

## **Agricultural Advisory Committee**

### **Minutes**

Date: Thursday, October 13, 2016  
Location: Council Chamber  
City Hall, 1435 Water Street

Committee Members Present: John Janmaat (Chair), Domenic Rampone, Ed Schiller, Keith Duhaime, Yvonne Herbison, Jill Worboys and Jeff Ricketts\* (Alternate)

Committee Members Absent: Pete Spencer, Tarsem Goraya and Kevin Daniels (Alternate)

Staff Present Suburban & Rural Planning Manager, Todd Cashin; Planner, Melanie Steppuhn; Sustainability Coordinator, Tracy Guidi; and FOI-Legislative Coordinator, Sandi Horning

Guest: Uplands Consulting, Consultant, Ione Smith\*

(\* denotes partial attendance)

#### **1. Call to Order**

The Chair called the meeting to order at 6:04 p.m.

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

#### **2. Applications for Consideration**

##### **2.1 4077 & 4079 June Springs Road, Z16-0065 - Lance & Shanti Handley and Alvin Whittle**

Staff:

- Displayed a PowerPoint presentation summarizing the application.
- In 2006, there were three (3) structures on the property:
  - o One single-family dwelling;
  - o One mobile home for family use;
  - o One Shed.
- In 2009, a permit was issued for the new house for the principal resident of the land. This was the garage with the living quarters at the top.

- Also in 2009, a Building Permit for a second, larger home was issued, with the condition that the existing new house (the living quarters over the garage) would be used by the family as farm worker housing, with a condition that the land be used as a plant nursery.
- There was a further condition that both the existing single-family dwelling and the mobile home be removed.
- Noted that the following variances to the Zoning Bylaw will be required:
  - o Maximum Floor Area (90m<sup>2</sup> to 107.4m<sup>2</sup>);
  - o Maximum 2<sup>nd</sup> Floor Footprint (75% to 76.7%);
  - o Distance to Principal Dwelling (10.0m to 30.48m); and
  - o Maximum Height (6.0m to 7.47m).
- Noted that the Committee need to consider:
  - o The proposed rezoning to a carriage house;
  - o Existing policy and objectives for agricultural land and OCP policies for the Resource Protection Area;
  - o Potential impacts on the adjacent agricultural land; and
  - o Recommendation to Council.

#### AAC/Staff Discussion:

- Confirmed that a business licence to operate the nursery has been issued by the City.
- Confirmed that the plant nursery would be considered farm use.
- Advised that composting is restricted under the *Agricultural Land Commission Act*.
- Confirmed that the Applicants are aware of the rules and regulations.
- Clarified which structure is the accessory building and which is the primary dwelling.
- Confirmed that the Applicants' are seeking to legalize the structure so that it can be used as a carriage house.
- Advised that the Applicants are considering selling the property and would like to sell it with an A1c designation.
- Clarified the Ministry of Agriculture standards with respect to permanent farm help additional dwellings.
- Believes that approximately 1/3 of the property is being farmed with the plant nursery stock.

#### Lance & Shanti Handley, Applicants:

- Owns the subject property along with Shanti's dad.
- Displayed a PowerPoint presentation summarizing the requesting rezoning.
- When they purchased the property in 2005, they intended to start a plant nursery.
- Provided an overview of the history of the land since they purchased it.
- Advised that they have experimented with different crops.
- Displayed several photos of the property and the subject dwellings.
- Confirmed that the purpose of the application is to make the existing dwelling legal under the A1c zone.
- Believes the A1c zone would be appropriate as it would fit into the surrounding neighbourhood.
- Responded to questions from the Committee.
- Confirmed that approximately 1/2 of the property is being farmed, including the wildflower seed area in the front, not the 1/3 as indicated by City staff.
- They currently employ 1 staff person to assist with the nursery, but the worker is not on the property full time, and also helps with the landscaping company off site.
- The suite in question is in the structure that belongs to Shanti's father and he was never interested in renting out the suite.

- The original intent was to plant grapes or blueberries.
- Would like to use the income from the suite to intensify the farm use on the lands.
- Provided background information regarding the process for applying for building permits.
- Was unaware of the condition that the suite was be used for farm help only. They stated that they never received the letter sent by the City that was copied to themselves and the applicant at the time of Building Permit (her father's company).

**Staff:**

- Responded to questions from the Committee.
- Clarified the definition of permanent farm workers.
- Clarified that landscape contracting is not a farm use.
- Confirmed that if the suite was rented to a permanent farm worker, it would be considered legal, although Council Policy No. 3 indicates that all permanent full time farm worker housing request are now sent to the ALC as an application.

