
- and Family -*

1779 Rutland Road, N. • Kelowna, BC V1X 4Z8

September 5, 2008.

Our property consists of 3 acres (1.2 ha), 2 of which are usable.

In 1997-1998 we built a greenhouse on the property. In 2000 we doubled it in size. It now is approx. 27,000 sq.ft. in size. When we built, our niche in the market was fresh cut roses. Approx. 60% of our sales were wholesale and 40% on-site retail.

Over the past 3-4 years, we began losing our wholesale sales to lower cost imports (mainly Ecuador & Columbia, see attached article).

By 2006 the wholesale side of the business was all but gone, as we went slowly from 35 weekly accounts down to 5.

In the Fall of 2006 we removed 60% of our fresh cut rose production. In 2007 we added bedding plants and hanging baskets. This is a very seasonal Mid April to Mid June business. Our niche was lost, as with this side of the business we now compete with every box & grocery store in the city.

As is; our company is no longer profitable. Last year we had considerable losses. At present we are doing the best we can by eliminating our ongoing advertising budget (such as with CHBC) and restructuring our financing with Farm Credit.

We have had the company listed for sale (on MLS both with ReMax and Royal LePage) for nearly 2 years. No interest, no showings and of course no offers. We have been advised that the greenhouse is almost a negative for a sale.

Our last option seems to be to remove the greenhouse and piecemeal it out for whatever we can.

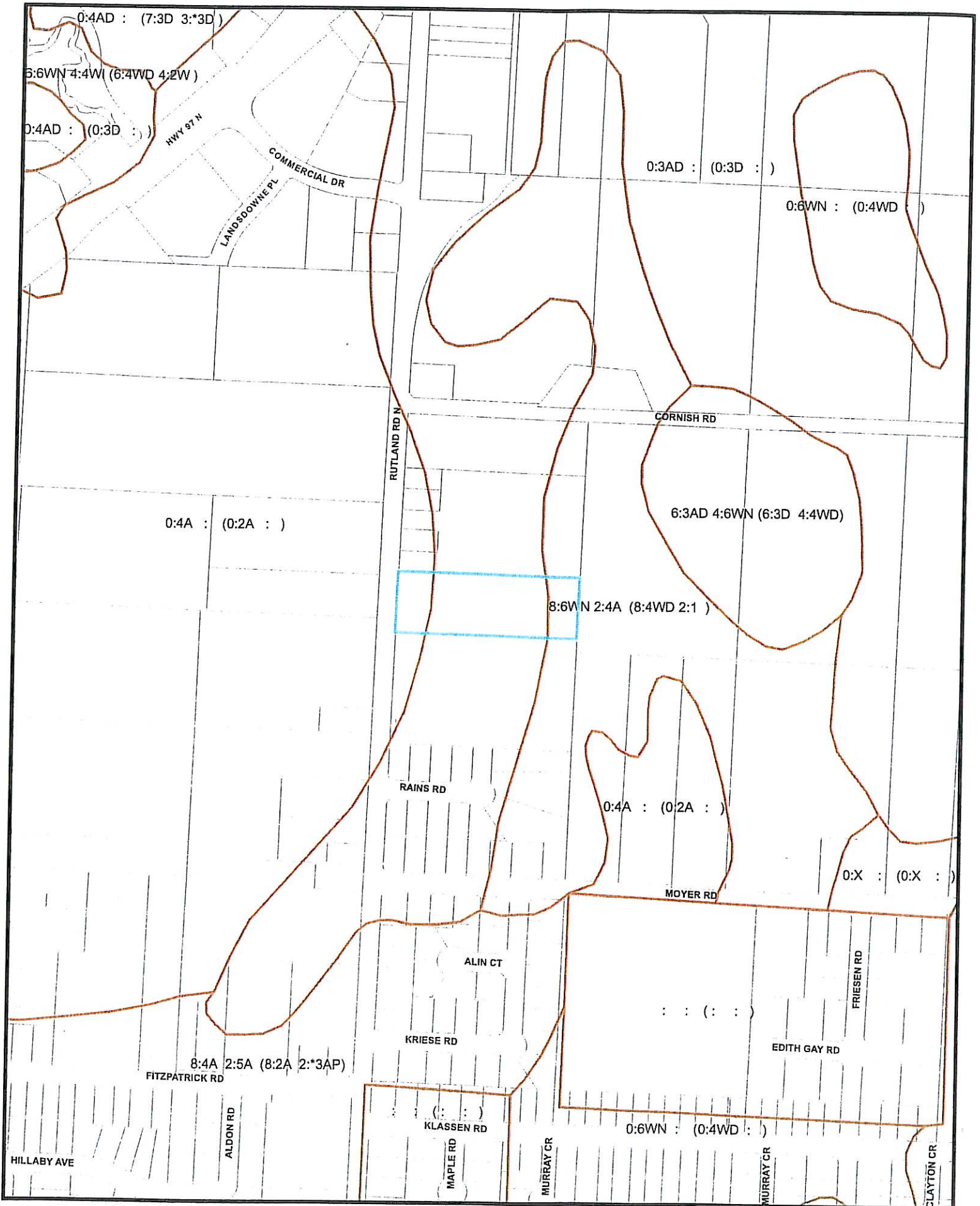
But that would be a shame. 10 Years of hard work and a \$ 400,000. investment wasted.

