



Agricultural Advisory Committee Minutes

Date:	Thursday, October 8, 2015
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	John Janmaat (Chair), Domenic Rampone, Jeff Ricketts (Alternate), Keith Duhaime, Pete Spencer, Tarsem Goraya, Yvonne Herbison and Jill Worboys (Interior Health)
Members Absent	Ed Schiller
Staff Present	Agriculture, Subdivision & Environment Services Manager, Todd Cashin, Planner, Melanie Steppuhn, Council Recording Secretary, Arlene McClelland

(* denotes partial attendance)

1. Call to Order

The Chair called the meeting to order at 6:03 p.m.

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

2. Applications for Consideration

2.1 1789 Munson Road, A15-0009 - Gabriel and Linda Coupal

Staff:

- Displayed a PowerPoint presentation summarizing the application.
- The Applicant is requesting permission from the ALC for an "Exclusion" from the ALR under Section 30 of the ALC Act.
- The subject property is located in the Benvoulin/KLO Sector of the City, west of Benvoulin Road and north of KLO Road.
- The property is within the Agricultural Land reserve and is zoned A1.
- According to the OCP, the future land use designation is Resource Protection Area. To the north and east, are properties also in the Resource Protection Area Future Land Use designation. To the south, Fortis BC has a public services utilities site, and the Kelowna Christian School is designated Education / Institutional.
- Some of the adjacent land is not in the ALR with some of the uses pre-dating its inception. This includes the commercial properties at the corner of Benvoulin and KLO as well as some of the residential properties in the area.
- The subject property is 2.49 ha (6.15 acres in area, which includes: (1) farm residential footprint (including yard, house and driveway) (2) recently farmed land and (3) parking area and retail sales area).
- The subject property is outside the Permanent Growth Boundary which lies to the west. The Applicant has outlined the difficulties that are present with farming in this area being:
 - (a) Ingress and egress from Benvoulin;

- (b) The median on Benvoulin restrict left turns;
- (c) Dust from adjacent activities;
- (d) Concern about spraying times near school
- (e) Diesel trucks and noise
- The Agricultural Capability of 70% of the subject property is rated at Class 4, 30% Class 5 with limitations due to excess water during the growing period. With improvements, primarily ditching, 70% of the property improves to Class 2, with 30% improvable to Class 3 with limitations due to excess wetness and fertility.
- The soils are 70% Guisachan and 30% Tanaka. These soils are common in the floodplain of Mission Creek. Guisachan soils are moderately coarse textured, and silty or sandy loam. Tanaka soils are gravel free soils with range from sandy to silty loam. They are poorly drained with depressions susceptible to flooding. Suitable crops for these soils are hay, pasture, vegetables, and other ground crops.
- The applicant has posted signs for the application, placed advertising in the newspapers and notified neighbouring properties as required by the ALC.
- 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. Consideration should be given to agricultural capability, as well as the potential impacts to agriculture, both on this property and any potential impacts to surrounding agricultural parcels.
- Responded to questions from the Committee members.

Gabe and Linda Coupal, Applicants:

- Displayed a map of the area on the overhead.
- Displayed coloured photos of the surrounding area that depict the uses surrounding the subject property.
- Advised of the large diesel trucks that operate in close proximity and the loud noises that emanate. The enjoyment of nature and picking in this area for customers is diminished.
- Advised that there are many undesirable noxious weeds throughout the field.
- Advised of the typically heavy traffic on Benvoulin Road during peak hours. Many vehicular accidents have occurred during these peak hours and their property was not accessible.
- Advised that traffic is an issue and now there is a median in front of their property, as of May of this year, without any consultation the applicant. This median hinders access to the parking lot.
- Advised that their property shares two common fronts with the Christian School. The playing fields are in very close proximity to the crops. There is a regular spray program that needs to be adhered to strictly due to the nature of the crop. The applicants have to adjust spray application in accordance with the use of the school fields. Displayed a photo of the hedge that separates the crop and the school field.
- Advised of the illegal activity occurring on the adjacent Munson Pond site including parties and disturbance of the peace.
- Advised that the land uses across from their home has been non-conforming for many years. End gates on dump trucks slam and the activity is extremely loud when dumping snow on the property. As well, pruning and wood products are burned at this location.
- Advised that the decision to allow the Fortis building and Christian School has drastically changed the composition of this neighbourhood.
- Advised that an exclusion of their property would not affect the surrounding neighbourhood as they are the last ones farming in the area.
- Acknowledged that it is important to preserve farm land however the safety issues and land conflicts make that extremely difficult. They have tried to farm on this land with all the negative going on all around. They have been committed to the farming industry many years.
- Confirmed that if the property is excluded it will go on the market. Either way, the plan is to sell the farm.
- Responded to questions from the Committee Members.