A motion by Keith Duhaime to support the rezoning the properties located at 4077 & 4079 June Springs Road from the A1 - Agriculture 1 zone to the A1c - Agriculture 1 with Carriage House zone was lost due to a lack of a seconder.

**Moved by Dominic Rampone/Seconded by Yvonne Herbison**

THAT the Agricultural Advisory Committee recommends that Council NOT support Rezoning Application No. Z16-0065 for the properties located at 4077 & 4079 June Springs Road, Kelowna, BC to rezone the subject properties from the A1 - Agriculture 1 zone to the A1c - Agriculture 1 with Carriage House zone in order to allow an existing dwelling unit constructed in the upper floor of an accessory building to conform to the City of Kelowna Zoning Bylaw.

**Carried**

**ANEDOCTAL COMMENTS:**

The Agricultural Advisory Committee did not support the application as they did not feel it was a benefit to agriculture. The Committee Members felt that the property owners should honour the existing condition that the dwelling be used for farm help. If the property is not being intensively farmed, then the farm housing needs to be addressed. The Committee Members expressed a need to protect the potential farming future of the property.

**2.2 TA16-0015, TA16-0016 & OCP16-0022, Text Amendment, Temporary Farm Worker Housing - City of Kelowna**

**Staff:**

- Displayed a PowerPoint presentation summarizing the application.
- A regional approach to temporary farm working housing was initiated in late 2015 with participation from:
  - o City of Kelowna;
  - o Regional District of Central Okanagan;
  - o City of West Kelowna;
  - o District of Lake Country;
  - o Ministry of Agriculture; and
  - o Agricultural Land Commission.
- The Temporary Farm Worker Housing (TFWH) Policy objectives include:

- Minimize footprints on farm land;
- Use existing dwelling within the farm unit as first option;
- New TFWH on non-permanent foundations;
- Addresses all properties within the farm unit;
- Addresses buffers to adjacent properties; and
- Measurable.
- The Policy is based on the Ministry of Agriculture's Guide to Bylaw Development in Farming Areas.
- The Policy will require changes and updates to the City's Official Community Plan, Zoning Bylaw and Development Application Procedures Bylaw.
- The Policy includes new definitions to:
  - Temporary Farm Worker Housing (TFWH);
  - Temporary Farm Worker;
  - Farm Unit;
  - Farm Residential Footprint;
  - On-Farm Processing; and
  - TFWH Footprint.
- Provided an overview of the Official Community Plan updates that will be required.
- Provided an overview of the Zoning Bylaw updates that will be required.
- Provided an overview of the Development Procedures Bylaw updates that will be required.
- Provided an overview of the next steps.
- Responded to questions from the Committee.
- Provided the rationale for not allowing permanent foundations.
- Clarified the definition of 'on farm processing'.
- Provided the rationale for the 3.8 ha size rather than 4.0 ha as a minimum parcel size.
- Clarified that the location of the farm worker housing can be varied and would therefore require an application to Council for the variance.

**Moved by Yvonne Herbison/Seconded by Dominic Rampone**

THAT the Agricultural Advisory Committee recommends that Council support Text Amendment Application No. TA16-0015, Text Amendment Application No. TA16-0016 and Official Community Plan Bylaw Amendment Application No. OCP16-0022 in order to provide policy for temporary farm worker housing that meets the needs of farmers, which adheres to provincial standards, in conjunction with a consistent regional approach.

**Carried**

**ANEDOTAL COMMENTS:**

The discussion identified that there are farms in the community that may require temporary farm workers but will not meet the criteria outlined in the proposed policy and regulations so the Agricultural Advisory Committee recommends that Council ensure that those cases will be considered and accommodated. The Agricultural Advisory Committee was pleased about the possibility of all temporary farm worker housing to be located on one parcel in the farm unit which the Committee Members felt provided opportunities to improve the farming operation as well as provided a social benefit for temporary farm workers. The Agricultural Advisory Committee liked the introduction of the term 'farm unit'.

### **3. Referrals**

There are no referrals.

### **4. Other Business**

#### **4.1 Okanagan Regional Adaptation Strategies Plan**

Staff:

- Provided information regarding the Okanagan Regional Adaptation Strategies Plan.

#### **4.2 Agri-Food Business Planning Program - November 16 & 17, 2016**

Staff:

- Provided information regarding the upcoming Agri-Food Business Planning Program.