I am 60 years old. We still owe Farm Credit \$ 500,000. My wife and I would like to retire. As is, we can not. There appears to be a shortage of boat and r.v. storage in Kelowna. We would like to use our greenhouse for same. This would enable us to stay in our home, slowly pay off our debts and provide us with a source of income.

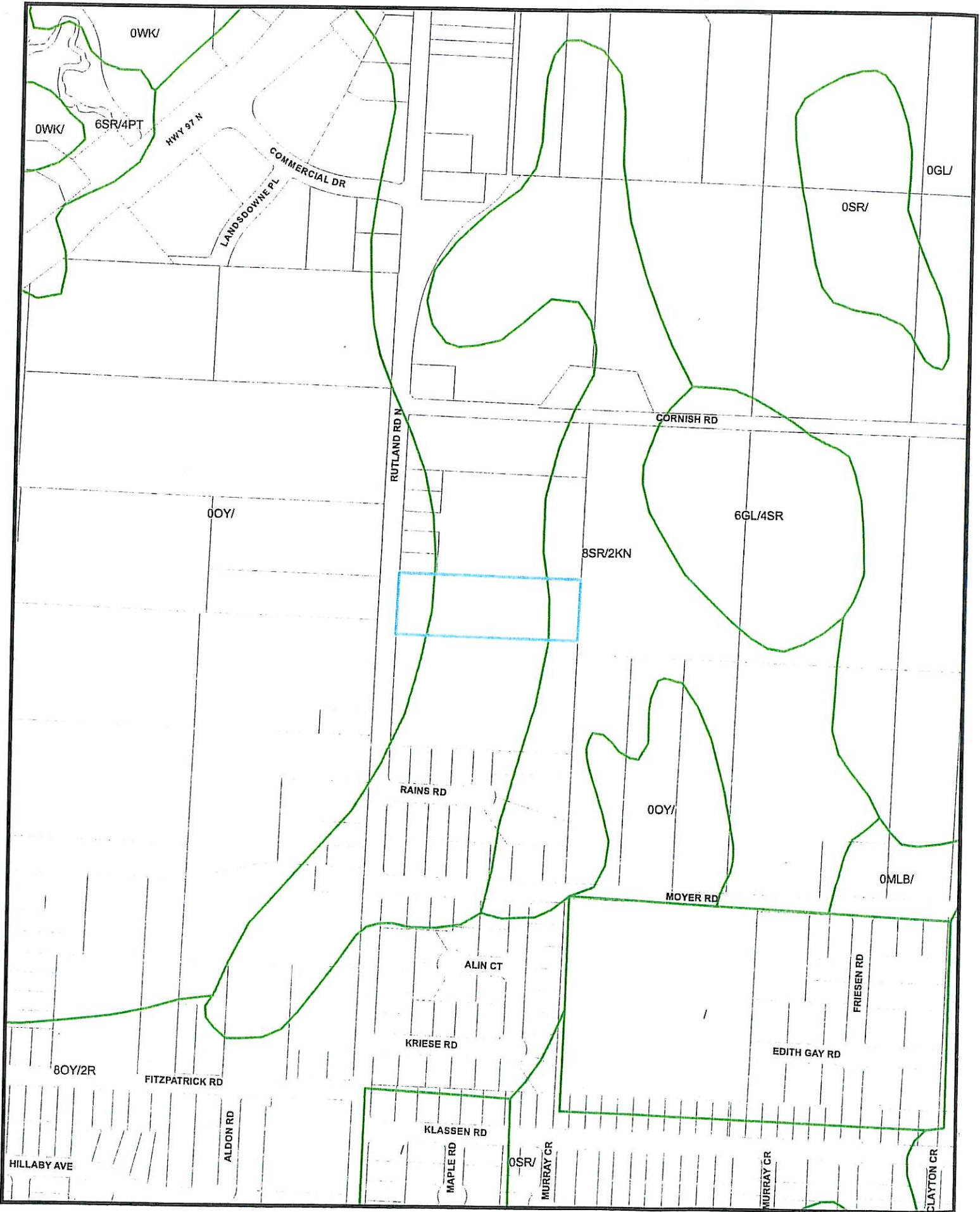
Your serious consideration to our application would be greatly appreciated.

Sincerely,
John Faber
Kelowna Rose & Garden Centre

Land Capability = Brown/ Soil Class = Green



Land Capability = Brown/ Soil Class = Green



1:5,000