AAC/Staff Discussion:

- Staff confirmed that in 1997 there was a rezoning with a development permit attached to it and an Official Community Plan amendment with respect to the Christian School.
- Staff advised that the location of the Christian School and Fortis building were ALC's decisions.
- Staff confirmed that the ALC Decision to allow the Kelowna Christian School was made in 1988.
- The Fortis BC expansion was permitted through an ALC Resolution in 2001.
- The history of the area is:
 - 1972: Property purchased by parents
 - 1988: ALC Resolution - Kelowna Christian School
 - 2001: ALC Resolution - Fortis BC Expansion of Use
 - 2003: Applicant purchased property from parents
 - 2006: Application - 1789 Munson - for exclusion
 - 2007: ALC refused exclusion - 1789 Munson
- Staff confirmed that there is a Regional District Bylaw regarding noxious weeds.
- AAC suggested proper buffering be placed between the farm, Fortis and School. A three metre wide buffer was required between the Kelowna Christian School and the subject property.
- Staff confirmed that there are several bylaw complaint files open in this particular area. These complaints are being researched.
- Staff advised that they have communicated with the Christian School and Fortis that they would not support expansion of either buildings at their current locations.

A motion by Keith Duhaime to recommend that Council support an application to the Agricultural Land Commission under Section 30(1) of the *Agricultural Land Commission Act* for an "exclusion" from the Agricultural Land Reserve was lost due to a lack of a seconder.

AAC/Applicant Discussion:

- Applicant was asked why they would not sell it as farm land. The applicant had been advised by ALC staff to make an exclusion application, and they see it in as a better land use to harmonize the land uses in this area.
- AAC Interior Health member advised that it was important to consider preserving land for the future, with consideration to climate change and focus on food production.
- AAC suggested that the City work with the Kelowna Christian School and Fortis to ensure the buffers are still in place and functioning.
- AAC suggested that the Kelowna Christian School be approached to coordinate recess and outside activity times with spraying schedules.

Moved By Jeff Ricketts/Seconded By Tarsem Goraya

THAT the Agricultural Advisory Committee recommends that Council NOT support an application to the Agricultural Land Commission under Section 30(1) of the *Agricultural Land Commission Act* for an "exclusion" from the Agricultural Land Reserve on the subject property at 1789 Munson Road.

Carried

ANECTODOTAL COMMENT:

The Agricultural Advisory Committee expressed empathy for what the Applicant is going through due to previous decisions made to encroach on ALR land that has affected their personal life and caused hardship. Encouraged Council to look at operations going on around this property and to ensure they can find bylaw regulations to look at ways that such properties can be supported and encouraged to have food production.

3. Minutes

Moved By Yvonne Herbison/Seconded By Tarsem Goraya

THAT the Minutes of the July 9, 2015 Agricultural Advisory Committee meeting be adopted.

Carried

4. Referrals - Nil

5. Old Business

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

5.1. Update of Agricultural Land Commission Decisions

1. A14-0010 - 1301 Glenmore Rd - Non-Farm Use - Carriage House
 - Not supported by the Committee
 - Not supported by Council
 - Refused by the Agricultural Land Commission
2. A14-0011 - 499 Valley Rd - Non-Farm Use - Tree Service Company
 - No Committee quorum available for comment.
 - Not supported by Council
 - Refused by the Agricultural Land Commission

Staff advised that ALC has given the business up to 1 year to vacate the property.

3. A15-0012 - 1085 Lexington Drive - Non-Farm Use - 37 RV Site
 - No Committee quorum available for comment.
 - Supported by Council
 - Refused by the Agricultural Land Commission
4. A15-0001 - 3990 Swamp Road - Subdivision - Mission Creek
 - Supported by Council
 - Approved by the Agricultural Land Commission
5. A13-0003 - 2025 Springfield Road - Exclusion
 - Not supported by the Committee
 - Supported by Council
 - Refused by the Agricultural Land Commission

5.1. Update - Temporary Farm Worker Housing

Staff:

- Provided an update on Temporary Farm Worker Housing Application A15-0001 - 1090 McKenzie Road and discussed Council's concerns and decision.
- Advised they are working with the Applicant for an alternate proposal for 2016.

6. New Business

6.1 Discussion Paper and Proposed Minister's Bylaw Standards - Minister of Agriculture - September 14, 2015

Staff:

- Displayed a PowerPoint presentation and provided an overview of the Proposed Minister's Bylaw Standards for Agri-tourism and Farm Retail Sales.
- Will send Committee Members an electronic version of the document for review. Members were asked to provide their comments to be discussed at the November 12th meeting.

6.2 Housekeeping Item

Staff:

- Reminded Committee Members that it is imperative that they respond advising whether they are able or not to attend a meeting, by Tuesday at 10:00 AM prior to the meeting date, in order to call the alternates and have them available. Members were made aware that if an alternate was called to take their place, they would be able to participate in the meeting but their vote would be taken by the alternate.

7. Next Meeting

The next Committee meeting has been scheduled for November 12, 2015.

8. Termination of Meeting

The Chair declared the meeting terminated at 8:27 p.m.

/acm

John Janmaat, Chair