### **5. Agricultural Land Commission Decisions**

#### **5.1 1629-1649 KLO Road - Reconsideration Request**

Staff:

- Advised that there is a reconsideration request for the subject property.
- The owners of Better Earth Garden have sold the business and the new owners have made a request to the Agricultural Land Commission to transfer the non-farm use to the new owners.
- The application was denied and it was suggested that the new owners submit a new application for non-farm use.

### **6. Next Meeting**

The next Committee meeting has been scheduled for November 10, 2016.

### **7. Adjourn Meeting & Reconvene in Knox Mountain Meeting Room**

The meeting recessed at 7:36 p.m. The meeting reconvened in the Knox Mountain Meeting Room at 7:45 p.m.

### **8. Workshop**

#### **8.1 City of Kelowna Agriculture Plan Update**

Alternate Committee Member, Jeff Ricketts, joined the meeting at 7:45 p.m. The Consultant, Iona Smith, joined the meeting at 7:45 p.m.

Iona Smith, Consultant:

- Displayed a PowerPoint presentation entitled Agriculture Plan Update.
- Responded to questions from the Committee regarding engagement with the stakeholders.
- Responded to questions from the Committee regarding engagement with First Nations.

- Responded to questions from the Committee regarding the rationale for the leading or supporting roles of the City in each of the themes.
- Provided an overview of the following Themes that the Committee is requested to recommend actions for:
  - Theme 1 - Harnessing and stewarding the bio-physical environment: taking advantage of great soil and sun, while minimizing water use and waste.
  - Theme 2 - Increasing consumer awareness and support for local agriculture: introducing Kelowna farms to residents and visitors alike.
  - Theme 3 - Managing urban and rural growth & development: keeping non-farm uses off the ALR.
  - Theme 4 - Supporting economic development of the agricultural sector: creating farms that create a profit.
  - Theme 5 - Bridging existing gaps in the food system: getting local food onto local plates.
  - Theme 6 - Planning for farm succession: making sure that retirement of the farmer doesn't mean retirement of the farm.
  - Theme 7 - Aligning local policies and regulations with the Agriculture Plan's vision: providing clear direction for decision-makers and landowners.

**Moved by Dominic Rampone/Seconded by Keith Duhaime**

THAT the Agricultural Advisory Committee recommends that Council support the key themes for the Agricultural Plan update with the following amendments for consideration:

1. Theme 1 - The City should take the 'lead' role rather than a 'supporting' role when addressing wildlife conflicts and concerns;
2. Theme 2 - Deepening partnerships with schools should be changed to deepening partnerships with schools and other public institutions;
3. Theme 4 - The City should play a 'supporting' role rather than 'no role' in cultivating farm-scale business planning and advancing sector innovation.
4. Theme 5 - Need to be more specific regarding 'food security' and clarify it by stating either 'community food security' or 'household food security'.

**Carried**

**Moved by Dominic Rampone/Seconded by Yvonne Herbison**

THAT the Agricultural Advisory Committee recommends that Council adopt Theme 1 - Harnessing and stewarding the bio-physical environment: taking advantage of great soil and sun, while minimizing water use and waste, with the following recommended actions:

- Work with the Invasive Species Council of BC and Regional District of Central Okanagan on initiative to control noxious weeds and invasive species.
- Include agriculture in climate change strategies and plans.
- Develop emergency plans (i.e. wildfire, drought) that are inclusive of agriculture.
- Work with AAFC Summerland Research Station and BC Ministry of Environment to determine opportunities for soil maps to be digitized and made available online.

- Ensure City bylaws (Maintenance of Boulevard Bylaw, Noxious Weeds & Grass Control Bylaw) contain up-to-date list of species of concern.
- Maintain fair water pricing for agricultural users.
- Provide support for water reclamation and re-use projects on farmland.
- Explore impacts of increasing access to treated water and sewer for agriculture.
- Enforce existing weed bylaws.

**Carried**

**Moved by Keith Duhaime/Seconded by Dominic Rampone**

THAT the Agricultural Advisory Committee recommends that Council adopt Theme 2 - Increasing consumer awareness and support for local agriculture: introducing Kelowna farms to residents and visitors alike, with the following recommended actions:

- Explore opportunities to develop an agri-tourism strategy with RDCO and Tourism Kelowna.
- Develop historical interpretive signage regarding agriculture for local parks.
- Support agricultural events, festivals, fairs, and celebrations.
- Develop policies and bylaws to increase opportunities to sell local food within the community.
- Install signs along roads in farming areas to indicate specific farms, crops, etc.
- Work with school districts to explore the possibility of using school grounds for pop-up markets or other agricultural events.
- Support curriculum in schools and community-level programming that educates residents about the history of agriculture in Kelowna.
- Explore the development of a local food procurement policy.
- Develop an identity for Kelowna that highlights a diverse agricultural sector.

**Carried**

**Moved by Jeff Ricketts/Seconded by Dominic Rampone**

THAT the Agricultural Advisory Committee recommends that Council adopt Theme 3 - Managing urban and rural growth & development: keeping non-farm uses off the ALR, with the following recommended actions:

- Address known non-compliance issues and hot spots through bylaw enforcement.
- Support the Farm Practices Protection Act and associated dispute resolution process.
- Work with the real estate industry to develop a "Good Neighbour" policy that provides new landowners with information about normal farm practices.
- Adopt permanent growth boundary protection tools to further protect the ALR.
- Plan roads, sewer, and other services such that the island effect for farmland is minimized.
- Adopt a policy such that ALR applications are only forwarded to the ALC if an Agrologist report indicates an overall benefit to agriculture.

- Develop a homeplate policy to limit overall footprint of residential uses on ALR.
- Provide information to real estate industry about impacts of farmland speculation.
- Encourage city officials to meet with real estate governing bodies to communicate development restrictions on farmland.
- Meet with other local governments to discuss common concerns and advocate for changes at the provincial level (e.g. property tax amendments and other items of provincial jurisdiction).

**Carried**

**Moved by Jeff Ricketts/Seconded by Yvonne Herbison**

THAT the Agricultural Advisory Committee recommends that Council adopt Theme 4 - Supporting economic development of the agricultural sector: creating farms that create a profit, with the following recommended actions:

- Enhance connections between producers, small businesses, non-governmental organizations, and small scale food processors.
- Support an inventory of food storage, distribution, and processing capacity for small and medium-scale producers.
- Support staff in professional development towards agricultural and rural planning.
- Provide templates and other guidelines and support for farmworker housing development.
- Continue to communicate third-party business planning sessions and workshops to the agricultural community.
- Support the agricultural economic development goals of the Central Okanagan Economic Development Commission (COEDC).
- Advocate for general support from higher levels of government.
- Support the development of a local Farmers Institute.
- Support community-level agricultural facilities for food preparation, processing, and cold storage and investigate possible funding sources.

**Carried**

**Moved by Yvonne Herbison/Seconded by Keith Duhaime**

THAT the Agricultural Advisory Committee recommends that Council adopt Theme 5 - Bridging existing gaps in the food system: getting local food onto local plates, with the following recommended actions:

- Conduct an inventory of urban (public land) farming opportunities.
- Create grant/funding stream for projects that support local food system initiatives.
- Endorse/support the visions of other local organizations working in food security, food access, and food self-sufficiency.
- Explore the possibilities of incubator farming on public lands.



- Convene a meeting with stakeholders about the needs and opportunities for a community food hub.
- Support the development of a healthy food strategy.

**Carried**

**Moved by Yvonne Herbison/Seconded by Ed Schiller**

THAT the Agricultural Advisory Committee recommends that Council adopt Theme 6 - Planning for farm succession: making sure that retirement of the farmer doesn't mean retirement of the farm, with the following recommended actions:

- Support dissemination of guides, factsheets, reports, on alternatives to buying/selling of farmland.
- Explore opportunities to establish a farmland trust (possibly regional).
- Promote land linking and mentorship programs (i.e. Young Agrarians).
- Work with the real estate industry to provide those selling ALR with alternative options to fee-simple sales.

**Carried**

**Moved by Dominic Rampone/Seconded by Ed Schiller**

THAT the Agricultural Advisory Committee recommends that Council adopt Theme 7 - Aligning local policies and regulations with the Agriculture Plan Update-'s vision: providing clear direction for decision-makers and landowners, with the following recommended actions:

- Perform regular review of OCP and Zoning Bylaw to ensure that commitment to agriculture and food system is embedded and reflected.
- Meet with RDCO, RDNO, other nearby local government planners to discuss common agricultural and food security goals.
- Meet with other Farm Bylaw municipalities (Abbotsford, Langley, Delta) to discuss common issues.
- Provide support (endorsements, funding) for non-governmental groups working on projects/initiatives that the Agriculture Plan Update supports.
- Explore the development of a local food procurement strategy.
- Re-examine ALR minimum lot sizes and determine whether they support or constrict a diversity of agricultural activities.
- Explore compensation for ecosystem services provided by agriculture.

**Carried**

Staff:

- Advised of the next steps in the Agricultural Plan update process.

**9. Termination of Meeting**

The Chair declared the meeting terminated at 9:54 p.m.

/slh

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John Janmaat, Chair